

Palace Wood Primary School

Safer Recruitment Policy



Written by	Emma Newell
Ratified by Governors	Summer 2023
Date for Review	Summer 2024
Signed – Chair of Governors	
Signed – Headteacher	

This policy has been impact assessed by Clare Cairns in order to ensure that it does not have an adverse effect on race, gender or disability equality

Policy Statement

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

Palace Wood Primary School is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.

It is recognised that this can only be achieved through sound procedures, good interagency cooperation and the recruitment and retention of competent, motivated employees who are suited to, and fulfilled in the roles they undertake.

This school recognises the value of and seeks to achieve a diverse workforce which includes people from different backgrounds with different skills and abilities. The school is committed to ensuring that the recruitment and selection of all who work within the school is conducted in a manner that is systematic, efficient, effective and promotes equality of opportunity. The school will uphold its obligations under law and national collective agreements not to discriminate against applicants for employment on the grounds of age, sex, sexual orientation, marital status, disability, race, colour, nationality, ethnic origin, religion or creed. This document provides a good practice framework to comply with the principles set down in the school's Equality Policy.

All posts within school are exempt from the Rehabilitation of Offenders Act 1974 and therefore all applicants will be required to declare spent and unspent convictions, cautions and bind-overs, including those regarded as spent and have an Enhanced DBS check.

The school is committed to ensuring people who have been convicted are treated fairly and given every opportunity to establish their suitability for positions. Having a criminal record will not necessarily be a bar to obtaining a position.

Key Points to Recruitment Process

It is the policy of the school to recruit the most suitable candidate in accordance with the Equality Act (2010), regardless of sex, age, ethnic origin, sexual orientation, belief, religion, disability or any other protected characteristic and regardless of membership of a professional or trade union.

All posts open to external candidates are appropriately advertised. Applications for externally advertised posts are also encouraged from internal candidates. Equal consideration is given to internal candidates when short-lists are drawn up.

All adverts released by the school must have a Safeguarding paragraph, detailing the school's commitment to safer recruitment. Example:

Palace Wood Primary School is committed to safeguarding and promoting the welfare of children. In order to ensure the ongoing safety of our children, applicants must be willing to undergo child protection screening appropriate to the post, including reference checks with previous employers, a 'Right to Work' in the UK check and an enhanced DBS check.

A copy of the successful applicant's job advert and supporting documents must go into their personnel file.

An Employee who is Safer Recruitment trained must be involved in key parts of the recruitment process including reviewing the application form, reviewing references and interviewing.

Palace Wood Primary School complies with the requirements of the Counter Terrorism and Security Act to have due regard for the need to prevent people being drawn into terrorism and will act in accordance with its Prevent duty.

The school will:

1. Ensure that appropriate staff who undertake recruitment have received safer recruitment training and successfully completed the accredited safer recruitment training;
2. Ensure every appointment panel includes, at least, one member who has received safer recruitment training;
3. Ensure that Safer Recruitment training is updated at least every 5 years;
4. Implement robust recruitment procedures and checks for appointing staff and volunteers to ensure that reasonable steps are taken not to appoint a person who is unsuitable to work with children, or who is disqualified from working with children, or does not have the suitable skills and experience for the intended role;
5. Keep and maintain a single central record of recruitment and vetting checks in line with DEPARTMENT FOR EDUCATION (DfE) requirements;
6. Ensure that the terms of any contract with a contractor or agency requires them to adopt and implement measures described in this procedure. The school will monitor the compliance with these measures;
7. Require staff who are convicted or cautioned for any offence during their employment with the school to notify the school, in writing of the offence and the penalty.

The following pre-employment checks will be undertaken:

- Receipt of at least two satisfactory references, one of which will be from the former or most recent employer;
- Verification of the candidate's identity in line with the requirements of The Immigration, Asylum and Nationality Act 2006;
- A list 99 check;
- A satisfactory DBS clearance;
- Verification of the candidate's medical fitness;
- Verification of qualifications;
- Verification of professional registration as required by law for teachers;
- Verification of successful completion of induction period (for those who obtained QTS after 7 May 1999);

Roles and responsibilities

It is the responsibility of the governing body to:

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

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

- Ensure that the school operates safe recruitment procedures and makes sure all appropriate checks are carried out on all staff and volunteers who work at the school;
- To monitor contractors' and agencies' compliance with this document;

- Promote welfare of children and young people at every stage of the procedure;

It is the responsibility of all potential and existing workers, including volunteers to comply with this document.

