



Newlands CofE School Federation



Roots to grow... wings to fly

Safer Recruitment and DBS Checks

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Safer Recruitment and DBS Checks

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1. Introduction:

The safe recruitment of staff in schools is the first step to safeguarding and promoting the welfare of children in education. The Newlands CofE School Federation covers Clandon Primary and Shere Infant School. The Federation is committed to safeguarding and promoting the welfare of all pupils in its care. As an employer, the Federation expects all staff and volunteers to share this commitment.

2. Aims and Objectives:

The aims of the Safer Recruitment Policy is 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.

The aims of the Federation's 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 in line with the Equality Act 2010;
- 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 - September 2020 (KCSIE), the Prevent Duty Guidance for England and Wales 2015 (the Prevent Duty Guidance) and any guidance or code of practice published by the Disclosure and Barring Service (DBS); and □ to ensure that the Federation meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks.

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

The Federation has a principle of open competition in its approach to recruitment and will seek to recruit the best applicant for the job. The recruitment and selection process should ensure the identification of the person best suited to the job at either Clandon Primary or Shere Infant School based on the applicant's abilities, qualification, experience and merit as measured against the job description and person specification.

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 (including KCSIE 2020 and Prevent Duty Guidance).

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.

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

3. Roles and Responsibilities:

It is the responsibility of the governing body to:

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

It is the responsibility of the Headteacher, Bursar and other managers involved in recruitment to:

- Ensure that the Federation operates safe recruitment procedures and makes sure all appropriate checks are carried out on all staff and volunteers who work at either Clandon Primary or Shere Infant School.
- Promote welfare of children and young people at every stage of the procedure.
- Inform the Chair of the Governing Body of the need to recruit and, in accordance with the Finance Policy, ensure that the recruitment decision is within the delegated authority for expenditure of the Headteacher or, if not, that recruitment decision has been prior approved by the Resources Committee.

4. Recruitment and Selection Process:

Advertising:

To ensure equality of opportunity, the Federation will advertise all vacant posts to encourage as wide a field of applicant as possible; normally this entails an external advertisement. All vacant posts must be advertised across either school in the Newlands Federation.

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

All documentation relating to applicants will be treated confidentially in accordance with the Data Protection Act (GDPR).

Application Forms:

Standard application forms provided by the Local Authority will be used, and 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). Applicants submitting an incomplete application form will not be shortlisted.

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. CVs will not be accepted.

It is unlawful 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 in a school. 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:

A job description is a key document in the recruitment process and must be finalised prior to taking any other steps in the process. It will clearly and accurately set out the duties and responsibilities of the job role.

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.

Candidates will receive an information pack containing information about the Federation, including copies of key policies such as Safeguarding.

References:

References for short-listed applicants will be sent for immediately after short-listing. 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 interview.

All offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory by the Federation. 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. The referee should not be a relative. 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.

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.

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

Any discrepancies or anomalies will be followed up. Direct contact by phone will be undertaken with each referee to verify the reference.

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

Shortlisting:

During the shortlisting process application forms will be scrutinised separately by at least two people.

Interviews:

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 the recruitment of a Senior Teacher, a Teacher (including Higher Level Teaching Assistants) or another member of the leadership team e.g. Business Manager, Nursery Manager, at least one interviewer shall be a governor, in addition to the Headteacher. (Exceptions to a face-to-face interview might occur when a job applicant had applied from abroad. In this case the applicant would be interviewed by two interviewers over Skype (or similar electronic medium) and relevant background checks followed up.) The interview process explores 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 which have been identified in order to satisfy themselves that the chosen applicant can meet the safeguarding criteria (in line with Safer Recruitment Training).

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 been disclosed on the application form.

At least one member of any interviewing panel will have undertaken safer recruitment training or refresher training as applicable.

All applicants who are invited to an interview will be required to bring evidence of their identity, address and qualifications. Original documents will only be accepted and photocopies will be taken. Unsuccessful applicant documents will be destroyed 6 months after the recruitment programme.

5. Offer of Appointment and Induction:

In accordance with the recommendations set out in KCSIE the Federation carries out several pre-employment checks in respect of all prospective employees.

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 Federation's standard terms and conditions of employment;
- verification of the applicant's identity (if not previously been verified);
- the receipt of two references (one of which must be from the applicant's most recent employer) which the Federation considers to be satisfactory;
- the Federation being satisfied that the applicant is not, and has never been, the subject of a sanction, restriction or prohibition issued by the Teaching Regulation Agency (formerly National College for Teaching and Leadership), or any predecessor or successor body, or by a regulator of the teaching profession in any other European Economic Area country which prevents the applicant working in a school or which, in the Federation's opinion, renders the applicant unsuitable to work at a school; and
 - ii. the Federation 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 in a school or which, in the Federation's opinion, renders the applicant unsuitable to work in a school.
- where the position amounts to "regulated activity" the receipt of an enhanced disclosure from the DBS which the Federation considers to be satisfactory;
- 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 Federation deems a requirement for the post, or which the applicant otherwise cites in support of their application (where not previously verified).

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

6. DBS (Disclosure and Barring Service) Check (formerly known as CRB Disclosure):

The Federation 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 in a school which amount to "regulated activity" as defined in the Safeguarding Vulnerable Groups Act 2006 (as amended). 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.

It is the Federation's policy that the DBS disclosure must be obtained before the commencement of employment of any new employee.

The Federation will recheck DBS Certificates for any employee who takes leave for more than three months (i.e. maternity leave, career break etc).

