



## Safer Recruitment & Selection Procedures

### Procedure Creation & Review

<b>Author(s)</b>	Headteacher <i>based on LBN &amp; National Guidance including requirements of safer recruitment legislation.</i>
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Please note that this policy also pertains to practice in Little Ellies Childcare. Therefore the term 'school' is used to cover both of these provisions

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**This procedure is linked to the Early Help, Safeguarding & Child Protection Policy which is a statutory policy and is reviewed annually.**

**This school is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment**

### 1. Introduction

Ellen Wilkinson Primary School is committed to safeguarding and promoting the welfare of children and young people and requires all staff and volunteers to share and demonstrate this commitment in every aspect of their work.

We are committed to using disciplinary procedures that deal effectively with adults who fail to comply with the school's safeguarding and child protection procedures and practices, including referring any allegation of abuse against an adult working with children to the Local Authority Designated Officer (LADO) within one working day of the allegation being made. A referral will be made if an adult has:

- Behaved in a way that has harmed a child, or may have harmed a child;
- Possibly committed a criminal offence against or related to a child;
- Behaved towards a child or children in a way that indicates he or she would pose a risk of harm if they work regularly or closely with children.

The purpose of this policy is to set out the requirements of a recruitment process that aims to:

- Attract the best possible applicants to vacancies;
- Deter prospective applicants who are unsuitable to work with children or young people;
- Identify and reject applicants who are unsuitable to work with children or young people.

The appointment of all employees will be made on merit and in accordance with the provisions of Employment Law, Keeping Children Safe in Education and the school's Single Equality Scheme.

We will ensure that people are treated solely on the basis of their abilities and potential, in line with our Single Equality Scheme.

We will comply with the requirements of DfE Keeping Children Safe in Education.

## **2. Roles and Responsibilities**

The Governing Body of the school will:

- Ensure the school has effective policies and procedures in place for the safe and fair recruitment and selection of staff and volunteers in accordance with Department for Education guidance and legal requirements;
- Monitor the school's compliance with them;
- Ensure that appropriate staff and governors have completed safer recruitment training.

The Headteacher will:

- Ensure that the school operates safe and fair recruitment and selection procedures which are regularly reviewed and up-dated to reflect any changes to legislation and statutory guidance;
- Ensure that all appropriate checks have been carried out on staff and volunteers in the school monitor any contractors' and agencies' compliance with this document;
- Promote the safety and well-being of children and young people at every stage of this process.
- Ensure that those involved in the recruitment and employment of staff to work with children have received appropriate safer recruitment training.

## **3. Delegation of Appointments and Constitution of Selection Panel**

The Governing Body delegates the power to offer employment for all posts to the Headteacher. The Headteacher may delegate the power to offer employment to any other senior manager or governor. The Headteacher will aim to involve at least one governor in the appointment of all teaching staff and also in the appointment of other posts, where possible.

Selection panels will comprise a minimum of two people (normally three). In accordance with the statutory requirement, every selection panel will have at least one member who has undertaken Safer Recruitment Training.

The responsibility of appointing the Headteacher rests with the Governing Body who will also consult with the Local Authority. For such appointments, a more lengthy selection process may be implemented. This process (including interviews) will involve a representative from the Local Authority. A minimum of 5 people will sit on the selection panel.

## 4. Advertising

All vacant posts will be advertised to ensure equality of opportunity and encourage as wide a field of candidates as possible. This will normally mean placing an advertisement externally. However, where there is a reasonable expectation that there are sufficient, suitably qualified internal candidates, or staff are at risk of redundancy, vacancies may be advertised internally before an external advertisement is placed. Any internal recruitment process will follow the procedures set out in this policy.

When advertising roles, we will make clear:

- Our school's commitment to safeguarding and promoting the welfare of children
- That safeguarding checks will be undertaken
- The safeguarding requirements and responsibilities of the role, such as the extent to which the role will involve contact with children
- Whether or not the role is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020. If the role is exempt, certain spent convictions and cautions are 'protected', so they do not need to be disclosed, and if they are disclosed, we cannot take them into account

All advertisements for posts, paid or unpaid, therefore include the following statements:

*The school is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. Therefore:*

- *Shortlisted candidates will be expected to complete a self declaration and will be subject to online searches in line with KCSIE guidance as part of the recruitment process.*
- *The successful applicant will have to meet the requirements of the person specification in order to be offered the post and will be subject to pre-employment checks including a health check, an enhanced DBS check and satisfactory references*

## 5. Information for Applicants

All applicants will be provided with:

- A Job Description, outlining the duties of the post, and a Person Specification
- An Application Form (CVs will not be accepted)
- A description of the school, relevant to the vacant post
- Reference to the school's policy on Single Equality
- Reference to the Child Protection Policy, Safeguarding Policy, Safer Recruitment and Selection Policy, DBS and other pre-employment requirements
- An outline of terms of employment including salary
- Privacy notice for candidates
- The closing date for the receipt of applications

Prospective applicants must complete, in full, and return a signed application form. Incomplete application forms will be returned to the applicant where the deadline for completed forms has not passed.