It is the responsibility of all contractors and agencies to comply with safe recruitment pre-employment checks.

It is the responsibility of the school's HR provider (Schools' Personnel Service, Kent) to deal with the administration of the disclosure system for the school.

In accordance with the School Staffing Regulations, the governing body has delegated responsibility to the Headteacher to lead in all appointments outside of the leadership group.

School governors may be involved in staff appointments, but the final decision will rest with the Headteacher. The Headteacher may delegate the selection process of staff outside of the leadership group to other managers in the school, but remains responsible for the decision to appoint.

The Procedure

Advertising

To ensure equality of opportunity, the school will advertise all vacant posts to encourage as wide a field of candidates as possible, normally this will entail an external advertisement.

However, where there is a reasonable expectation that there are sufficient qualified internal candidates or where staff are at risk of redundancy, an internal advertisement may be considered appropriate.

When advertising roles, we will make clear:

- o Our school's commitment to safeguarding and promoting the welfare of children
- o That safeguarding checks will be undertaken
- o The safeguarding requirements and responsibilities of the role, such as the extent to which the role will involve contact with children
- o Whether or not the role is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020. If the role is exempt, certain spent convictions and cautions are 'protected', so they do not need to be disclosed, and if they are disclosed, we cannot take them into account

Applications

The form – The school uses a standard Kent application form. CVs will not be accepted.

The school requires candidates to account for any gaps or discrepancies in employment history on this application form. Where an applicant is shortlisted, these gaps will be discussed at interview.

Our application forms will:

- o Include a statement saying that it is an offence to apply for the role if an applicant is barred from engaging in regulated activity relevant to children (where the role involves this type of regulated activity) Attempt to apply under this circumstances could result in the

application being rejected or summary dismissal if the applicant has been selected, and possible referral to the police and other professional regulatory bodies.

- o Include a copy of, or link to, our child protection and safeguarding policy and our policy on the employment of ex-offenders

Shortlisting

Our shortlisting process will involve at least 2 people and will:

- o Consider any inconsistencies and look for gaps in employment and reasons given for them
- o Explore all potential concerns

Once we have shortlisted candidates, we will ask shortlisted candidates to:

- o Complete a self-declaration of their criminal record or any information that would make them unsuitable to work with children, so that they have the opportunity to share relevant information and discuss it at interview stage. The information we will ask for includes:
 - o If they have a criminal history
 - o Whether they are included on the barred list
 - o Whether they are prohibited from teaching
 - o Information about any criminal offences committed in any country in line with the law as applicable in England and Wales
 - o Any relevant overseas information
- o Sign a declaration confirming the information they have provided is true

We will also consider carrying out an online search on shortlisted candidates to help identify any incidents or issues that are publicly available online.

Pre-Interview: Employment History and References

Candidates who have been shortlisted will be contacted and invited for interview. The email of invitation will detail the format for the interview and any documentation the candidate will be required to bring with them on the day.

All external applicants for a post, or those working at the school who are not currently in regulated activity, are required to complete an application form, giving their previous employment history. This information is checked to ensure that it is not contradictory or incomplete.

The purpose of seeking references is to obtain objective and factual information to support appointment decisions. References will always be obtained, scrutinised and any concerns resolved satisfactorily, before the appointment is confirmed. The school only accepts references sought directly by the school of the referee. Open references, for example in the form of, 'to whom it may concern' testimonials, are not acceptable. If a candidate for a teaching post is not currently employed, the school will seek to confirm details of their employment and reasons for leaving with the school, college or local authority at which they were most recently employed. On receipt of two references, references are checked to ensure that all specific questions have been answered satisfactorily. The referees are contacted to provide further clarification as appropriate: for example, if the answers are vague or incomplete. References are also compared for consistency with the information provided by the candidate on their application form. Any discrepancies are taken up with the candidate. This includes any information about past disciplinary action or allegations, which will be considered carefully when assessing the applicant's suitability for the post.