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

The Federation will record all information on the checks carried out in the single central record (SCR). Copies of these checks, where appropriate, will be held in individuals' personnel files. We follow requirements and best practice in retaining copies of these checks. Further guidance can be found in our DBS Policy.

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

All applicants invited to attend an interview 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 the Immigration, Asylum and Nationality Act 2006 and DBS identity checking guidelines. The Federation does not discriminate on the grounds of age.

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. 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.

8. Medical Fitness:

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

All applicants are requested to complete a medical questionnaire and, where appropriate, a doctor's medical report may be required. 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.

The Federation 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.

9. Overseas checks:

The Federation will request that all applicants coming from abroad, or who have lived overseas for a period of 3 months or more in the last 5 years to provide an overseas check. A DBS can only check records within the UK, so it's an important step of the pre-employment checks to obtain this.

The applicant is responsible for obtaining a certificate of good conduct.

All overseas checks should then be produced, if not in English a translation should be requested, and a copy taken, recorded on the single central record and stored for the duration of the employment.

The Department for Education has also issued [guidance on the employment of overseas-trained teachers](#). This gives information on the requirements for overseas-trained teachers from the European Economic Area to teach in England, and the award of qualified teacher status for teachers qualified in Australia, Canada, New Zealand and the United States of America.

10. Induction Programme:

All new employees will be given an induction programme which will clearly identify all relevant policies and procedures, including the Child Protection Policy, the Code of Conduct, and KCSIE, and make clear the expectations which will govern how staff carry out their roles and responsibilities.

All new employees will receive safeguarding training booked at their start date. This will include information from Working Together to Safeguard Children, KCSIE and Prevent training.

11. Single Centralised Register of Members of Staff:

In addition to the various staff records kept by the Federation and on individual personnel files, a single centralised record of recruitment and vetting checks is kept. This is kept up-to-date and retained by the Business Manager and checked each term by the Headteacher and a Governor with responsibility for safeguarding. The Single Centralised Register will contain details of the following:-

- All employees who are employed to work;
- All employees who are employed as supply staff whether employed directly or through an agency;
- All others who have been asked to work in regular contact with children. This will cover volunteers, Governors, peripatetic staff and people brought into either school to provide additional teaching or instruction for pupils but who are not staff members, e.g. sports coaches etc.

A designated Governor will be responsible for auditing the Single Centralised Register and reporting his/her findings to the full Governing Body annually.

12. Record Retention/Data Protection:

The Federation is legally required to undertake the above pre-employment checks. Therefore, if an applicant is successful in their application, the Federation will retain on their personnel file any relevant information provided as part of the application process. This will include copies of documents used to verify identity, right to work in the UK, medical fitness and qualifications. Medical information may be used to help the Federation to discharge its obligations as an employer, e.g. so that the Federation may consider reasonable adjustments if an employee suffers from a disability or to assist with any other workplace issue.

This documentation will be retained by the Federation for the duration of the successful applicant's employment with the Federation and for a period of six years following the end of their employment. All information retained on employees is kept centrally in the Headteacher's office in a locked and secure cabinet.

The Federation will retain all interview notes on all unsuccessful applicants for a period of 6 months, after which time the notes will be confidentially destroyed (i.e. shredded). The 6-month retention period is in accordance with the General Data Protection Regulations (GDPR).

13. On-going Employment:

The Federation 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 Federation will therefore provide ongoing training and support for all staff, as identified through the Annual Review/appraisal procedure. Members of staff will receive regular safeguarding training.

14. Leaving Employment:

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

- has applied for a position at a school despite being barred from working with children; or
- has been removed by the Federation 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.

If the individual referred to the DBS is a teacher, the Federation may also decide to make a referral to the Teaching Regulation Agency.

15. Contractors and agency staff:

Contractors must complete the same checks for their employees that the Federation is required to complete for its staff. The Federation requires confirmation that these checks have been completed before employees of the Contractor can commence work.

Agencies who supply staff must also complete the pre-employment checks which the Federation would complete for its staff. Again, the Federation requires confirmation that these checks have been completed before an individual can commence work.

The Federation 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.

16. Monitoring and Evaluation:

The Business Manager will be responsible for ensuring that this policy is monitored and evaluated throughout the Newlands Federation. This will be undertaken through formal audits of job vacancies and a yearly Safer Recruitment Evaluation audit which will be presented to the Headteacher to report to the governing body. (See Appendix 1).

Appendix 1

Newlands Federation Safer Recruitment Self Evaluation Checklist

Policy and Procedure	In place	Not in Place	In Progress	Notes
Safer recruitment policy updated and monitored on a regular basis.				
Consistency in recruitment procedures applied to all categories of employment.				
Use of application form.				
Use of job description and person specification.				
Referees asked to specifically comment on suitability of applicant.				
Two written references taken up.				
One member of the panel to examine references prior to interview.				
Reference followed up by telephone reference.				
Questions asked on applicant's child protection awareness.				
Explanation of gaps in employment.				
Proof of identity sought – originals not copies.				
Academic qualifications checked – originals not copies.				
Medical clearance prior to employment.				
No employment until DBS Certificate has been completed.				
Above checks applied as appropriate to overseas staff, supply/agency, staff/gaps/volunteers.				
Panel interviews undertaken Governor present when required to be				
Formal Induction programme undertaken.				
Child Protection training/ issue of Child Protection Policy, Code of Conduct and Part One of KCSIE to employer.				