Redborne Upper School

Safer Recruitment Policy

This policy will be monitored annually by the Deputy Headteacher: Quality of Education (Chris Graves). This policy will be evaluated and reviewed every three years.

This policy is available on request to parents and carers, the LA and Ofsted through the Head teacher.

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School acknowledgement

The safe recruitment of staff in schools is the first step to safeguarding and promoting the welfare of children in education. Redborne Upper School is committed to safeguarding and promoting the welfare of all pupils in its care.

As an employer, the school expects all staff and volunteers to share this commitment This document provides guidance on how to manage the recruitment, repeat checks and other employment regulated safeguarding responsibilities of those in positions with access to children.

The policy applies to all employees, prospective employees, casual workers and volunteers. The principles also apply to contractors and agency workers working at the school. This document will be updated to reflect any changes made to the Disclosure and Barring Scheme at national level and Keeping Children Safe in Education.

The aims of the Safer Recruitment policy are to help deter, reject or identify people who might abuse pupils or are otherwise unsuited to working with them by having appropriate procedures for appointing staff.

Safer Recruitment Policy

1. Guidelines

1.1 The aims of the school's safer recruitment policy are as follows:

- to ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position;
- to ensure that all job applicants are considered equally and consistently;
- to ensure that no job applicant is treated unfairly on any grounds including race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age;
- to ensure compliance with all relevant legislation, recommendations and guidance including the statutory guidance published by the Department for Education (DfE), Keeping Children Safe in Education (KCSIE), the Prevent Duty Guidance for England and Wales 2023 (the Prevent Duty Guidance) and any guidance or code of practice published by the Disclosure and Barring Service (DBS); and
- to ensure that the School meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks.

1.2 Employees involved in the recruitment and selection of staff are responsible for familiarising themselves with and complying with the provisions of this policy.

1.3 The school has a principle of open competition in its approach to recruitment and will seek to recruit the best applicant for the job.

1.4 The recruitment and selection process should ensure the identification of the person best suited to the job at the school based on the applicant's abilities, qualification, experience and merit as measured against the job description and person specification.

1.5 The recruitment and selection of staff will be conducted in a professional, timely and responsive manner and in compliance with current employment legislation, and relevant safeguarding legislation and statutory guidance.

1.6 If a member of staff involved in the recruitment process has a close personal or familial relationship with an applicant they must declare it as soon as they are aware of the individual's application and avoid any involvement in the recruitment and selection decision-making process.

1.7 The school aims to operate this procedure consistently and thoroughly while obtaining, collating, analysing and evaluating information from and about applicants applying for job vacancies at Redborne Upper School.

2. Roles and responsibilities

2.1 It is the responsibility of the Governing Body to:

- ensure the school has effective policies and procedures in place for recruitment of all staff and volunteers in accordance with DfE guidance and legal requirements.
- monitor the school's compliance with them.

2.2 It is the responsibility of the Headteacher to:

- ensure that the school operates safe recruitment procedures and make sure all appropriate checks are carried out on all staff and volunteers who work at the school.
- monitor contractors' and agencies' compliance with this document.
- promote welfare of children and young people at every stage of the procedure.

2.3 The Governing Body has delegated responsibility to the Headteacher to lead in all appointments and in turn the Headteacher can delegate other members of SLT to lead where appropriate.

2.4 School Governors may be involved in staff appointments but the final decision will rest with the Headteacher.

2.5 Any position undertaken at, or on behalf of the school will amount to "regulated activity" if it is carried out:

- frequently, meaning once a week or more; or
- overnight, meaning between 2.00 am and 6.00 am; or
- satisfies the "period condition", meaning four times or more in a 30 day period; and
- provides the opportunity for contact with children.

2.6 Roles which are carried out on an unpaid / voluntary basis will only amount to regulated activity if, in addition to the above, they are carried out on an unsupervised basis. A risk assessment will be carried out for all volunteers.

2.7 The school is not permitted to check the Children's Barred List unless an individual will be engaging in "regulated activity".

2.8 The school is required to carry out an enhanced DBS check for all staff, supply staff and governors who will be engaging in regulated activity. However, the school can also carry out an enhanced DBS check on a person who would be carrying out regulated activity but for the fact that they do not carry out their duties frequently enough i.e. roles which would amount to regulated activity if carried out more frequently.

3. Recruitment and selection procedures

Advertising

3.1 To ensure equality of opportunity, the school will advertise (where appropriate) all vacant posts to encourage as wide a field of applicant as possible; normally this entails an external advertisement. The exception to this would be when a post can be filled and advertised internally only.