An Employee who is Safer Recruitment Trained must be responsible for checking the application form for Safeguarding and Prevent risks, scrutinising for gaps in employment and reviewing references.

Reference requests will specifically ask:

- About the referee's relationship with the candidate
- Whether the referee is completely satisfied that the candidate is suitable to work with children and, if not, for specific details of the concerns and the reasons why the referee believes that the person might be unsuitable.

Referees will also be asked to confirm details of:

- The applicant's current post and salary
- Performance history and conduct
- Any disciplinary procedures in which the sanction is current
- Any disciplinary procedures involving issues related to the safety and welfare of children, including any in which the sanction has expired and the outcome of those
- Details of any allegations or concerns that have been raised that relate to the safety and welfare of children or behaviour towards children and the outcome of these concerns

Palace Wood Primary School uses a Kent standard form to ensure the details outlined above are included.

Any information about past disciplinary action or allegations will be considered in the circumstances of the individual case. Cases in which an issue was satisfactorily resolved some time ago, or an allegation was determined to be unfounded or did not require formal disciplinary sanctions, and which no further issues have been raised, are not likely to cause concern. More serious or recent concerns or issues are more likely to cause concern. A history of repeated concerns or allegations over time is also likely to give cause for concern.

Interviews

The selection process and interview questions are structured around the job description and safeguarding.

An Employee who is Safer recruitment trained will be involved in the interview and will ask safeguarding questions to the interviewee.

When interviewing candidates, we will:

- o Probe any gaps in employment, or where the candidate has changed employment or location frequently, and ask candidates to explain this
- o Explore any potential areas of concern to determine the candidate's suitability to work with children
- o Record all information considered and decisions made

Teaching posts: For all academic staff it would be usual for the Headteacher/Deputy Headteacher plus one other member of leadership staff or a Governor to be involved in the interview process. In most cases candidates will be required to teach a sample lesson and will be informed in advance of what will be required and at what stage during the interview process this will take place.

In general, we will look for:

- Relevant qualifications at degree level from a reputable university or college
- The ability to teach at all levels appropriate to the post
- A willingness to contribute to co-curricular activities and, where appropriate, relevant experience and qualifications
- A willingness to participate in the pastoral system, and a commitment to upholding safeguarding procedures
- A willingness to engage with continuous professional development
- Commitment to uphold safeguarding procedures

Support Staff: The interview process will comprise of members of the leadership team. Dependent on the post, there may be a separate assessment of ability/skills required for the role.

In general, we will look for:

- Relevant qualifications
- The ability to fulfil the job description
- A willingness to engage with continuous professional development
- Commitment to upholding safeguarding procedures

The purpose of the interview is to assess the candidate's suitability for the vacancy and give both the panel and the candidate an opportunity to gain further information before making a successful appointment.

The interview will also assess the candidate's suitability to work with children and will include questions relating to safeguarding and promoting the welfare of children. A written record of the outcome will be kept and placed in the successful applicant's personnel file.

Post Interview

The successful candidate will usually be informed by telephone. After verbal acceptance of the post, a formal letter of appointment is sent to the chosen candidate. The applicant will be required to send back the form of acceptance. The offer of appointment will be conditional upon the pre appointment checks detailed previously, as well as receipt of at least two satisfactory references. All support staff appointments are subject to a probationary period and this must be specified in the offer letter.

Employment will not commence until the school is satisfied that all checks have been completed.

Pre Appointment Checks

Checks for individuals working at or visiting the school

The Senior Management of the school and the Governors seek to act reasonably in making decisions about the suitability of a prospective Employee, based on checks and evidence including: criminal record checks (DBS checks), barred list checks and prohibition checks, together with references and interview information.

All new Employee appointments will require a DBS check. The level of DBS check required, and whether a prohibition check is required, depends on the role and duties for which a prospective Employee is applying.

