

Safer Recruitment Policy

BEAM COUNTY PRIMARY SCHOOL



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Policy reviewed by:

Head of School Date:.....
Chair of Governors Date:.....

Beam County Primary School is committed to safeguarding and promoting the wellbeing of children. All staff and volunteers must share this commitment.

Requirements: Governing Body

Schools should have written recruitment and selection policies and procedures in place. This is set out in paragraph 89 of *Keeping Children Safe in Education*, (September 2018) which is statutory safeguarding guidance from the Department for Education (DfE).

In line with Part three of this guidance, governing bodies ... “should prevent people who pose a risk of harm from working with children by adhering to statutory responsibilities to check staff who work with children, taking proportionate decisions on whether to ask for any checks beyond what is required and ensuring volunteers are appropriately supervised.”

The School Staffing (England) Regulations 2009 require governing bodies of maintained schools to ensure that at least one of the persons who conducts an interview has completed safer recruitment training. The Governing Body may choose appropriate training and may take advice from the local safeguarding partners in doing so. The training should cover, as a minimum, the content of *Keeping Children Safe in Education*, (September 2018)

Rationale

It is vital that Beam County Primary School has in place and follows recruitment and selection procedures that deter, identify and reject people who might abuse children, put children at risk of harm or are in any other way unsuited to work with them.

This policy and procedure sets out the school's practice which will be followed to achieve that. It has been written with reference to DfE Statutory Guidance. It should be read in conjunction with our Safeguarding and Child Protection Policy.

Everyone who works in the school is likely to be perceived by children as safe and trustworthy. Safer recruitment and selection procedures therefore apply not only to staff employed directly by the school. It includes those who will be seen as trustworthy and safe because of their presence in the school this incorporates but is not limited to unpaid volunteers, students on placement and staff employed by contractors.

Role of Governors

Governors must ensure safer recruitment procedures are applied

Page 69 of the Governance Handbook explains that in maintained schools, this responsibility cannot be delegated and must remain with the full governing body.

This requirement is set out in the School Staffing (England) Regulations 2009 which only apply to maintained schools.

[Governance handbook, GOV.UK – Department for Education \(DfE\) \(Adobe pdf file\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/582868/Governance_Handbook_-_January_2017.pdf)
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/582868/Governance_Handbook_-_January_2017.pdf

[The School Staffing \(England\) Regulations 2009: regulation 4, legislation.gov.uk](http://www.legislation.gov.uk/ukxi/2009/2680/regulation/4/made)
<http://www.legislation.gov.uk/ukxi/2009/2680/regulation/4/made>

Although governors may not delegate their responsibility for oversight of safer recruitment procedures, they can delegate the operational tasks within this policy to school staff.

Safeguarding Commitment

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

Safer recruitment and DBS checks – policy and procedures

We will record all information on the checks carried out in the school's single central record (SCR). Copies of these checks, where appropriate, will be held in individuals' personnel files. We follow requirements and best practice in retaining copies of these checks, as set out below.

Appointing new staff

When appointing new staff, we will:

- Verify their identity
- Obtain (via the applicant) an enhanced Disclosure and Barring Service (DBS) certificate, including barred list information for those who will be engaging in regulated activity (see definition below). We will not keep a copy of this for longer than 6 months
- Obtain a separate barred list check if they will start work in regulated activity before the DBS certificate is available
- Verify their mental and physical fitness to carry out their work responsibilities
- Verify their right to work in the UK. We will keep a copy of this verification for the duration of the member of staff's employment and for 2 years afterwards
- Verify their professional qualifications, as appropriate
- Ensure they are not subject to a prohibition order if they are employed to be a teacher
- Carry out further additional checks, as appropriate, on candidates who have lived or worked outside of the UK, including (where relevant) any teacher sanctions or restrictions imposed by a European Economic Area professional regulating authority, and criminal records checks or their equivalent

We will seek references on all short-listed candidates, including internal candidates, this may be before interview. We will scrutinise these and resolve any concerns before confirming appointments.

Because our school includes pupils aged under 8: We will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the Childcare Disqualification (Regulations) 2009 and Childcare Act 2006. Where we take a decision that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment on the individual's personnel file. This will include our evaluation of any risks and control measures put in place, and any advice sought.

Regulated activity means a person who will be:

- Responsible, on a regular basis in a school or college, for teaching, training, instructing, caring for or supervising children
- Carrying out unsupervised work (paid or unpaid) regularly in a school or college where that work provides an opportunity for contact with children
- Engaging in intimate or personal care or overnight activity, even if this happens only once and regardless of whether they are supervised or not

Existing staff

If we have concerns about an existing member of staff's suitability to work with children, we will carry out all the relevant checks as if the individual was a new member of staff. We will also do this if an individual moves from a post that is not regulated activity to one that is.