3.2 Any advertisement will make clear the school's commitment to safeguarding and promoting the welfare of children.

3.3 All documentation relating to applicants will be treated confidentially in accordance with GDPR.

Application Forms

3.4 Redborne Upper School has its own application form and also accepts applications through selected advertising platforms.

3.5 All applicants for employment will be required to complete an application form containing questions about their academic and full employment history and their suitability for the role (in addition all applicants are required to account for any gaps or discrepancies in employment history).

3.6 Incomplete application forms may not be shortlisted. It is detailed in the application form that online recruitment checks will be made on any shortlisted candidates.

3.7 The application form will include the applicant's declaration regarding convictions and working with children, and will make it clear that the post is exempt from the provisions of the Rehabilitation of Offenders Act 1974.

3.8 CVs will not be accepted.

3.9 It is unlawful for the school to employ anyone who is barred from working with children. It is a criminal offence for any person who is barred from working with children to apply for a position at the school.

3.10 All applicants will be made 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 referral to the police and/or the DBS.

Job Descriptions and Person Specifications

3.11 A job description is a key document in the recruitment process, and must be finalised prior to taking any other steps in the recruitment process.

3.12 It will clearly and accurately set out the duties and responsibilities of the job role.

3.13 Job applicants and volunteers will be made aware at the earliest possible opportunity of the requirement for the successful applicant to undergo a DBS disclosure check. This will usually be referred to in the vacancy advertisement as well as the person specification.

3.14 The person specification is of equal importance and informs the selection decision. It details the skills, experience, abilities and expertise that are required to do the job. The person specification will include a specific reference to suitability to work with children.

3.15 Job applicants and volunteers will be made aware at the earliest possible opportunity of the requirement for the successful applicant to undergo a DBS disclosure check. This will usually be referred to in the vacancy advertisement as well as the person specification.

3.16 Shortlisted applicants for posts requiring a disclosure check will be required to provide proof of identity at the job interview. The documentation will be verified and the proof of identity form completed. Information for all other candidates should be destroyed in a confidential manner.

References

3.17 References for shortlisted applicants will be sent immediately after shortlisting.

3.18 The only exception is where an applicant has indicated on their application form that they do not wish their current employer to be contacted at that stage. In such cases, this reference will be taken up immediately after the interview if the candidate is successful.

3.19 All offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory by the school.

3.20 One of the references must be from the applicant's current or most recent employer. If the current / most recent employment does / did not involve work with children, then the second reference should be from the employer with whom the applicant most recently worked with children.

3.21 The referee should not be a relative.

3.22 References will always be sought and obtained directly from the referee and their purpose is to provide objective and factual information to support appointment decisions.

3.23 All referees will be asked whether they believe the applicant is suitable for the

job for which they have applied and whether they have any reason to believe that the applicant is unsuitable to work with children.

3.24 Please note that no questions will be asked about health or medical fitness prior to any offer of employment being made.

3.25 Any discrepancies or anomalies will be followed up.

3.26 The school does not accept open references, testimonials or references from relatives.

Interviews

3.27 There will be a face-to-face interview wherever possible, and a minimum of two interviewers will see the applicants for the vacant position. For teaching staff they may be asked to prepare a lesson and teach.

3.28 The interview process will explore the applicant's ability to carry out the job description and meet the person specification. It will enable the panel to explore any anomalies or gaps that have been identified in order to satisfy themselves that the chosen applicant can meet the safeguarding criteria (in line with Safer Recruitment Training).

3.29 Any information in regard to past disciplinary action or allegations, cautions or convictions will be discussed and considered in the circumstance of the individual case during the interview process, if it has not been disclosed on the application form or the Criminal Record Self Declaration form.

3.30 At least one member of any interviewing panel will have undertaken Safer Recruitment Training or refresher training as applicable.

4. Offer of appointment and new employee process

4.1 In accordance with the recommendations set out in KCSIE the school carries out a number of pre-employment checks in respect of all prospective employees.

