

## Safer Recruitment and Retention

Date	Review Date	Coordinator
<b>02/03/22</b>	<b>01/03/24</b>	<b>Paul Weston</b>

The safe recruitment of staff in schools is the first step to safeguarding and promoting the welfare of children in Education. 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 and young people.

The contents of this policy have been adapted from a model policy that reflects the guidance from DfE on Safer Recruitment. It also reflects the training in safer recruitment. This policy is based on guidance given in the document "Keeping Children Safe in Education" 2018.

This policy reinforces the expected conduct outlined in the Code of Conduct for Staff which all staff are expected to be familiar with. All successful candidates for paid or volunteer employment will be made aware of these documents.

As an employer we are under a duty to refer any allegation of abuse against a member of staff to the Designated Officer for the local authority (LADO) within one working day of the allegation being made. A referral will be made if a teacher or member of staff (including volunteers) 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

As an employer we are under a duty to refer to the Disclosure and Barring Service (DBS), any member of staff who, following disciplinary investigation is dismissed or resigns because of misconduct towards a pupil and we may refer any concerns we have before the completion of this process.

### Guiding Principles

This policy should signpost the elements of safer recruitment from the initial identification of the post, through:

- Development of the job description and person specification

- The wording of any advertisement
- The design and range of information required within the application form
- Scrutiny of applicants details and information, checking discrepancies or anomalies, taking up and probing references, verifying identity and qualifications
- Interview process, panel and activities
- Appointment and induction

We have a major duty to ensure safe recruitment of all school personnel and volunteer helpers to this organisation as we are committed to safeguarding and promoting the welfare of all children. By creating a culture of safe recruitment that involves undertaking criminal record checks (DBS checks), barred list checks and prohibition checks plus obtaining references and other interview information for all prospective employees, we believe that this will help prevent, reject or identify those people who might abuse children.

We realise that the majority of appointments are for personnel who will be responsible for the care and supervision of children on a regular basis such as teaching, training, instructing, caring for or supervising children; or carrying out paid or unsupervised unpaid work but in contact with children; or engaging in intimate or personal care or overnight activity. This is known as regulated activity and as part of the process of safe recruitment all prospective employees will need to have an enhanced DBS check with barred list information.

Under no circumstances will we allow any individual to carry out any form of regulated activity if it comes to our attention that they have been barred.

Also, we are aware that we have 'a legal duty to refer to the DBS anyone who has harmed, or poses a risk of harm, to a child, or if there is reason to believe the member of staff has committed one of a number of listed offences, and who has been removed from working (paid or unpaid) in regulated activity, or would have been removed had they not left.' (Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges (DfE))

We have a duty to ensure that all volunteers in regulated activity must have an enhanced DBS certificate with barred list check. We will not allow any volunteer to work unsupervised with children or work in regulated activity without the necessary checks. However, a supervised volunteer 'who regularly teaches looked after children is not in regulated activity.'

We wish to appoint the most suitable person for each vacant position regardless of age or perceived age, marital status, sex, racial or ethnic background, religion or belief, sexual orientation or disability. Also, we will take no account of an applicant's membership or non membership of a trade union.

We intend to deter prospective applicants and to identify and reject applicants who are unsuitable to work with children. Existing employees and employees on fixed or temporary contracts will be invited to apply for vacant posts.

We expect all applicants to declare whether they are in a close relationship with any employee, worker, volunteer, governor or anyone else connected with this school and

wider charity as we wish to encourage and promote an open and transparent recruitment process.

We believe our recruitment and selection process is systematic, safe, efficient, effective and fair.

We are aware that organisations are finding it difficult to recruit and retain teaching staff, support staff and leaders. We recognise that recruiting and retaining the right staff is at the centre of providing a quality learning experience for pupils.

Therefore, we aim to retain and further develop high quality teaching and support staff to ensure quality learning experiences for pupils by having in place rigorous performance management and a highly effective continuous professional development programme.

We aim to promote from within whenever possible in order to give staff a clear path of advancement. In exceptional circumstances such as a job offer from another organisation, we will consider providing incentives to retain the right staff.

We work hard to create and maintain a skilled, balanced, conscientious, diverse and committed staff that reflects the diversity of the local community.

We as a Community interest Company have a commitment to promote equality. Therefore, an equality impact assessment has been undertaken and we believe this policy is in line with the Equality Act 2010.

We believe it is essential that this policy clearly identifies and outlines the roles and responsibilities of all those involved in the procedures and arrangements that is connected with this policy.