In addition to the DBS checks described, anyone who is appointed to carry out teaching work will require an additional check to ensure they are not prohibited from teaching. Such checks are detailed below:

SECRETARY OF STATE PROHIBITION ORDERS

Prohibition orders prevent a person from carrying out Teaching work in schools, Sixth Form colleges, 16 to 19 Academies, relevant youth accommodation and children's homes in England. Palace Wood Primary School will not employ an individual to teach if such a prohibition order is in place.

DISCLOSURE & BARRING SERVICE (DBS)

The DBS is responsible for administering three types of checks:

- Standard: a check of the Police National Computer (PNC) records of convictions, cautions, reprimands and warnings;
- Enhanced: a check of the PNC records as above, plus other information held by the police that is considered relevant by the police; and
- Enhanced with barred list information: for people working in regulated activity with children. This adds checks of the DBS Children's Barred List to the enhanced check.

All new Employee appointments will require an enhanced DBS check with barred list information.

When the DBS has completed its check of an applicant's PNC record and, if appropriate, whether or not they are on the barred list, the relevant information will be recorded on a certificate (the DBS certificate) that is sent to the applicant. The applicant must bring the DBS certificate to the school before they take up a post.

If the applicant has subscribed to it and gives written permission, the school may undertake an online update check through the DBS Update Service. In these instances, the school will confirm that the certificate matches the individual's identity and ensure that the original certificate is relevant for the appropriate workforce and level of check, as part of the procedure.

DBS certificates must be cleared before the person starts work within the school. Only at the decision of the Headteacher can an individual start work in regulated activity before the DBS certificate is available. The Headteacher will need to ensure that the individual is appropriately supervised and that all other checks, including a separate barred list check, have been completed.

Volunteers

It is the school policy that all volunteers who work within the school and therefore have access to children and who volunteer on more than one occasion must have a DBS check. The flow chart in Appendix 1 and the information below will determine if a Barred List check is required too.

Supervised volunteers who regularly teach or look after children are not in regulated activity so the school is not permitted to conduct an enhanced DBS check with barred list information (in accordance with the Protection of Freedoms Act 2012, which amended the Safeguarding Vulnerable Groups Act 2006). The school does, however, conduct an enhanced DBS check without barred list information. Such individuals will be supervised regularly and on a day-to-day basis, to ensure children's safety. The frequency and degree of supervision is determined by the type of activity and age of the children concerned and is determined by the Headteacher of the school.

For new volunteers in regulated activity who will regularly teach or look after children on an unsupervised basis or provide personal care on a one-off basis, the school obtains an enhanced DBS certificate with barred list check.

For existing volunteers who provide personal care, the school obtains an enhanced DBS certificate with barred list check.

School governors

Governors who are volunteers are treated on the same basis as other volunteers, that is, an enhanced DBS check with barred list check is only requested if the governor will be engaged in regulated activity. However, an enhanced DBS check without a barred list check is carried out on individuals as part of the appointment process for governors. The arrangements for the Chair of Governors are overseen by the Clerk to the Governors at the school.

Contractors

The appropriate level of DBS check, if required, is carried out on any contractors, or any Employee of the contractor, working at the school. Contractors and contractors' Employees for whom a DBS check has not been undertaken are supervised if they will have contact with children, and they will not be allowed to engage in regulated activity under any circumstances.

If a contractor working at the school is self-employed, the school will obtain the DBS check, as self-employed people are not able to make an application directly to the DBS on their own account.

All visitors are required to sign in at the school reception and then wear a visitors' badge. They are supervised during their time at the school.

Convictions/Disclosures highlighted on a DBS check or application form

All roles within the school have "access to children" therefore these roles are exempt under the provisions of the Rehabilitation of Offenders Act 1974. Therefore, applicants MUST disclose details of any caution or criminal offence. If an applicant has a spent or unspent criminal conviction, we will look at it in relation to the job applied for before making a decision. We will treat it in the strictest confidence. If the post involves access to money or budget responsibility, it is the school's normal policy to consider it a high risk to employ anyone who has been convicted at any time of robbery, burglary, theft, deception or fraud. If the post involves some driving responsibilities, it is the school's normal policy to consider it a high risk to employ anyone who has been convicted of driving offences.