4.2 If it is decided to make an offer of employment following the formal interview, any such offer will be conditional on the following:

- the agreement of a mutually acceptable start date and the signing of a contract incorporating the school's standard terms and conditions of employment;
- verification of the applicant's identity (where that has not previously been verified);
- the receipt of two references (one of which must be from the applicant's most recent employer) which the school considers to be satisfactory;
- for positions which involve "teaching work":

    - the school being satisfied that the applicant is not, and has never been, the subject of a sanction, restriction or prohibition issued by the National College for Teaching and Leadership, or any predecessor or successor body, or by a regulator of the teaching profession in any other country which prevents the applicant working at the school or which, in the school's opinion, renders the applicant unsuitable to work at the school; and
    - the school being satisfied that the applicant is not, and has never been, the subject of any proceedings before a professional conduct panel or equivalent body in the UK or any other country for any reason which prevents the applicant working at the school or which, in the school's opinion, renders the applicant unsuitable to work at the school;
- where the position amounts to regulated activity, the receipt of an enhanced disclosure from the DBS which the school considers to be satisfactory;
- where the position amounts to regulated activity, confirmation that the applicant is not named on the Children's Barred List*;
- confirmation that the applicant is not subject to a direction under section 142 of the Education Act 2011 which prohibits, disqualifies or restricts them from providing education at a school, taking part in the management of an independent school or working in a position which involves regular contact with children;
- verification of the applicant's medical fitness for the role;
- verification of the applicant's right to work in the UK;
- any further checks which are necessary as a result of the applicant having lived or worked outside of the UK; and
- verification of professional qualifications which the School deems a requirement for the post, or which the applicant otherwise cites in support of their application (where they have not been previously verified).
- The school is not permitted to check the Children's Barred List unless an individual will be engaging in "regulated activity". The school is required to carry out an enhanced DBS check for all staff, supply staff and governors who will be engaging in regulated activity. However, the school can also carry out an enhanced DBS check on a person who would be carrying out regulated activity but for the fact that they do not carry out their duties frequently enough i.e. roles which would amount to regulated activity if carried out more frequently.

4.3 Whether a position amounts to "regulated activity" must therefore be considered by the school in order to decide which checks are appropriate. It is however likely that in nearly all cases the school will be able to carry out an enhanced DBS check and a Children's Barred List check.

4.4 A recruitment checklist will be used to track and audit paperwork obtained in accordance with Safer Recruitment Training. The checklist will be retained on personal files.

4.5 **The Rehabilitation of Offenders Act 1974**: The Rehabilitation of Offenders Act 1974 does not apply to positions which involve working with, or having access to

pupils. Therefore, any convictions and cautions that would normally be considered ‘SPENT’ must be declared when applying for any position at Redborne Upper School.

4.6 An individual’s criminal record should be assessed in relation to the tasks and responsibilities that they are required to perform and the environment in which the work is to be carried out. It is also necessary to consider the element of risk that might be present when making the recruitment decision.

4.7 The following are some of the factors that should be taken into consideration when making the decision:

- Whether the conviction or other matters revealed is relevant to the position in question;
- The level of supervision that the post holder will receive;
- The seriousness of the offences or other matters revealed;
- The length of time since the offences or other matters revealed occurred;
- Whether there is a pattern of offending behaviour or other relevant matters;
- Whether the applicant’s circumstances have changed since the offending behaviour or other relevant matters and
- The circumstances surrounding the offences and the explanations offered by the individual concerned.

4.8 Where a disclosure reveals convictions which might have a bearing on the post which has been offered, the candidate will be given the opportunity to discuss the matter with the Headteacher / HR Lead and an appropriate risk assessment will be completed.

4.9 Any decision on whether or not to employ the applicant will be made objectively.

4.10 Failure to disclose offences which subsequently appear on a DBS disclosure may in itself indicate the unsuitability of the applicant.

5. DBS (Disclosure and Barring Service) Certificate (formerly known as CRB Disclosure)

5.1 The school applies for an enhanced disclosure from the DBS and a check of the Children's Barred List (now known as an Enhanced Check for Regulated Activity) in respect of all positions at the school which amount to "regulated activity" as defined in the Safeguarding Vulnerable Groups Act 2006 (as amended).

5.2 The purpose of carrying out an Enhanced Check for Regulated Activity is to identify whether an applicant is barred from working with children by inclusion on the Children's Barred List and to obtain other relevant suitability information.

5.3 It is the school’s policy that the DBS disclosure must be obtained before the commencement of employment of any new employee.

5.4 In exceptional circumstances it is possible that the school may, for reasons of

service delivery, make an offer of conditional employment in order to allow a key employee to commence work prior to the completion of the DBS disclosure process. In these circumstances the Headteacher will arrange for the completion of a risk assessment.

5.5 Where approval is granted, arrangements will be put in place to monitor and supervise the individual. Such arrangements will be in place for as short a period as possible.

5.6 It is the school's policy to re-check employee's DBS Certificates where an employee takes leave for more than three months (ie: maternity leave, career break etc) before returning back to work.

