



# **Recruitment and Selection Policy**

**Autumn 2019**

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The safe recruitment of staff at Jubilee Primary School is the first step to safeguarding and promoting the welfare of our children. The trustees and senior leadership of the school are committed to safeguarding and promoting the welfare of children and young people and expect all staff and volunteers to share this commitment. It is recognised that this can only be achieved through sound procedures, good inter-agency co-operation and the recruitment and retention of competent, motivated employees who are suited to and fulfilled in the roles they undertake. All posts within school are exempt from the Rehabilitation of Offenders Act 1974 and therefore all applicants will be required to declare spent and unspent convictions, cautions and bind-overs, and have an Enhanced Disclosure and Barring Service Check (DBS).

The Recruitment Policy and Procedures are based on and conform with statutory and non-statutory guidance contained in 'Keeping Children Safe in Education (September 2019)'. This policy also has due regard for Prevent Duty Guidance: for England and Wales (July 2015 supplemented by the non- statutory advice and a briefing note on The Prevent duty: Departmental Advice for Schools and Childminders and The Use of Social Media for On-line Radicalisation (July 2015)) and the Disqualification under Childcare Act 2006 (August 2018). The School aims to recruit staff that share and understand our commitment and to ensure that no job applicant is treated unfairly by reason of a protected characteristic as defined within the Equality Act 2010.

## **Purpose**

### **The principles underlying this policy:**

- This school recognises the value of, and seeks to achieve, a diverse workforce which includes people from different backgrounds with different skills and abilities.
- The school is committed to ensuring that the recruitment and selection of all who work within the school is conducted in a manner that is systematic, efficient, effective and promotes equality of opportunity.
- The school will uphold its obligations under law and national collective agreements not to discriminate against applicants for employment on the grounds of age, sex, sexual orientation, marital status, disability, race, colour, nationality, ethnic origin, religion or creed.
- This document provides a good practice framework to comply with the principles set down in the school's Equal Opportunities Policy.

The school is committed to ensuring people who have been convicted are treated fairly and given every opportunity to establish their suitability for positions. Having a criminal record will not necessarily be a bar to obtaining a position.

### **The aims of this policy are to ensure that:**

- Appropriate staff who undertake recruitment have received safer recruitment training.

- Every appointment panel includes one member who has received safer recruitment training.
- Robust recruitment procedures and checks for appointing staff and volunteers are implemented to ensure that reasonable steps are taken not to appoint a person who is unsuitable to work with children, or who is disqualified from working with children, or does not have the suitable skills and experience for the intended role.
- A single central record of recruitment vetting checks is kept and maintained in line with DfE requirements.
- The terms of any contract with a contractor or agency requires them to adopt and implement measures described in this procedure. The school will monitor the compliance with these measures.
- Staff who are convicted or cautioned for any offence during their employment with the school will notify the school, in writing, of the offence and the penalty.

**Our practice will ensure that:**

- Receipt of at least two satisfactory references, one of which will be from the former or most recent employer, are obtained before the commencement of employment.
- Verification of the candidate's identity in line with the requirements of the Immigration, Asylum and Nationality Act 2006 will be obtained. We will keep a copy of this verification for the duration of the member of staff's employment and for 2 years afterwards.
- 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 professional qualifications, as appropriate.
- Satisfactory DBS clearance is received.
- Verification of the candidate's medical fitness has been received from Occupational Health.
- Professional registration as required by law for teachers has been verified.
- Successful completion of induction period (for those who obtained QTS after 7 May 1999) has been verified.
- Check that candidates taking up a management position are not subject to a prohibition from management (section 128) direction made by the secretary of state.
- 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 be succeeding when:**

- The board of trustees ensures the school has effective procedures in place for the recruitment of all staff and volunteers in accordance with DfE guidance and legal requirements.
- The board of trustees monitors the school's compliance with above.
- The Headteacher and others involved in recruitment ensure that the school operates safer recruitment procedures and makes sure all appropriate checks are carried out on all staff and volunteers who work at the school.
- The school monitors contractors' and agencies' compliance with this document.
- The school promotes the welfare of children and young people at every stage of the procedure.

It is the responsibility of all potential and existing workers, including volunteers, to comply with this document.

It is the responsibility of all contractors and agencies to comply with safer recruitment pre-employment checks.

It is the responsibility of the school's administrator to deal with the administration of the disclosure system for the school.

The Headteacher may delegate the selection process of staff to other leaders in the school, but remains responsible for the final decision to appoint.

## **Procedures and practice**

### **Advertising**

To ensure equality of opportunity, the school will advertise all vacant posts to encourage as wide a field of candidates as possible. Normally this will entail an external advertisement.

