



Status: FINAL

Approval Date: 6th December 2017

Review Period: Three Years

Requirement: Optional

Delegation: Resources Committee

SAFER RECRUITMENT POLICY 2017 - 2020

1. Introduction

Ralph Sadleir School Governing Body has agreed to implement Policy on Safer Recruitment in line with Hertfordshire County Council recommendations and their model policy. A review will take place by the Resources Committee three yearly.

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

- Attract the best possible candidates 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 and young adults.

2. Definition of "child or young person"

Under the Children Acts 1989 and 2004 respectively, a child (or young person) is anyone who has not yet reached their 18th birthday. The fact that a child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital, in prison or in a Young Offenders Institution does not change his or her status or entitlement to services or protection under the Children Act 1989.

3. Data Protection Act (1998)

The school is aware that the DPA gives individuals certain rights in respect of the processing of personal information about them that takes place during the recruitment process. The act does not prevent an employer from carrying out an effective recruitment exercise but helps strike a balance between the employer's needs and the applicant's right to respect his or her private life. Applicants are able to ask for a copy of their interview notes.

4. Statutory Requirements

- 4.1. The policy takes into account the provisions of 'Keeping Children Safe in Education' (DfE Sept 2015).

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- 4.2. Ralph Sadleir School and the Governing Body will ensure that the statutory requirements for the appointment of some staff – notably the Headteacher and Deputy Headteacher – will be met. These requirements change from time to time and must be met.
- 4.3. Safer Recruitment training will be updated every 5 years by the staff and governor recruitment team.

5. Equal Opportunities

- 5.1. Ralph Sadleir School and the Governors of the school will abide by the existing legislation and, in particular, will not discriminate on the ground of any of the presented characteristics listed in the Equality Act 2010, these being:
- Age, disability, gender, reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership, and pregnancy and maternity.
- 5.2. Ralph Sadleir School has an Equality Policy which will be adhered to and links in to values and practices within the school community and makes reference to staff recruitment.
- 5.3. Ralph Sadleir School and the Governors will promote equality in all aspects of school life, including in regard to the recruitment of staff.

6. Identification of Recruiters

- 6.1. The school has four members of staff and one governor who have received accredited training in safe recruitment procedures. They are:
- Mr D Spong – Headteacher
 - Mr R Fuller – Deputy Headteacher
 - Mrs C McIver – Assistant Headteacher
 - Miss M Devine – Business Manager
- 6.2. At least one accredited trained member from the above list will form part of the recruiting team.

7. Inviting Applications

- 7.1. Advertisements for posts – whether in newspapers, journals or online – will include the statement:
- “The school is committed to safeguarding children and young people. All post holders are subject to a satisfactory enhanced Disclosure and Barring Service (DBS) check.”**
- 7.2. Advertisements for teaching posts will normally be advertised on the school website, TeachinHerts website and possibly a suitable national website/publication if necessary.

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- 7.3. Advertisements for support staff vacancies will normally be advertised on the school website, local websites, or if required in a local newspaper, recruitment paper or local noticeboards.
- 7.4. In cases where a member of staff is employed but on a fixed term contract for a post which then becomes available as a permanent post, that member of staff may be offered the permanent post without further advertising subject to approval by the Resources Committee.
- 7.5. Where staff are invited to take on a management or leadership responsibility for a fixed term in an acting capacity, the acting post will be advertised internally.
- 7.6. Advertisements will specify:
- the main subjects to be taught and/or the nature of any leadership allowance
 - the start date of the appointment and whether the post is permanent or fixed term and, in the case of fixed term contracts, the end date of the contract
 - the remuneration for the post will be expressed in term of the applicable pay scales, and
 - the closing date for applications.
- 7.7. 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 Safer Recruitment Policy (this policy)
 - The selection procedure for the post
 - An application form
- 7.8. All prospective applicants must complete, in full, an application form. Full employment details will be asked for.
- 7.9. Applicants should provide details on their education, qualifications, training attained, membership and other experience gained. They should also explain any gaps in employment and education history.
- 7.10. The school will ensure that alternative formats of the application are available on request and this is stated on the vacancies webpage.

8. Shortlisting and References

- 8.1. Short-listing of candidates will be against the person specification and relevant to the performance of the job. This should be done as soon as possible after the closing date. The school will:
- Assess all application in relation to the required person skills.
 - Keep the process objective and consistent.
 - Be aware of any personal bias or prejudice that may influence your decision-making during the process.
 - Record rationale/justification for selection/not selecting.