5.7 Members of staff at Redborne Upper School are aware of their obligation to inform the Headteacher of any cautions or convictions that arise between these checks taking place.

5.8 DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence.

5.9 Advice must also be sought if DBS is considering placing an individual on a barred list and hearing representations from the member of staff. At this stage consideration must be given to removal from regulated activity. A full risk assessment would be required.

5.10 **Portability of DBS Certificates Checks:**Staff may wish to join the DBS Update Service if they are likely to require another check in the future.

5.11 Applicants may sign up to the DBS Update Service for a fee of £13 per annum. This is payable by the applicant.

5.12 **Copies of DBS Checks:** The DBS no longer issue Disclosure Certificates to employers, therefore employees/applicants should bring their Certificate to the Headteacher's PA for viewing. The DBS certificate remains with the employee and copies are not taken.

5.13 **Dealing with convictions:** The school operates a formal procedure if a DBS Certificate is returned with details of convictions.

5.14 Consideration will be given to the Rehabilitation of Offenders Act 1974 and also:

- the nature, seriousness and relevance of the offence;
- how long ago the offence occurred;
- one-off or history of offences;
- changes in circumstances,
- decriminalisation and remorse.

5.15 A formal meeting will take place face-to-face to establish the facts with the

Headteacher/HR Lead. A decision will be made following this meeting. In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the Headteacher will evaluate all of the risk factors above before a position is offered or confirmed.

5.16 If an applicant wishes to dispute any information contained in a disclosure, they may do so by contacting the DBS.

5.17 In cases where the applicant would otherwise be offered a position were it not for the disputed information, the school may, where practical and at its discretion, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

6. Proof of identity, Right to Work in the UK & Verification of Qualifications and/or professional status.

6.1 The successful candidate 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 identity checking guidelines.

6.2 The school does not discriminate on the grounds of age.

6.3 Where an applicant claims to have changed their name by deed poll or any other means (e.g. marriage, adoption, statutory declaration) they will be required to provide documentary evidence of the change.

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

7. Medical Fitness

7.1 The school is legally required to verify the medical fitness of anyone to be appointed to a post at the school, after an offer of employment has been made but before the appointment can be confirmed.

7.2 All applicants are requested to complete a medical questionnaire and where appropriate a doctor’s medical report or referral to Occupational Health may be required.

7.3 This information will be reviewed against the Job Description and the Person Specification for the particular role, together with details of any other physical or

mental requirements of the role.

7.4 The school is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, obtaining medical evidence and considering reasonable adjustments.

8. Overseas checks

8.1 The school, in accordance with the UK Visas and Immigration (UKVI) will, if applicable, sponsor new foreign nationals.

8.2 In addition, applicants who have lived/travelled abroad for more than 3 months will need to obtain a criminal record check from the relevant country. The applicant will not be permitted to commence work until the overseas information has been received and is considered satisfactory by the school.

8.3 The school will request to see a completed EU Settlement Scheme certificate/letter where appropriate.

8.4 If an appointed applicant is a national of a non-EEA country, a Certificate of Sponsorship (CoS) may be required.

8.5 Before any offer of employment is made the following checks will be made. Criteria for issuing a CoS are:

- The job is in a “designated shortage” occupation, or
- It passes the Resident Labour Market Test (RLMT)
- The job is at NQF6 Level or above
- Minimum salary levels are met.

8.6 Only the Headteacher will be able to issue a CoS. In addition to the CoS the applicant must apply for entry clearance/leave to remain through the UK Visas and Immigration (UKVI) and comply with the UKVI requirements.

8.7 The process can take up to three months and staff cannot, under any circumstances, be employed until permission is given.

9. Induction Programme

9.1 All new employees will be given an induction programme which will clearly identify the school policies and procedures, including the Safeguarding Policy and Part One of KCSIE. It will be made clear the expectations which will govern how staff carry out their roles and responsibilities.

10. Single Centralised Register of Members of Staff

10.1 In addition to the various staff records kept in school and on individual personnel files, a single centralised record of recruitment and vetting checks is kept in accordance with the Education Regulations 2014 requirements.

10.2 This is kept up-to-date and retained by the Headteacher's PA. This is audited by the Local Authority and governor responsible for Safeguarding.

10.3 The Single Centralised Register will contain details of the following:-

- All employees who are employed to work at the school;
- all employees who are employed as supply staff to the school whether employed directly or through an agency;
- all others who have been chosen by the School to work in regular contact with children. This will cover volunteers, pastoral workers, Governors, peripatetic staff and people brought into the school to provide additional teaching or instruction for pupils but who are not staff members eg: sports coaches etc.