However, where there is a reasonable expectation that there are sufficient qualified internal candidates or where staff are at risk of redundancy, an internal advertisement may be considered appropriate.

### **Applications**

The school uses a standard application form so CVs will not be accepted. The school requires candidates to account for any gaps or discrepancies in employment history on this application form. Where an applicant is short listed, these gaps will be discussed at interview.

Applicants should be aware that providing false information is an offence and could result in the application being rejected, or summary dismissal if the applicant has been selected, and possible referral to the police and other professional regulatory bodies.

## **References**

The first reference will always be requested from the candidate's current employer. References for short listed candidates will be requested immediately after short listing, the only exception to this is where candidates have indicated on their application forms that they do not wish their current employer to be contacted. In such cases, this reference will be taken up immediately after interview and the post will be offered subject to satisfactory references being received by the school.

References must be in writing and be specific to the job for which the candidate has applied – open references or testimonials are not acceptable. The school will not accept references from relatives or people writing solely in the capacity as a friend. Only references from a trusted authoritative source will be acceptable.

### **Reference requests will specifically ask:**

- About the referee's relationship with the candidate.
- Whether the referee is completely satisfied that the candidate is suitable to work with children and, if not, for specific details of the concerns and the reasons why the referee believes that the person might be unsuitable.

### **Referees will also be asked to confirm details of:**

- The applicant's current post and salary
- Performance history and conduct
- Any disciplinary procedures in which the sanction is current
- Any disciplinary procedures involving issues related to the safety and welfare of children, including any in which the sanction has expired and the outcome of those
- Details of any allegations or concerns that have been raised that relate to the safety and welfare of children or behaviour towards children and the outcome of these concerns

References will be compared to the application form to ensure that the information provided is consistent. Any discrepancies will be taken up with the applicant at interview.

Any information about past disciplinary action or allegations will be considered in the circumstances of the individual case. Cases in which an issue was satisfactorily resolved some time ago, or an allegation was determined to be unfounded or did not require formal disciplinary sanctions, and which no further issues have been raised, are not likely to cause concern. More serious or recent concerns or issues are more likely to cause concern. A history of repeated concerns or allegations over time is also likely to merit further investigation.

## **Self-declaration of convictions by job applicants**

The school's policy requires short listed applicants for all posts (including volunteers) to declare all criminal convictions whether spent or unspent including any cautions and/or pending prosecutions.

Such declarations will be made on an appropriate form and should be submitted in a sealed envelope, marked strictly private and confidential to the chair of the Jubilee Primary School

selection panel/Headteacher, prior to the interview. The chair of the panel/Headteacher will discuss relevant, positive declarations confidentially with the applicant at interview.

The disclosure of convictions, cautions or pending cases will not necessarily prevent employment but will be considered in the same way as positive DBS disclosures.

## **Interviews**

The selection process will always include the following:

- Face to face professional interview including a question related to safeguarding children (in line with Safer Recruitment Training), as well as an activity with children.

## **Proof of Identity and Right to Work in the UK & Verification of Qualifications and/or Professional Status.**

Short listed applicants for all posts will be required to provide proof of identity by producing documents on the day of interview in line with those set out in The Immigration, Asylum and Nationality Act 2006. The applicants will also be required to undertake a Disclosure and Barring Service (DBS) check.

Short listed candidates will also be required to provide proof of their qualifications and professional status by producing documentation on the day of interview. The school will verify that candidates have actually obtained any qualifications legally required or deemed essential for the job and claimed in their application by asking to see the relevant certificate, or a letter of confirmation from the awarding body/institution. If the original documents are not available, the school will require sight of a properly certified copy. Where candidates have obtained qualifications abroad, a certified comparability check by UK NARIC will also be required.

Proof of identity and other documentation will be verified by the chair of the panel/Headteacher.

## **Extremist and political views**

All potential employees will be asked if they or any members of their family have any extremist view or show a biased emotional allegiance to any religious or political group. (An explanation will be given regarding the reasons for asking this question).

## **Commencement of Employment prior to CRB check being received**

In unusual circumstances it is permitted to commence employment prior to receiving a DBS check. However a Children's Barred List check (List 99) and risk assessment will be completed.

## **Employment Offer**

It may be possible to negotiate a provisional start date with the preferred candidate, however, with the exception of DBS disclosures, the checks detailed above must all be completed BEFORE a person's appointment is confirmed. In the case of DBS disclosures, the certificate must be obtained before or as soon as practicable after appointment.