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- 8.2. The school will take in to consideration all relevant:
- Qualifications
 - Training
 - Work experience
 - Knowledge and skills required
 - Level of responsibility
 - Competences
- 8.3. The school will document reasons why a candidate was not chosen.
- 8.4. Disabled candidates will be considered as work place adjustments may be possible.
- 8.5. Where possible, references will be taken up before the selection stage, so that any discrepancies can be probed during the selection stage.
- 8.6. References will be sought directly from the referee. References or testimonials provided by the candidate will never be accepted.
- 8.7. References will be sought from a minimum of two from recent employers.
- 8.8. References should always be obtained in writing.
- 8.9. Reference requests will be made by sending the standard reference request form for completion along with the job description for the role.
- 8.10. Where necessary, referees will be contacted by telephone or email in order to clarify any anomalies or discrepancies. A detailed written note will be kept of all exchanges.
- 8.11. 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.
- 8.12. Referees will always be asked specific questions about:
- The candidate's suitability for working with children and young adults; If the referee is not satisfied that the candidate is suitable to work with children or young people, specific details of unsuitability must be given on the reference form.
 - Any disciplinary warnings, allegations, concerns including time-expired warnings, that relate to the safeguarding of children and the outcome of those concerns/proceedings;
 - The candidate's suitability for this post.
- 8.13. School employees are entitled to see and receive, if requested, copies of their employment references. This will be dependent on whether the referee has requested that the reference provided remains confidential.
- 8.14. If a candidate for the post involving direct work with children/young people is not currently employed in such a role, checks must be undertaken with the most recent employer who employed them in a similar role, to confirm details of their employment and reasons for leaving.

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- 8.15. In the case of internal candidates, a comparable reference should be obtained from the candidate's current/most recent line manager.
 - 8.16. References should not be testimonial or an 'open reference'.
 - 8.17. Candidates are clear that appointment to any position is conditional on satisfactory reference checks and other pre-employment checks. Any information disclosed on the application form will be checked.
 - 8.18. Any offer of employment may be withdrawn if candidates knowingly withhold information or provide false or misleading information.
 - 8.19. Information provided by the referee must be consistent with the application form.
 - 8.20. Information provided regarding a past disciplinary action or allegation must be considered on individual circumstances of the individual case.
 - 8.21. The school will make reasonable efforts to check that referees are bona fide and references are genuine.

9. Secretary of State Prohibition Orders (teaching and management roles)

- 9.1. In all cases where an applicant is to undertake a teaching role of any kind, a Prohibition Order check will be made using the Employer Access Online Service, 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.
- 9.2. Prohibition Orders prevent a person from carrying out teaching work in schools, sixth form colleges, 16-19 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.
- 9.3. 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.
- 9.4. A section 128 direction 39 prohibits or restricts a person from taking part in the management of an independent school, including academies and free schools. A person who is prohibited is unable to participate in any management of an independent school such as: a management position in an independent school, academy or free school as an employee; a trustee of an academy or free school trust; a governor or member of a proprietor body for an independent school; or a governor on any governing body in an independent school, academy or free school that retains or has been delegated any management responsibilities. A check for a section 128 direction will be carried out using the Teacher Services' system. Where the person will be engaging in regulated activity, a DBS barred list check will also identify any section 128 direction.

10. The Selection and Interview Process

- 10.1. 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.
- 10.2. A letter confirming the interview will be sent either by post or by email. The letter will confirm the following:
- Date, time and location of interview.
 - Who to report to on arrival for the interview.
 - Details on how the interview will be conducted and the areas that it will explore, including suitability to work with children (if relevant).
 - Advise all candidates to bring with them original documentation of their identity to satisfy criminal background check requirements, right to work in the UK and also any necessary educational and professional qualifications that are relevant to the post.
 - Statement advising candidates to notify organisation (in advance) of any special requirements for the interview.
- 10.3. 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).
- 10.4. All interviews will involve at least two interviewers, ideally a mix of gender/background to achieve a greater accuracy and objectivity in assessment. At least one interviewer must have completed Safer Recruitment training – see point 4.1.
- 10.5. 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 check;
 - To demonstrate their capacity to safeguard and protect the welfare of children and young people.
- 10.6. Teaching staff will be required, in all circumstances, to give a demonstration lesson in front of a class of students and member/s of the interview panel or member of teaching staff. Leadership posts will require the candidate to undertake a series of tasks and possibly a series of interview panels.
- 10.7. The interview is the Panel's opportunity to assess the candidate in respect of certain personal characteristics and values as recommended in the Warner Report 'Choosing with Care'. Suitability to work with children and vulnerable adults is not solely about abuse and the Panel should try to assess whether they are certain that the candidate's personal qualities make them suitable to work with children and young people, for example:
- Motivation;