Candidates submitting an application form completed on line will be asked to sign the form if invited to interview.

A CV will not be accepted in place of a completed application form.

## 6. Short Listing and Reference Requests

### 6.1 Short Listing

The selection panel will shortlist applicants against the Person Specification for the post. The criteria for selection will be consistently applied to all applicants. The selection panel will agree the applicants to be invited to interview.

Our shortlisting process will involve at least 2 people and will also:

- Consider any inconsistencies and look for gaps in employment and reasons given for them
- Explore all potential concerns

If the field of applicants is felt to be weak, the post may be re-advertised.

Once we have shortlisted candidates, we will ask shortlisted candidates to complete a self-declaration of their criminal record or any information that would make them unsuitable to work with children, so that they have the opportunity to share relevant information and discuss it at interview stage. The information we will ask for includes:

- If they have a criminal history
- Whether they are included on the barred list
- Whether they are prohibited from teaching
- Information about any criminal offences committed in any country in line with the law as applicable in England and Wales
- Any relevant overseas information
- Sign a declaration confirming the information they have provided is true

We will also carry out an online search on shortlisted candidates to help identify any incidents or issues that are publicly available online (please see Appendix 1 for how this is recorded)

## 6.2 References

Two references, one of which must be from the candidate's current/most recent employer, will be taken up before the selection stage so that any discrepancies may be probed during this stage of the selection process. Candidates are entitled to see and receive copies of their employment references and should request these from their referees.

References will be sought directly from the referee and, where necessary, s/he will be contacted to clarify any anomalies or discrepancies. Detailed written records will be kept of such exchanges.

Where necessary, previous employers who have not been named as referees may be contacted in order to clarify any such anomalies or discrepancies. Detailed written records will be kept of such exchanges.

If a candidate for a post working with children is not currently employed in a post working with children, a reference will be sought from the most recent employment in which the candidate has worked with children to confirm details of the candidate's employment and his/her reasons for leaving.

Reference requests will ask the referee to confirm, in writing:

- The referee's relationship to the candidate;
- Details of the candidate's current post ;
- The candidate's performance history and conduct;
- Whether the candidate has been subject to capability procedures and the outcome of this;
- Whether the candidate has been subject to disciplinary action relating to the safety and welfare of children, including where the sanction has expired, and the outcome of this;
- Details of any substantiated allegations or concerns about the candidate relating to the safety and welfare of children;
- Whether the referee has any reservations as to the candidate's suitability to work with children and young people (if so, the school will ask for specific details of the concerns and the reasons why the referee believes the candidate may be unsuitable to work with children);
- The candidate's suitability for the post with explicit reference to the job description and person specification.

All appointments are subject to satisfactory references, vetting procedures and DBS clearance.

References are the "property" of the selection panel and strict confidentiality will be observed. Employer testimonials i.e. those provided by the candidate and/or marked 'to whom it may concern' will not be accepted. References must be in writing and be specific to the job for which the candidate has applied. The selection panel will not accept references from relatives or people writing solely in the capacity as a friend of the candidate, for any post. References will be verified and any discrepancies or areas of potential concern will be discussed with the candidate at interview.

## 7. Interviews

Before the interviews, the selection panel will agree on the interview format.

Selection techniques will be determined by the nature and duties of the vacant post, but all vacancies will require an interview of short-listed candidates, an interview with the Junior Governing Body and additional tasks pertinent to the post

Interviews will always be face-to-face. Telephone interviews may be used at the short-listing stage but will not be a substitute for a face-to-face interview (which may be via visual electronic link).

Candidates invited to interview will have the following information confirmed in writing:

- Details of the interview day including details of the panel members
- Details of any tasks to be undertaken as part of the interview process
- The opportunity to discuss the process prior to the interview

The questions asked will be aimed at obtaining evidence of how each candidate meets the requirement of the Job Description and the Person Specification and each candidate will be assessed against all of the criteria for the post.

The same areas of questioning will be covered for each applicant and no questions which would discriminate directly or indirectly on protected characteristics under the Equality Act will be asked.

The selection process for every post will include exploration of the candidate's understanding of child safeguarding issues.

Candidates will always be required:

- To explain satisfactorily any gaps in employment;
- To explain satisfactorily any anomalies or discrepancies in the information available to the selection panel;
- To declare any information that is likely to appear on a DBS disclosure;
- To demonstrate their capacity to safeguard and protect the welfare of children and young people.

The interview will also include a discussion of any convictions, cautions or pending prosecutions, other than those protected, that the candidate has declared and are relevant to the prospective employment.

The recruitment documentation will be retained. Under the Data Protection Act, applicants have the right to request access to notes written about them during the recruitment process. After 6 months, all information about unsuccessful candidates will be securely destroyed.