Once all pre-employment checks have been satisfactorily completed / received, an offer of employment will be made and the contract of employment issued. The contract will be issued as soon as possible but in all circumstances within 8 weeks of employment commencing, providing the school has received a satisfactory DBS disclosure check.

### **Record Retention / Data Protection**

The school will retain all interview notes on all applicants for a 6 month period, after which time the notes will be destroyed (i.e. shredded). The 6 month retention period will allow the school to deal with any data access requests, recruitment complaints or to respond to any complaints made to the Employment Tribunal.

Under the Data Protection Act 1998, applicants have a right to request access to notes written about them during the recruitment process. Applicants who wish to access their interview notes must make a subject access request in writing to the chair of the panel / Headteacher within 6 months of the interview date.

### **Personal file records**

The school will retain the following information which will make up part of the personal file, for the successful candidate:

- Application form.
- References.
- Disclosure of convictions form.
- Proof of identification.
- Proof of academic qualifications.
- Certificate of Good Conduct (where applicable).
- Evidence of medical clearance from Occupational Health (where applicable).
- Evidence of the DBS clearance (i.e. the notification form from EPM or the DBS certificate reference number, NOT the actual DBS form or certificate).

### **Single Central Record of Recruitment Vetting Checks**

In line with DfE requirements, the school will keep and maintain a single central record of recruitment and vetting checks. The central list will record all staff who are employed at the school, including casual staff, supply agency staff whether employed directly or through an agency, volunteers, trustees who also work as volunteers and those who provide additional teaching or instruction for pupils but who are not staff members, e.g. specialist sports coach or artist.

The central record will indicate whether or not the following have been completed:

- Identity checks.
- Qualification checks for any qualifications legally required for the job.
- Additionally for those applying for teaching posts, registration check with the GTC where appropriate.
- Checks of right to work in the United Kingdom.
- Children's Barred List Checks

- DBS Enhanced Disclosure.
- Further overseas records where appropriate.

It shall also indicate the person who undertook the check and the date on which the check was completed or the relevant certificate obtained.

In order to record details of the supply Teachers provided through an agency, the school will require written confirmation from the supply agency that it has satisfactorily completed the checks described above. The school does not need to carry out checks itself except where there is information contained within the disclosure. However identity checks must be carried out by the school to check the person arriving is the person the agency intends to refer to them.

### **Probation periods**

Newly appointed teachers who are new to the employment of the governing body will be subject to the school's probationary period.

School staff will be given a copy of the DfE guidance on Safe Working Practice and asked to sign a declaration that they have read and understood the document and will follow the guidelines required to maintain professional boundaries at all time.

The school has a specific safeguarding related whistle-blowing policy which has been disseminated to all staff and volunteers.

The school adopts a culture of vigilance where all concerns are listened to and taken seriously.

The school will follow DfE and Kent County Council Safeguarding Children Board allegations procedures and refer any allegation for initial consultation with the Local Authority Designated Officer.

### **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 includes contractors who are provided through a PFI (Private Financial Initiative) or similar contract). Contractors engaged by the School must complete the same checks for their employees that the school is required to complete for its staff. The school will confirm that these checks have been completed before employees of the Contractor can commence work.

The school will independently verify the identity of staff supplied by contractors. 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.

For self-employed contractors such as music teachers or sports coaches, we will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations 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.

Contractors who come on site only to carry out emergency repairs or service equipment and who are not expected to be left unsupervised on the premises do not need a DBS Disclosure.

### **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 2018 Childcare Disqualification Regulations 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
- Carry out a risk assessment when deciding whether to seek an enhanced DBS check without barred list information for any volunteers not engaging in regulated activity. We will retain a record of this risk assessment
- Ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations 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

### **Trustees and Members**

All trustees and members 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.

The chair of the trustees will have their DBS check countersigned by the secretary of state.

All proprietors, trustees and members will also have the following checks:

- A section 128 check (to check prohibition on participation in management under section 128 of the Education and Skills Act 2008). [Section 128 checks

are only required for local trustees if they have retained or been delegated any management responsibilities.]

- Identity
- Right to work in the UK
- Other checks deemed necessary if they have lived or worked outside the UK.

## Governor approval and review dates

### Changes since last policy version

Version	Date	Amendment
2	Autumn 2019	Pg 4 - Additional checks on people who have worked outside the UK
		Pg 4 - New sentence added regarding these checks
		Pg 9 - Contractors - New information added
		Pg 10 - Trainee/Student - New information added
		Pg 10 - Volunteers - New information added
		Pg 10 - Trustees and Members - New information added

### Approval

This policy was reviewed and accepted by the Board of Trustees at its meeting on **11<sup>th</sup> December 2019.**

This policy is due for review in **Autumn 2020.**