We will refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult:

- Where the 'harm test' is satisfied in respect of the individual (i.e. that no action or inaction occurred but the present risk that it could was significant)
- Where the individual has received a caution or conviction for a relevant offence
- If there is reason to believe that the individual has committed a listed relevant offence, under the Safeguarding Vulnerable Groups Act 2006 (Prescribed Criteria and Miscellaneous Provisions) Regulations 2009
- If the individual has been removed from working in regulated activity (paid or unpaid) or would have been removed if they had not left

Agency and third-party staff

We will obtain written notification from any agency or third-party organisation that it has carried out the necessary safer recruitment checks that we would otherwise perform. We will also check that the person presenting themselves for work is the same person on whom the checks have been made.

Contractors

We will ensure that any contractor, or any employee of the contractor, who is to work at the school has had the appropriate level of DBS check. This will be:

- An enhanced DBS check with barred list information for contractors engaging in regulated activity
- An enhanced DBS check, not including barred list information, for all other contractors who are not in regulated activity but whose work provides them with an opportunity for regular contact with children

We will obtain the DBS check for self-employed contractors.

We will not keep copies of such checks for longer than 6 months.

Contractors who have not had any checks will not be allowed to work unsupervised or engage in regulated activity under any circumstances.

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

Trainee/student teachers

Where applicants for initial teacher training are salaried by us, we will ensure that all necessary checks are carried out.

Where trainee teachers are fee-funded, we will obtain written confirmation from the training provider that necessary checks have been carried out and that the trainee has been judged by the provider to be suitable to work with children.

In both cases, this includes checks to ensure that individuals are not disqualified under the Childcare Disqualification (Regulations) 2009 and Childcare Act 2006.

Volunteers

We will:

- Never leave an unchecked volunteer unsupervised or allow them to work in regulated activity
- Obtain an enhanced DBS check with barred list information for all volunteers who are new to working in regulated activity
- Obtain an enhanced DBS check without barred list information for all volunteers who are not in regulated activity, but who have an opportunity to come into contact with children on a regular basis, for example, supervised volunteers
- Carry out a risk assessment when deciding whether to seek an enhanced DBS check for any volunteers not engaging in regulated activity
- Ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the Childcare Disqualification (Regulations) 2009 and Childcare Act 2006. Where we decide that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought

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.

Ensuring Safe Practices

Issues to do with safeguarding and promoting the welfare and wellbeing of children must be considered at every stage of the recruitment and selection process. It requires careful planning of the recruitment exercise and a consistent, thorough process of obtaining, analysing and evaluating information.

Delegation of Appointments and Constitution of Selection Panel

The Governing Body delegates the power to offer employment for all posts to the Head of school. The Head may not delegate the power to offer employment to any other senior manager or governor. The Head 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.

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.

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

“Beam County Primary School is committed to safeguarding and promoting the welfare and wellbeing of children. All staff and volunteers are required to share and demonstrate this commitment”

“The successful candidate will have to meet the requirements of the person specification and will be subject to pre-employment checks including an enhanced DBS check and satisfactory references.”

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 Safeguarding and Child Protection Policy, Safer Recruitment Policy, DBS and other pre-employment requirements
- An outline of terms of employment including salary
- 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.

Short Listing and Reference Requests

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.

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 and salary
- 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.

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

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. Interviews will always be face-to-face. Telephone interviews may be used at the shortlisting 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 receive:

- A letter confirming the interview and any other selection techniques
- 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.

Pre-appointment 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

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

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.

Personnel File and the Single Central Record

Recruitment and selection information for the successful candidate will be retained securely and confidentially for the duration of 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
- Proof of relevant academic qualifications
- Evidence of medical clearance from the Occupational Health service
- Evidence of DBS clearance, Barred List (where applicable) and Teacher Prohibition checks
- Offer of employment letter and signed contract of employment

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

Appendix 1

Safer Recruitment Policy Checklist for Governors

The tasks in this checklist are taken from the statutory guidance document [Keeping Children Safe in Education](#), (DfE, 2016). The checklist is an overview of the governing body's duties regarding safer recruitment, and is not exhaustive.

The governing body may delegate these tasks to school staff, but should make sure the safer recruitment procedures are applied. The responsibility remains with the full governing body. (Academies are free to decide whether to delegate this oversight to committees, individual governors and/or school staff.)