## Aims

- To ensure compliance with all current guidance from the Department of Education and other legal requirements.
- To ensure the practice of safe recruitment of school personnel and volunteer helpers.
- To recruit and retain the right school personnel in order to provide quality learning experiences for pupils.
- To ensure that a fair and legal recruitment procedure is in place.

## Laboratory Media Education Recruitment Procedure and Responsibilities

### Safe Recruitment Procedure

When a post becomes vacant or is created then the following procedure takes place:

#### 1. Job and Person Specification

- For every vacancy a job and person specification will be written and approved by a director. This will include reference to the organisation's safeguarding duties and responsibilities as well as the specific responsibilities relating to the role

## 2. Job advertisement

- All posts will be advertised internally and externally in order to attract a wide field of candidates as possible.
- The vacancy will be advertised in the following ways:
  - intranet/email
  - local press/online jobs services
  - national press such as TES (depending on job level)
  - other teacher publications
- All advertisements for posts will state that the organisation is committed to safeguarding children and young people and all post holders are subject to a satisfactory Disclosure and Barring Service (DBS) disclosure (with a Barred List check).

## 3. Organisation and Job Information Pack

- All interested applicants will be provided with an application form, job description and person specification, staff code of conduct, and copies of the Safeguarding and Safe Recruitment Policies.
- All applications will be acknowledged within two weeks.
- Job application forms will collect relevant personal information and will include statements with regard to Health & Disability, Criminal Convictions, Police and Background Checks, and Asylum and Immigration.
- Candidates will be asked if they have a disability within the meaning of the Equality Act 2010 and if they require any particular adjustments to accommodate their particular needs.

## 4. Short Listing and References

- Short listing will be undertaken by the appropriate committee/panel.
- All applications will be assessed against the Essential and Desirable criteria of the persons specification. Only those who demonstrate that they meet the Essential Criteria as a minimum will be shortlisted and we operate a guaranteed interview scheme.
- Two references, one of which must be from the applicant's current/most recent employer where possible, will be taken up before the selection stage so that any discrepancies may be probed during this stage of the procedure (note references should come from the head of the previous organisation, not a colleague).
- References will be sought directly from the referee, and where necessary, will be contacted to clarify any anomalies or discrepancies. Detailed written records will be kept of such exchanges. References will be requested in advance of interview.
- Referees will be asked specific questions about the following:
  - The candidate's suitability to work with children and young people
  - Any substantiated allegations
  - Any disciplinary warnings, including time-expired warnings, relating to the Safeguarding of children and young people

- The candidate's suitability for the post, including the candidate's ability and willingness to promote fundamental British values.
- All references will be cross-checked for consistent information.
- The company Director will inform those shortlisted immediately after the shortlisting process has taken place, and will inform them of the need to bring documentation to the interview.
- Shortlisted candidates will be sent:
  - detailed documentation of the interview process
  - directions to the place of interview
  - Information relating to any reasonable adjustments that may be required
- Also, they will be informed if they will have to undertake skill tests as part of the interview.
- All unsuccessful applicants will be notified shortly after the short listing has taken place and any documentation provided returned to them.

## 5. The Interview

- On the day of the interview all candidates will need to provide proof of identity, proof of their qualifications and proof of eligibility to live and work in the UK.
- Selection techniques will be determined by the nature and duties of the post but all vacancies will require an interview of short-listed candidates. Ordinarily the process will consist of an activity, informal meetings with the Governing Body, a meeting with the School Council/Pupils and a professional interview.
- Interviews will always be face-to-face and may include additional interview techniques such as observation or exercises.
- Candidates will be required to:
  - Explain any gaps in employment
  - Explain satisfactorily any anomalies or discrepancies in the information available to the panel
  - Declare any information that is likely to appear on the DBS disclosure
  - Demonstrate their ability to safeguard and protect the welfare of children and young people and their ability and willingness to promote fundamental British values

## 6. Job Offer

- The appropriate committee will interview those shortlisted and will identify a suitable candidate using clear assessment against criteria.
- A job offer will be made subject to the following Pre - Employment Checks for the Successful Candidate.