- Attitudes to control and punishment;
- Power and authority;
- Temperament;
- Relationships/boundaries with young people;
- Propensity to form sexual relationships with young people;
- Inappropriate attitudes and distorted images of young people.
- These personal qualities need to be incorporated into the person specification and areas to assess might be:
 - To be sensitive to and support the sexual development of young people;
 - To establish and maintain professional relationships and boundaries with young people;
 - To respond appropriately to young people whose behaviour can be challenging and undermining.
 - To ensure you are not judgmental when working with vulnerable people

11. Employment Checks

11.1. All successful applicants are required:

- To provide proof of photographic identity (e.g.: passport or driving licence photocard)
- To complete a DBS application using HertsGuard 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, where applicable
- To provide actual certificates of professional qualifications, as deemed appropriate by the school
- To complete a confidential online health questionnaire and be deemed mentally and physically fit to perform the role
- To provide proof of their right to work in the UK (e.g.: passport)
- To provide proof of their current address (utility bill, bank or credit card statement) which must be dated within the last 3 months.
- To pass a prohibition from management roles (section 128) check where applicable (part of the barred list check for those in regulated activity)

11.2. Proof of identity, Right to Work in the UK and 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 the UK in accordance with those set out in the Immigration, Asylum and Nationality Act 2006 and DBS Code of Practice Regulations. These documents will be photocopied to keep on file, and must be dated when the documents were checked and copied in school.

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.

11.3. Fitness to undertake the role

A confidential pre-employment online health questionnaire must be completed to verify the candidate's mental and physical fitness to carry out their work responsibilities. An 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.

11.4. Individuals who have lived or worked outside of 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 in which the applicant has specified that 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 there is no break in service.
- Applicants that have spent time overseas as part of Her Majesty's Service i.e. Army, Navy, Air Force.
- 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.

12. The Disclosure and Barring Service (DBS)

- 12.1. There are three types of check: Standard check, Enhanced DBS check and Enhanced with barred lists.
- 12.2. DBS checks are only able to be completed for people over 16 years of age.
- 12.3. The Service allows their checks to be portable within the same sector.
- 12.4. A new DBS is required when:
 - There have been gaps in service
 - Where staff have multiple contracts and one or more carry a higher level of risk or responsibility and more contact with a vulnerable group.
 - Supply teachers require a re-check or status check every three years or if there is gap in service of more than three months.

- There has been an internal appointment that results from a recruitment process expect where the role carries the same or lower level of risk and responsibility with children/young people.

12.5. DBS disclosures are not portable across employing organisations, unless the individual has signed up to the DBS Update Service.

They are portable within an organisation if an employee is moving in to a role that carries the same or lower level responsibility.

12.6. In exceptional circumstances, or if there is significant pressure to appoint prior to the receipt of a satisfactory DBS check, the Headteacher has the discretion to approve and be accountable for the candidate to start the role.

The recruitment team will complete an Exemption Risk Assessment for (appendix C) looking at all the risks involved in starting a person without DBS clearance.

The recruitment team will ensure that the candidate is appropriately supervised and all other checks are complete.

12.7. If a DBS disclosure reveals convictions, the DBS team will inform the school and it is up to the Headteacher and Board of Directors to undertake a thorough risk assessment to determine whether or not it is safe to appoint or continue to offer employment (see appendix C for an example risk assessment).

12.8. Enhanced DBS checks will be completed for all staff, governors, volunteers and work experience people over 16 years of age.

12.9. The school will keep evidence of DBS checks from supply teacher agencies.

13. Duty to Refer

13.1. The school has a legal duty to refer a person/employee the DBS team if the school were to dismiss or remove a person/employee from a regulated activity (or may have done so had they not been removed) because that person has harmed or posed a risk of harm to a child.

14. Offer of Employment

14.1. The appointment of all new employees is subject to the receipt of:

- a satisfactory enhanced DBS Certificate and barred check list
- confirmation that the candidate does not live with a disqualified person (if the member of staff is expected to work with children under the age of 8)
- a check that the candidate is not subject to a prohibition order using the Employer Access Online Services (teachers only)
- receipt of completed health check questionnaire
- receipt of final and satisfactory references from previous employers
- a valid work permit from overseas candidates
- the candidates details have been added to the school's single central record.