Task	Complete?	Action (if applicable)
At least one person on the appointment panel has undertaken safer recruitment training		
We have verified the candidate's identity		
We have carried out all necessary DBS checks		
We have checked that the candidate is not prohibited from teaching using the Teacher Services' system		
We have verified the candidate's mental and physical fitness to carry out his/her work responsibilities		
We have verified the candidate's right to work in the UK		
We have carried out the additional checks required for applicants living or working outside the UK		
We have verified the candidate's professional qualifications		
We have checked written information provided by the candidate on his/her previous employment history		
We have requested references directly from the candidate's referees		
We have scrutinised these references and taken up any discrepancies with the candidate		
We have recorded the necessary information in the school's single central record		

Appendix 2

Safer recruitment legislation:

Following the murders of Jessica Chapman and Holly Wells by Ian Huntley in 2002, the Bichard inquiry made a number of recommendations to strengthen the systems that prevent unsuitable adults from working with children.

In order to create a UK-wide system for safeguarding children, the Safeguarding Vulnerable Groups Act 2006 was passed, covering England and Wales,

The Protection of Freedoms Act 2012, which became law on 1 May 2012, made a number of changes to the system in England, Wales and Northern Ireland.

The Safeguarding Vulnerable Groups Act 2006 established the Independent Safeguarding Authority (ISA) to make decisions about individuals who should be barred from working with children and to maintain a list of these individuals. The Protection of Freedoms Act 2012 merged the ISA with the Criminal Records Bureau (CRB) to form a single, new, non-departmental public body called the Disclosure and Barring Service (DBS).

Under the Safeguarding Vulnerable Groups Act 2006 it is an offence for an employer to knowingly employ someone in a regulated position if they are barred from doing so. It is also an offence for the individual who has been barred to apply for a regulated position (one which involves spending regular time working with children).

The Protection of Freedoms Act 2012 reduced the scope of "regulated activity" by focusing on whether the work is unsupervised (in which case it counts as "regulated activity") or supervised (in which case, organisations can request an enhanced criminal records check, but this will not include a check of the barred list). The new definition of regulated activity came into force on 10 September 2012 and was issued in conjunction with guidance on the level of supervision required to take work out of the scope of regulated activity.

The Safeguarding Vulnerable Groups Act 2006 also imposed the legal requirement on employers to refer to the ISA (now DBS) information about employees or volunteers who (may) have harmed children while working for them.

Extracts sourced from An NSPCC factsheet May 2013

references

Bichard, S.M. (2005) The Bichard Inquiry: final report (PDF) . London: Cabinet Office.

Department for Education and Department of Health, Social Services and Public Safety Northern Ireland (September 2012)

Statutory guidance: regulated activity (children) - supervision of activity with children which is regulated activity when unsupervised (PDF) . [London]: Department for Education (DfE).

Gov.uk: Disclosure and Barring Service Home Office (2012) Changes to disclosure and barring: what you need to know (England and Wales) (PDF) . [London]: HM Government.

Protection of Freedoms Act 2012 London: The Stationery Office (TSO).

Safeguarding Vulnerable Groups Act (SVGA) 2006 London: The Stationery Office (TSO)

Appendix 3 BEAM COUNTY PRIMARY SCHOOL **Staff Suitability Declaration**

It is a criminal offence for a school to employ anyone to provide childcare in a 'relevant' role who is disqualified i.e. someone who has been cautioned for, or convicted of, one of a number of specified offences

This form is to be completed by all new staff when they commence employment in a relevant childcare role AND by all staff when requested.

Relevant childcare roles:	During School Hours	Outside School Hours*
Working with Pre-School, Nursery or Reception children or involved in the management	Yes / No	Yes / No
Working with children from Reception age up to age 8 or involved in the management	Yes / No	Yes / No
Working with children 8 years or older	Yes / No	Yes / No

*Outside school hours does not include school clubs e.g. learning support, choir or sports' teams but does include breakfast clubs or after-school provision.

Name of employee:.....

Role in school:.....

Please answer the questions and sign the declaration. If there are any aspects of the declaration that you are not able to meet, please disclose this immediately to the Head. Please circle Yes or No against each question:

Have you ever been cautioned for, or convicted of: any offences against children or any serious violent or sexual offences against adults? (You are not required to disclose 'protected' cautions or convictions) Yes/No

Have your own children ever been taken into care or been the subject of a Child Protection Order? Yes/No

If you have answered YES, please provide further information below:

.....
(Please note that you may be required to provide additional information).

- **I understand my responsibility to safeguard children and am aware that I must notify the Headteacher of anything that may affect my suitability.**
- **I confirm that, to the best of my knowledge, I do not live in the same household as an individual who has been barred or disqualified from working with children. I also confirm that, to the best of my knowledge, I do not live in a household which employs someone who is barred or disqualified from working with children.**
- **I will notify the Headteacher immediately if my circumstances change. Where necessary, I give my permission for you to contact any previous settings, Local Authority staff, the police, the DBS or any medical professionals to share information about my suitability to care for children**

Signed:

Date: