



# Northaw CE Primary School

## *Safer Recruitment*

**2019 - 2021**

Adopted by governors in January 2019

To be reviewed in January 2021

Chair of Governors.....

All the policies of Northaw CE Primary School reflect the Christian aims and values of the school.

We have considered the impact this policy may have on our children with SEND.

Our school aims to ensure that all personal data collected about staff, pupils, parents, governors, visitors and other individuals is collected, stored and processed in accordance with the [General Data Protection Regulation \(GDPR\)](#) and the expected provisions of the Data Protection Act 2018 (DPA 2018) as set out in the [Data Protection Bill](#).

This policy applies to all personal data, regardless of whether it is in paper or electronic format.

# **Northaw CE Primary School**

## **Safer Recruitment Policy**

### **1. INTRODUCTION**

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

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

### **2. STATUTORY REQUIREMENTS**

There are some statutory requirements for the appointment of some staff in schools – notably head teachers and deputy head teachers. These change from time to time and must be met.

### **3. IDENTIFICATION OF RECRUITERS**

At least one recruiter will have successfully received accredited training in Safer Recruitment procedures.

### **4. INVITING APPLICATIONS**

- 4.1** Advertisements for posts – whether in newspapers, journals or on-line – will include the statement:

“The school is committed to safeguarding children. All postholders are subject to satisfactory DBS checks and satisfactory references as well as a medical check. Any discrepancies or anomalies regarding employment history will be followed up at interview. Previous employers will be contacted for verification.”

- 4.2** Prospective applicants will be supplied, as a minimum, with the following:

- job description and person specification;
- the school's child protection policy;
- the school's recruitment policy (this document);
- the selection procedure for the post;
- an application form.

- 4.3** All prospective applicants must complete, in full, an application form.

## **5. SHORT-LISTING & REFERENCES**

- 5.1** Short listing of candidates will be against the person specification for the job.
- 5.2** Where possible, references will be taken up before the selection stage so that any discrepancies can be probed during the selection stage.
- 5.3** References will be sought directly from the referee. References or testimonials provided by the candidate will not be accepted.
- 5.4** Where necessary, referees will be contacted by telephone or e-mail in order to clarify any anomalies or discrepancies. A detailed written note will be kept of such exchanges.
- 5.5** Where necessary, previous employers who have not been named as referees will be contacted in order to clarify any anomalies or discrepancies. A detailed written note will be kept of such exchanges.
- 5.6** Referees will always be asked specific questions about:
  - the candidate's suitability for working with children and young people
  - any disciplinary warnings, including time-expired warnings, that relate to the safeguarding of children
  - the candidate's suitability for this post
- 5.7** School employees are entitled to see and receive, if requested, copies of their employment references.

## **6. SECRETARY OF STATE PROHIBITION ORDERS (teaching & management)**

- 6.1** In all cases where an applicant is to undertake a teaching role of any kind a Prohibition Order check will be made. It is anticipated that this will be performed at the shortlisting stage but will in any case be made before any offer of employment is made.
- 6.2** Prohibition orders prevent a person from carrying out teaching work in schools, sixth form colleges, 16 to 19 academies, relevant youth accommodation and children's homes in England. A person who is prohibited from teaching must not be appointed to work as a teacher in such a setting.
- 6.3** Prohibition orders are made by the Secretary of State following consideration by a professional conduct panel convened by the National College for Teaching and Leadership (NCTL). Pending such consideration, the Secretary of State may issue an interim prohibition order if it is considered to be in the public interest to do so.

## **7. THE SELECTION PROCESS**

- 7.1** 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.
- 7.2** 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 such as Skype / Facetime).
- 7.3** Candidates will always be required:
- to explain satisfactorily any gaps in employment
  - to explain satisfactorily any anomalies or discrepancies in the information available to recruiters
  - 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

## **8. EMPLOYMENT CHECKS**

- 8.1** All successful applicants are required:
- to provide proof of identity
  - to complete a DBS disclosure application and receive satisfactory clearance
  - have a satisfactory certificate of good conduct relating to time spent living outside of the UK, where applicable
  - to pass a prohibition from teaching check
  - to provide certificates of qualifications
  - to complete a confidential health questionnaire
  - to provide proof of eligibility to live and work in the UK
  - to complete a childcare disqualification declaration

### **8.2** PROOF OF IDENTITY, RIGHT TO WORK IN THE UK & VERIFICATION OF QUALIFICATIONS AND/OR PROFESSIONAL STATUS.

All applicants invited to attend an interview at the school will be required to bring their identification documentation such as passport, birth certificate, driving licence etc. with them as proof of identity/eligibility to work in UK in accordance with those set out in the Immigration, Asylum and Nationality Act 2006 and DBS Code of Practice Regulations.

In addition, applicants must be able to demonstrate that they have actually obtained any academic or vocational qualification required for the position and claimed in their application form.

### 8.3 FITNESS TO UNDERTAKE THE ROLE

A confidential pre-employment health questionnaire must be completed to 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.

### 8.4 INDIVIDUALS WHO HAVE LIVED OR WORKED OUTSIDE THE UK

When appointing a UK citizen who has lived overseas or a non UK citizen, a Certificate of Good Conduct must be obtained (where possible) from the embassy of the country the applicant has specified they have spent a significant period of time in. This must happen where the applicant has lived or worked (including studying) in a foreign country for a period of 6 months within the last 5 years.