If a disclosure is evident on the DBS certificate the Headteacher, in conjunction with Governors if appropriate, will consider the significance of the information before deciding whether or not it is appropriate to proceed with the appointment. Where necessary, further information may be requested from the candidate. Any decision would be made in accordance with the DBS Code of Practice.

The following factors would be considered before reaching a recruitment decision:

- whether the conviction or other matter revealed is relevant to the position in question;
- the seriousness of any offence or other matter revealed;
- the length of time since the offence or other matter occurred;
- whether the applicant has 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 offence and the explanation(s) offered by the convicted person.

DBS CHECKS FOR EXISTING STAFF

It is the school's normal Policy not to repeat DBS checks during the time an Employee remains working for a KCC school. Occasions where repeat DBS checks may be appropriate are:

- If the school has concerns about an individual's suitability to work with children, it will carry out all relevant checks as if the person were a new member of staff.
- If a person working at a KCC school moves from a post that is not regulated activity, into work which is regulated activity, the relevant checks for the regulated activity are carried out.
- The school reserves the right to repeat DBS checks at any point.

The school will refer to the DBS anyone who harmed, or posed a risk of harm, to a child, or if there were reason to believe the member of staff had committed one of a number of listed offences*, and who had been removed from working (paid or unpaid) in regulated activity, or would have been removed had they not left. The DBS will then consider whether to bar the person. Referrals to DBS are made as soon as possible after the resignation or removal of the individual.

Where the school ceases to use the services of a Teacher because of serious misconduct, or would have dismissed them had they not left first, it would consider whether to refer the case to the Secretary of State, as required by sections 141D and 141E of the Education Act 2002. In such circumstances, the Secretary of State may investigate the case, and if s/he finds there is a case to answer, must then decide whether to make a prohibition order in respect of the person.

Employees must inform the Headteacher if they are subject to any caution or criminal proceeding during their employment or if any factor changes that may affect their DBS.

*The list of offences is set out in the Safeguarding Vulnerable Groups Act 2006 (Prescribed Criteria and Miscellaneous Provisions) Regulations 2009 (SI 2009 No. 37) (amended).

DISQUALIFICATION BY ASSOCIATION

All roles within the school where staff are working with or involved in the management of the provision for children under the age of 8 years will need a check to ensure they are not disqualified from working with children by association. This is conducted via a self-declaration form which is checked for compliance before the candidate commences employment. This check does not apply to Volunteers or Governors. If a candidate falls within the 'by association' rule, they may apply to Ofsted for a waiver of disqualification but candidates will not be employed unless and until such a waiver is confirmed.

Employees must inform the Headteacher if during their employment their circumstances change that may affect their disqualification by association status.

PRE-APPOINTMENT CHECKLIST

An offer of appointment to a successful candidate must be conditional upon satisfactory completion of pre-employment checks.

When appointing new Employees, the school must ensure they complete the following checks:
(Please see Appendix 2 for Pre-Appointment Checklist)

- **Verify a candidate's identity:** With photographic ID, such as a passport or photo driving licence
- **Verify a candidate's current address:** With at least two of the following: a recent bank or credit card statement or a utility bill (not for a mobile phone) from the last three months, a mortgage statement or council tax bill from the last 12 months. If downloaded from the internet, statements and bills should be PDFs, not screenshots;
- **DBS check with a barred list information:** Gain certificate for every new Employee.
 - obtain a separate barred list check if an individual will start work in regulated activity before the DBS certificate is available;
- **Enhanced DBS certificate** must be obtained for volunteers involved in a regulated activity.
- **Prohibition Order Check.** For all teachers, issued by the Secretary of State, using the Employer Access Online service
- **Health Questionnaire.** Verify the candidate's mental and physical fitness to carry out their work responsibilities. To this end, an applicant for a teaching job will be asked relevant questions about disability and health in order to establish whether they have the physical and mental capacity for the specific role;
- **Right to work in the UK.** Verify the person's right to work in the UK. If the person has lived or worked outside the UK, the school will make any further checks that are felt to be appropriate;
- **Professional Qualifications verification.** Verify through DfE site;
- **Disqualification by Association.** Verify that all staff working with or involved in the management of the provision for children under the age of 8 years are not disqualified from working with children by association. This is conducted via a self-declaration form which is checked for compliance before the candidate commences employment. This check does not apply to Volunteers or Governors. If a candidate falls within the 'by association' rule, they may apply to Ofsted for a waiver of disqualification but candidates will not be employed unless and until such a waiver is confirmed.