- copies of qualifications and proof of identity have been seen and copied for the employee files.
- 14.2. If a DBS is not received prior to the start of the job, a risk assessment should be undertaken. The results of the risk assessment should be clearly documented, signed by the person completing the assessment, a final decision clearly stated and approval where relevant. See Appendix C for Exemption Risk Assessment form.
- 14.3. The school reserves the right to not proceed with or to terminate employment with immediate effect if the DBS checks reveals convictions which have not been declared on the application form, or if any of the documents referred to have been falsified in any way.

15. Single Central Record

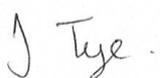
The school must keep a single central record, referred to in the regulations as the register. The single central record must cover all staff (including supply staff and teacher trainees on salaried routes), governors, volunteers and contractors who work within the school. Confirmation that these checks 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.

16. Induction

- 16.1. All staff who are new to the school will receive full induction training that will include the school's safeguarding policies and guidance on Health and Safety and safe working.
- 16.2. Regular meetings will be held during the first 3 months of employment between the new employee and the appropriate line manager.
- 16.3. 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 staff will therefore provide ongoing training and support for all staff.
- 16.4. Staff will be required to read the Staff Code of Safe Practice and the school's Child Protection and Health and Safety Policy.
- 16.5. Staff will be required to read and sign to confirm that they have read and understood "Keeping Children Safe in Education" (DfE Sept 2016).

17. Policy Review

This policy will be reviewed every three years and/or in light of any changes in legislation or advice received from Hertfordshire / Essex Governance Services or the Department of Education (DFE) by the Resources Committee (a subcommittee of the Local Governing Body). The Board of Directors have delegated the ratification of the policy to the Resources Committee.

Governance	Chair / Vice Chair Person /Headteacher	Signature	Date
Senior Leadership Team	Mr D Spong		6 th December 2017
Resources Committee	Mrs J Tye		6 th December 2017

Reviewable before December 2020.

This policy should be read alongside the:

- Induction Policy
- Equality Policy
- Hertfordshire's Safe Staffing Handbook

Appendix A – Risk Assessment if no DBS received prior to starting role.

Exemption Risk Assessment Form

Appointing Subject to Satisfactory DBS Check

1. This form is used in exceptional cases to request an exemption from the requirement to obtain a valid DBS certificate prior to appointing an employee to work with children or vulnerable adults.
2. Where the line manager believes there is no alternative, s/he should complete the following sections and return the form with any supporting papers to the relevant Manager for sign off.
3. The line manager will continue to monitor employment until the DBS certificate is back.

Name of Applicant	
Position to be filled	
Vacancy Reference	
Service / Section	
Number of vacancies in the team	
Date Disclosure form sent to DBS	

This form consists of three sections - please ensure that each section is completed in full, including a full account of offences disclosed.

To be completed by Hiring Manager	
Current arrangements for covering the duties of post	
Reason (s) for Requesting exemption	
Name of current / last employer	
Length of service with current / last employer	
Is there a gap between this and previous role, if yes, state length and reason.	
Has the person had a DBS check down within the last 12 months? By Whom?	
Have you discussed the DBS check with the employer who commissioned it?	

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Decision:

I authorise/do not authorise this person to commence work prior to DBS clearance (please delete as appropriate)

Signed :

Print Name:..... Date:.....

Manager

Manager's declaration:

- I confirm that this post is essential to the provision of a statutory service.
- I confirm that I have reviewed and signed off in line with <Organisation> policy written reference(s). I am satisfied that the referee(s) have no reservations as to the applicant's suitability to work with children and young people/vulnerable adults*.
- I confirm that I have seen and taken copies of appropriate identification and that the person is eligible to work in the UK.
- I confirm that the applicant has been asked "have you ever knowingly been subject to an investigation or disciplinary enquiry by any organisation acting in an official capacity in respect of your conduct towards or with vulnerable children, young people or adults?"
- (In the event of an affirmative answer) I confirm that I have discussed the official investigation or disciplinary enquiry with a responsible and informed manager within the organisation involved.
- I confirm that medical clearance has been given for this appointment
- I confirm that I will ensure there will be no contact with clients until the DBS Disclosure has been returned and signed off.
- I confirm that the employee will not be given responsibility for high-risk activities, e.g. residential trips until appropriate DBS clearance arrives.
- I confirm that the established child/adult* protection procedures, standards and ethos of this Service will be provided at induction.
- I confirm that I will monitor employment until the DBS certificate is back.

Signed:**Date:****Name:****Job Title:**

Please return this form and a copy of any documentation to your relevant manager. You may be asked for additional information to support the case, so it is important that you provide a contact telephone number in order to minimise any delays.