There are a number of exemptions to this:

- If the applicant is currently employed by the school and has already provided the certificate, which can be used for future appointments providing that there is no break in service.
- Applicants that have spent time overseas as part of Her Majesty Service i.e. Army, Navy, Airforce.
- Applicants that are seeking asylum will be unable to provide such documentation, as contacting the embassy may jeopardise their safety.

If an applicant is unable to provide a Certificate of Good Conduct, evidence must be presented to show that an attempt to obtain a copy has been made. Any costs incurred for obtaining a Certificate of Good Conduct must be met by the individual and will not be reimbursed.

If an applicant is unable to obtain a Certificate of Good Conduct then a Risk Assessment Form must be completed and signed off. All other pre-employment checks must be completed. Keeping Children Safe in Education 2016 states "In addition, schools and colleges must make any further checks they think appropriate so that any relevant events that occurred outside the UK can be considered. These further checks should include a check for information about any teacher sanction or restriction that an EEA professional regulating authority has imposed, using the NCTL Teacher Services' system". Alternative checks could include references obtained from all employers abroad in the last five years that clarify that there are no disciplinary records in regard of safeguarding and that the previous employer has no concern regarding the potential employee working with children in a safeguarded environment (see paragraph 4.6). If the outcomes of these references are satisfactory then a risk assessment can be considered to progress the employment process and meet statutory guidance.

## **8.5** CHILDCARE DISQUALIFICATION DECLARATION

Where relevant, all applicants must complete a self-declaration form provided by the school in relation to the Childcare Disqualification Regulations 2009. This is to cover circumstances where the individual has a conviction that may result in them being barred from working with children or someone living at the same residential address is barred from working with children. Where a positive declaration is made a waiver must be applied for from Ofsted, and be satisfactorily granted, before the applicant may commence work.

This applies to:

- Early Years Provision - staff who provide any care for a child up to and including reception age. This includes education in nursery and reception classes and/or any supervised activity (such as breakfast clubs, lunchtime supervision and after school care provided by the school) both during and outside of school hours for children in the early years age range; and
- Later years provision (for children under 8) - staff who are employed to work in childcare provided by the school outside of school hours for children who are above reception age but who have not attained the age of 8. This does not include education or supervised activity for children above reception age during school hours (including extended school hours for co-curricular learning activities, such as the school's choir or sports teams) but it does include before school settings, such as breakfast clubs, and after school provision.

## **8.6** SAFER RECRUITMENT GDPR ADVICE

The GDPR and Data Protection Act 2018 permit employers to gather personal data for the purposes of recruitment and this includes criminal history where relevant or where there is a regulatory requirement to do so. What schools MUST take into account when dealing with people's criminal history is the Rehabilitation of Offenders Act 1974 and the DBS code of practice, both of which place a responsibility on employers not to discriminate against applicants because they have previously committed offences.

The Safer Recruitment Consortium sought confirmation from the DfE that this current advice is correct; criminal self-disclosure is an important part of safer recruitment but must be approached with care.

Schools:-

- Should not ask applicants to disclose criminal history in the body of the application form;
- Should avoid having a "have you ever committed an offence" tick box on the application form;
- May have a self-disclosure section on the application form which is removed before short-listers have access; or

- May have a separate self-disclosure form which is submitted with the application but is not shared with short-listers (similar to the diversity monitoring form); or
- May send the self-disclosure form to shortlisted candidates with their invitation to interview, with a requirement that it is submitted prior to interview day; or
- May ask only the successful candidate to self-disclose and then, if any relevant criminal history is disclosed, bring the candidate in for a second interview to discuss this;
- Must not ask candidates to disclose all spent and unspent convictions – but must instead give candidates clear information regarding their right to withhold 'protected' or filtered offences, and that these will not be taken into consideration by recruiters;
- Should avoid asking a general question in interviews (e.g. "Do you have any criminal history that you have not yet disclosed?") unless the panel is very confident on the application of filtering and understand which offences they can and cannot discuss with the applicant;
- Should ensure that all staff who handle self-disclosed information are aware of their responsibilities under the DBS code of practice and ROA 1974 to treat candidates fairly and to keep criminal information strictly confidential;
- Should ensure that all involved in recruitment have a comprehensive understanding of the 2013 amendments to ROA 1974 which allowed for certain offences to be protected and not taken into account by employers.

Any relevant criminal information disclosed by candidates should be shared with the recruitment panel in advance of the interview (unless the process of self-disclosure after interview is adopted) to ensure that the candidate is asked about their criminal history and given an opportunity to explain context, etc. If the candidate is offered a post, the information shared on the self-disclosure and at interview should be compared with the information on the DBS certificate when this is received.

## **9. OFFER OF APPOINTMENT**

The appointment of all new employees is subject to the receipt of a satisfactory DBS Certificate, references, medical checks, prohibition checks, childcare disqualification checks and waivers, copies of qualification and proof of identity.

## **10. SINGLE CENTRAL RECORD**

The school must keep a single central record, referred to in the regulations as the register. The single central record must cover all staff (including supply staff, and teacher trainees on salaried routes) who work at the school. Confirmation that these checks have been carried out along with the date the check was undertaken/obtained must be logged on this record for all employees of the school.

## **11. INDUCTION**

- 11.1** All staff who are new to the school will receive induction training that will include the school's safeguarding policies and guidance on safe working practice.
- 11.2** The school recognises that safer recruitment and selection is not just about the start of employment, but should be part of a larger policy framework for all staff. The school will therefore provide ongoing training and support for all staff.
- 11.3** Regular meetings will be held during the first 3 months of employment between the new employee(s) and the appropriate manager(s).