Trainee/student teachers

Where applicants for initial teacher training are salaried by the school, Palace Wood ensures that all necessary checks are carried out, including an enhanced DBS certificate and barred list check in the case of trainee teachers who undertake regulated activity. Where trainee teachers are fee-funded, the initial teacher training provider carries out the necessary checks and confirms these with the school in writing.

Individuals who have lived or worked outside the UK

Individuals who have lived or worked outside the UK undergo the same checks as all other staff at the school. Similarly checks will be sought from other countries in accordance with DBS, DfE and Home Office Guidelines to ensure suitability to work at the school.

Agency and third-party staff

The school must obtain written notification from any agency, or third-party organisation used, confirming that the organisation has carried out the checks on an individual who will be undertaking work at the school that the school would otherwise perform. This includes, as necessary, an enhanced DBS check and a barred list check, prior to appointing that individual. The school also checks that the person presenting themselves for work is the same person on whom the checks have been made, by means of current photographic identification.

SINGLE CENTRAL RECORD

The school must keep a single central record as the register of People in regulated activity. It covers the following people:

- all staff (including supply staff) who work at the school;
- in the case of supply staff, agencies confirm in writing that they have been recruited by the agency in accordance with the school's policy and the school notes the date it receives such a notification;
- all others who work in regular contact with children in the school, including volunteers; and
- all members of the Governing body.

Information to appear on the Single Central Record

The following information must appear on the Single Central Record:

- Full Name
- Address
- Date of Birth
- Job Title

The following information that must be recorded on the Single Central Record is indicating if the following checks have been carried out or certificates/information obtained, who carried out each check, and the date on which the check was completed:

- an identity check;
- a barred list/List 99 check;
- an enhanced DBS check and with the certificate number and date of issue
- address check
- a prohibition from teaching check (NCTL Prohibition Order);
- further checks on people living or working outside the UK, if appropriate;
- a check of professional qualifications
- a check to establish the person's right to work in the UK;
- disqualification by association check (For Primary Schools)

In order to comply with the requirements of the Data Protection Act, where the school chooses to retain a copy of the DBS certificate it must not be retained for longer than six months. A copy of the other documents used to verify the successful candidate's identity, right to work and required qualifications are kept for the personnel file.

Induction

All staff are given a staff handbook when starting at the school which contains a Staff Induction Checklist and Manager's Guide. This contains the most important policies and procedural information. For example:

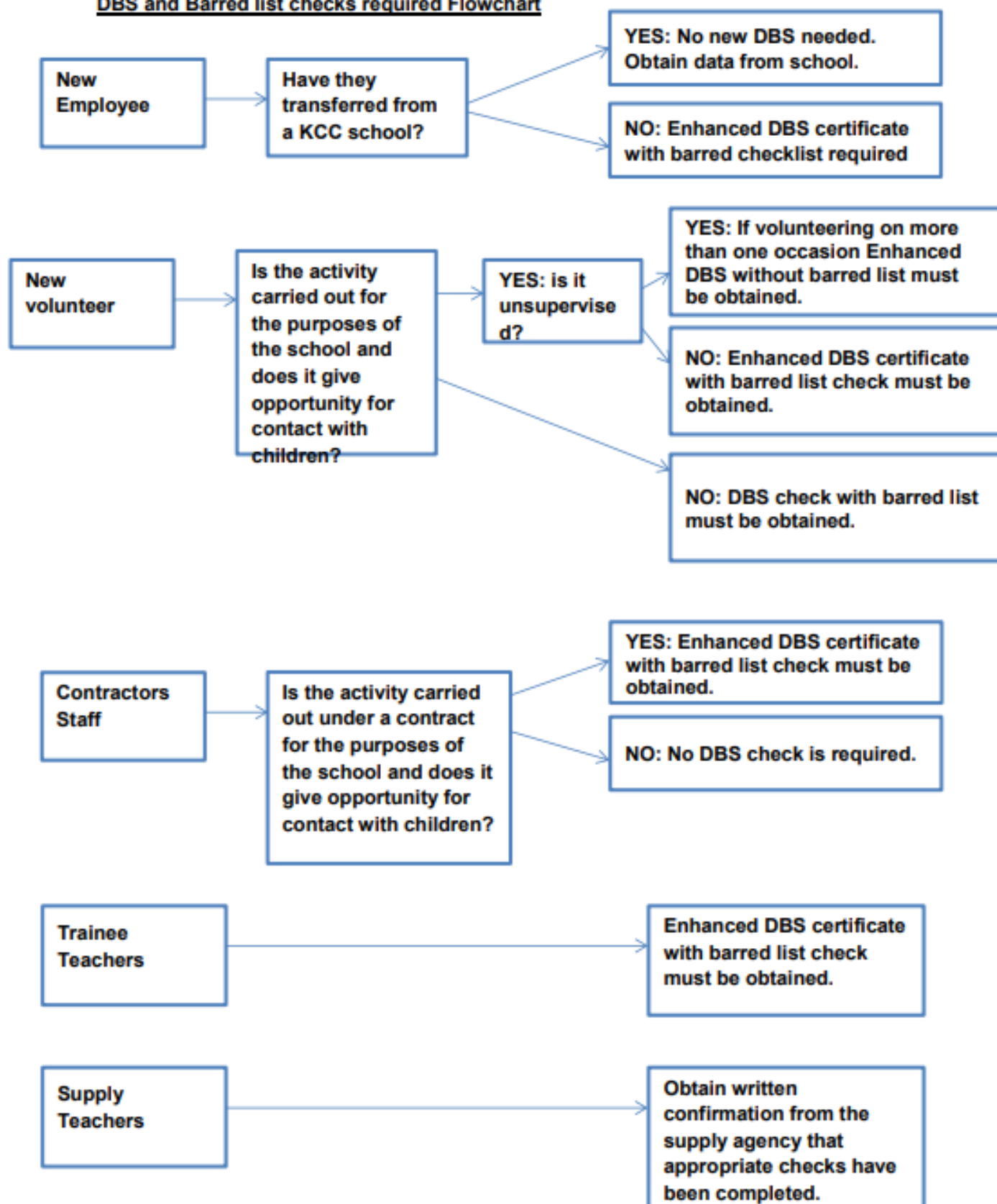
- DfE guidance on Safe Working Practice;
- Whistle Blowing Policy;
- Health & Safety Policy;
- Safeguarding Children Policy;
- Confidentiality Policy;
- Learning and Teaching Policy;

The school adopts a culture of vigilance where all concerns are listened to and taken seriously.

The school will follow DfE and Kent Safeguarding Children Board allegations procedures and refer any allegation for initial consultation with the Local Authority Designated Officer. The school has adopted the Kent Disciplinary Policy and guidelines.

Appendix 1

DBS and Barred list checks required Flowchart



Appendix 2 – Pre Appointment Checklist

Task	Initial
Copy of application form file (with a signature from Safer Recruitment trained employee to verify checked)	
References requested	
Reference 1 in file (with Safer Recruitment trained signature)	
Reference 2 in file (with Safer Recruitment trained signature)	
Copy of interview notes in file (with Safer Recruitment trained signature)	
DBS Check: <ul style="list-style-type: none">• Passport• Driving license• Utility Bill• Birth certificate	
Email address	
Contact telephone number	
National Insurance number	
Bank details (need to sign)	
Date of birth	
Occupational Health form (need to complete)	
Added to SCR	
Disqualification by association form completed	
Banking form 301	
Entered on SIMS	
Welcome letter	
QTA certificate	
QT number	
Details of degree	