## **8. Pre-appointment vetting checks**

An offer of appointment to a successful candidate, including one who has lived or worked abroad, will be conditional upon satisfactory completion of pre-employment checks. When appointing new staff, we will:

- Verify a candidate's identity from current photo ID (originals) and proof of address (originals) except where, for exceptional reasons, none is available; the advice of HR will be sought if this is the case;
- Obtain a certificate for an enhanced DBS check with a barred list information where the candidate will be engaging in regulated activity;
- Obtain a separate barred list check if, after carrying out a risk assessment, an individual will be judged as suitable to start work in regulated activity before the DBS enhanced disclosure is available;
- Check that a candidate to be employed as a teacher is not subject to a Prohibition Order issued by the Secretary of State, using the Employer Access Online Service;
- Use the Employer Access Online Service to check information about any teacher qualifications held and whether induction has been passed;
- Verify the candidate's mental and physical fitness to carry out their work responsibilities (a job applicant can be asked relevant questions about disability and health in order to establish whether they have the physical and mental capacity for the specific role);
- Verify the candidate's right to work in the UK (if there is uncertainty about whether an individual needs permission to work in the UK, then we will follow advice on the GOV.UK website);

- Make any further checks that we consider appropriate if the candidate has lived or worked outside the UK including information on sanctions or restrictions imposed by EEA professional regulating authorities;
- Verify professional qualifications (original certificates), as appropriate;
- Require the candidate to complete the school's Staff Suitability Declaration (to check for potential 'by association' safeguarding concerns) where applicable to the role in school i.e. in a 'relevant childcare' role – Appendix ii.

All checks will be:

- Documented and retained on the personnel file
- Recorded on the school's Single Central Record
- Followed up if they are unsatisfactory or if there are any discrepancies in the information received

### **Existing staff**

In certain circumstances we will carry out all the relevant checks on existing staff as if the individual was a new member of staff. These circumstances are when:

- There are concerns about an existing member of staff's suitability to work with children; or
- An individual moves from a post that is not regulated activity to one that is; or
- There has been a break in service of 12 weeks or more

## **9. Offer of Employment by the Selection Panel**

The offer of employment by the selection panel and acceptance by the candidate is binding on both parties, subject to satisfactory completion of the pre-employment checks and satisfactory references. The successful candidate will be informed, normally by offer letter, that the appointment is subject to satisfactory completion of these checks.

## **10. Personnel file and Single Central Record**

Recruitment and selection information for the successful candidate will be retained securely and confidentially for the duration of his/her employment with the school including:

- Application form – signed by the applicant;
- Interview notes – including explanation of any gaps in the employment history;
- References – minimum of two;
- Proof of identity;
- Proof of right to work in the UK (where applicable);
- Proof of relevant academic qualifications;
- Evidence of medical clearance from the Occupational Health service;
- Evidence of DBS clearance, Barred List (where applicable) and Prohibition checks;
- Signed contract of employment.

The school will maintain a Single Central Record of employment checks in accordance with DfE guidance.

## **11. Start of Employment and Induction**

The pre-employment checks listed above must be completed before the employee starts work. Exceptions will only be made in circumstances where a risk assessment has been undertaken. Exceptions will never be made in the case of the Barred List and Teacher Prohibition checks.

All new employees will be provided with an induction programme which will cover all relevant matters of school policy including safeguarding and promoting the welfare of children, child protection procedures, whistle blowing and guidance on safe working practices.

## **12. Adults working with children who are not employed directly by the school**

### **12.1 Supply Staff & Workshop Leaders**

We will only use those agencies which operate a Safer Recruitment Policy and supply written confirmation that all relevant checks have been satisfactorily completed. We will carry out identity checks when the member of supply staff or workshop leader arrives at school.

### **12.2 Peripatetic staff**

We use staff employed by Newham Local Authority who ensure and confirm that necessary checks and DBS requirements have been satisfactorily completed for peripatetic staff.

### **12.3 Volunteers**

Please see a separate procedure.

### **12.4 Students on placement**

When volunteers are working in school as part of a recognised training course (such as PGCE, NVQ etc.), references and completion of an application form will not be required. However, we will require proof of DBS enhanced clearance with a barred list check and will carry out identity checks when the student arrives at school. We will also require students to complete the Staff Suitability Declaration if they are working within the EYFS.

### **12.5 Students on work experience**

Students on work experience will always be supervised.

### **12.6 Contractors**

We ensure that contractors, or any employee of the contractor, working at the school have been subject to the appropriate level of DBS check, if any such check is required.

Contractors and contractors' employees for whom an appropriate DBS check has not been undertaken will be supervised if they will have contact with children.

If a contractor working at school is self-employed and will be in regulated activity, we will consider obtaining the DBS check, as self-employed people are not able to make an application directly to the DBS on their own account.

We will check the identity of contractors and their staff on arrival at the school.

This procedure will be regularly reviewed and updated to reflect any changes to legislation and statutory guidance.

### **12.7 Governors**

All governors will have an enhanced DBS check without barred list information.

They will have an enhanced DBS check with barred list information if working in regulated activity.

All governors will also have a section 128 check (as a section 128 direction disqualifies an individual from being a maintained school governor).