## 7. Pre-Appointment Checks for the Successful Candidate

Before taking up the post the following checks will be undertaken on the successful candidate:

- verify a candidate's identity. Identification checking guidelines can be found on the GOV.UK website;

- obtain (via the applicant) an enhanced DBS certificate( including barred list information, for those who will be engaging in regulated activity);
- Perform the appropriate checks depending on the nature of the post;
- 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 person's right to work in the UK. If there is uncertainty about whether an individual needs permission to work in the UK, then prospective employers, or volunteer managers, should follow advice on the GOV.UK website;
- if the person has lived or worked outside the UK, make any further checks the school or college consider appropriate; and
- verify professional qualifications, as appropriate.

(Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges (DfE))

An appointment will not be confirmed until receipt of all of the above.

How checks should be made.

This depends on the nature of the post:

- If a person is occupying a teaching post, including head teacher, both the DBS and NCTL routes should be used. Although the s.128 bar would show on the DBS barred list check, the NCTL check also has to be carried out anyway, because of the possibility that a NCTL teaching prohibition order exists;
- If a person is occupying a non-teaching staff post, or is a member of the proprietor body but is in regulated activity, the DBS route only should be used;
- If a person is a member of the proprietor body and is not in regulated activity, the DBS route cannot be used because a barred list check cannot be carried out for persons not in regulated activity. Therefore, the NCTL route should be used.
- It is not necessary for schools to check existing staff or members of proprietor bodies for the existence of a s.128 direction, even if they are in future promoted internally to a post for which a check is needed. If an individual already at a school is the subject of a direction made from now onwards, that would be taken up by the department with the school concerned. If an individual barred under s.128 occupies a management position at an independent school, then that may be grounds for removal of the school from the register of independent schools (s.119 of the Act), leading to closure.

## 8. Terms and Conditions of Employment

The successful candidate will be sent:

- a letter offering them the job
- a statement of the terms and conditions of employment

The successful candidate will sign and return a form accepting the job and its conditions before signing a contract of employment.

## **9. Internal Promotions**

If the successful candidate is a present member of staff then they will be sent:

- a letter confirming the variation to his or her terms and conditions
- details of the planned induction programme
- the start date

## **10. Induction**

The induction programme for all newly appointed school personnel will include all school policies related to the safeguarding of children and young people in line with the induction policy. This includes Whistleblowing and staff code of conduct.

## **11. Probationary Period**

- All new employees will be subject to a satisfactory probationary period during which their progress will be monitored by their Line Manager.
- Probation interviews will take place in their first and second term after which a recommendation will be discussed to establish whether the employment should be confirmed, extended or terminated.

## **Single Central Record**

All schools must keep a single central record. At LME this record is a key document, referred to in Keeping Children Safe in Education, playing a crucial part in establishing and evidencing safeguarding practice. Maintaining the single central record is a key responsibility for schools/education providers and checking the document plays an important part of inspecting practice.

We will keep a single central record of recruitment and record checks of:

- all teaching staff
- external tutors

The information that must be recorded includes whether the following checks have been carried out or certificates obtained, and the date on which each check was completed/certificate obtained:

- Identity check
- Barred list check
- Enhanced DBS check
- Prohibition from teaching check
- Checks on individuals living or working outside the UK
- Professional qualifications check
- Right to work in the UK check
- Childcare (disqualification) Regs 2009 - staff declaration

The Single Central Record will be updated regularly and reviewed half-termly by the Paul Weston. The record will also contain other relevant information relating to safer recruitment and the individuals' suitability to work with children (for example; confirmation that references have been checked, or induction training provided).

## Training

All organisation personnel:

- have equal chances of training, career development and promotion
- receive training on induction which specifically covers:
  - All aspects of this policy
  - Safeguarding and Child Protection
  - Safer Recruitment
  - Contract of Employment
  - Data Protection
  - Disclosure and Barring Service Checks
  - Equal opportunities
  - Inclusion
- receive periodic training so that they are kept up to date with new information

the DSL will complete safer recruitment training from an accredited provider (Educator Solutions) and repeat this every 5 years or sooner if required.

## Equality Impact Assessment

Under the Equality Act 2010 we have a duty not to discriminate against people on the basis of their age, disability, gender, gender identity, pregnancy or maternity, race, religion or belief and sexual orientation.

This policy has been equality impact assessed and we believe that it is in line with the Equality Act 2010 as it is fair, it does not prioritise or disadvantage any pupil and it helps to promote equality at this school.

## Monitoring the Implementation and Effectiveness of the Policy

The practical application of this policy will be reviewed annually or when the need arises by Paul Weston



## Linked Policies/Docs

- Data Protection
- Disclosure and Barring Service Checks
- Equality
  
- Safeguarding and Child Protection
- School personnel code of conduct