10.4 Designated Governors will be responsible for auditing the Single Centralised Register and reporting his/her findings to the full Governing Body during the Summer Term meeting.

11. Record Retention / Data Protection

11.1 The school is legally required to undertake the above pre-employment checks.

11.2 Therefore, if an applicant is successful in their application, the school will retain on their personnel file any relevant information provided as part of the application process.

11.3 This will include copies of documents used to verify identity, right to work in the UK, medical fitness and qualifications.

11.4 Medical information may be used to help the school to discharge its obligations as an employer e.g. so that the school may consider reasonable adjustments if an employee suffers from a disability or to assist with any other workplace issue.

11.5 This documentation will be retained by the school for the duration of the successful applicant's employment with the school.

11.6 Redborne Upper School will retain all interview notes on all unsuccessful applicants for a period of 6 months, after which time the notes will be confidentially destroyed (ie: shredded).

12. Ongoing Employment

12.1 Redborne Upper 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.

12.2 The school will therefore provide ongoing training and support for all staff, as identified through the Annual Review/appraisal procedure.

13. Leaving Employment at Redborne Upper School

13.1 Despite the best efforts to recruit safely there will be occasions when allegations of serious misconduct or abuse against children and young people are raised.

13.2 This policy is primarily concerned with the promotion of safer recruitment and details the pre employment checks that will be undertaken prior to employment being confirmed.

13.3 Whilst these are pre-employment checks the school also has a legal duty to make a referral to the DBS in circumstances where an individual:

- has applied for a position at the school despite being barred from working with children; or
- has been removed by the school from working in regulated activity (whether paid or unpaid), or has resigned prior to being removed, because they have harmed, or pose a risk of harm to, a child.

13.4 If the individual referred to the DBS is a teacher, the school may also decide to make a referral to the National College for Teaching and Leadership.

14. Contractors and agency staff

14.1 Contractors engaged by the school must complete the same checks for their employees that the school is required to complete for its staff.

14.2 The school requires confirmation that these checks have been completed before employees of the Contractor can commence work at the school.

14.3 Agencies who supply staff to the school must also complete the pre-employment checks which the school would otherwise complete for its staff.

14.4 Again, the school requires confirmation that these checks have been completed before an individual can commence work at the school.

14.5 The school will independently verify the identity of staff supplied by contractors or an agency and will require the provision of the original DBS certificate before contractors or agency staff can commence work at the school.

15. Visiting Speakers (and Prevent Duty)

15.1 The Prevent Duty Guidance requires the school to have clear protocols for ensuring that any visiting speakers, whether invited by staff or by pupils, are suitable and appropriately supervised.
15.2 The school is not permitted to obtain a DBS disclosure or Children's Barred List information on any visiting speaker who does not engage in regulated activity at the School or perform any other regular duties for or on behalf of the school.

15.3 All visiting speakers will be subject to the school's usual visitors signing in protocol. This will include signing in and out at Reception, the wearing of a visitors badge at all times and being escorted by a fully vetted member of staff.

15.4 The school will also obtain such formal or informal background information about a visiting speaker as is reasonable in the circumstances to decide whether to invite and/or permit a speaker to attend the school. In doing so the school will always have regard to the Prevent Duty Guidance and the definition of "extremism" set out in KCSIE which states:

"'Extremism' is vocal or active opposition to fundamental values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces."

15.5 In fulfilling its Prevent Duty obligations the school does not discriminate on the grounds of race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age.

16. Volunteers

16.1 The school will request an enhanced DBS disclosure and Children's Barred List information on all volunteers undertaking regulated activity with pupils at or on behalf of the school (the definition of regulated activity set out above will be applied to all volunteers).

16.2 A risk assessment is done for all volunteers.

16.3 Under no circumstances will the school permit an unchecked volunteer to have unsupervised contact with pupils.

16.4 It is the school's policy that a new DBS certificate is required for volunteers who will engage in regulated activity but who have not been involved in any activities with the school for three consecutive months or more.

16.5 Those volunteers who are likely to be involved in activities with the school on a regular basis may be required to sign up to the DBS update service as this permits

the school to obtain up to date criminal records information without delay prior to each new activity in which a volunteer participates.

16.6 In addition the school will seek to obtain such further suitability information about a volunteer as it considers appropriate in the circumstances.

16.7 This may include (but is not limited to the following):

- formal or informal information provided by staff, parents and other volunteers;
- character references from the volunteer's place of work or any other relevant source; and
- an informal safer recruitment interview.
- Risk assessment completed for all volunteers.