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# OVERSTONE PARK SCHOOL

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## Safer Recruitment Policy



## Safer Recruitment

Date	Review Date	Coordinator	Nominated Governance
<b>April 2017</b>	<b>April 2018</b>	<b>Mrs M Brown Mr M Partington Mrs D York Mrs T James</b>	<b>Nomination process in progress.</b>

We believe this policy relates to the following legislation:

- Rehabilitation of Offenders Act 1974
- School Teachers' Pay and Conditions Act 1991
- School Standards and Framework Act 1998
- Data Protection 1998
- Education (Teachers' Qualifications and Health Standards) Regulations 1999
- Employment Relations Act 1999
- Sex Discrimination (Gender Reassignment) Regulations 1999
- Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000
- Education Act 2002
- Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002
- Education Act 2005
- Employment Equality (Age) Regulations 2006
- Work and Families Act 2006
- Safeguarding Vulnerable Groups Act 2006
- Education and Inspections Act 2006
- Employment Act 2008
- School Staffing (England) Regulations 2009
- Equality Act 2010
- Independent School Standards Regulations 2010
- Protection of Freedoms Act 2012
- School Staffing (England) (Amendment) Regulations 2012
- Education (School Teachers) (Qualifications and Specified Work) (Miscellaneous Amendments) (England) Regulations 2012

The following documentation is also related to this policy:

- Conditions of Service for School Teachers in England and Wales (Burgundy Book) (Council for Local Education Authorities)
- Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges (DfE)
- National Agreement on Pay and Conditions of Service (Green Book) (National Joint Council for Local Government Services)
- School Teachers' Pay and Conditions Document 2016 and Guidance on School Teachers' Pay and Conditions (DfE)
- Equality Act 2010: Advice for Schools (DfE)

We have a major duty to ensure safe recruitment of school personnel and volunteer helpers to this school 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 school appointments is for personnel who will be responsible for the care and supervision of children on a regular basis 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.

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, employees on fixed or temporary contracts will be invited to apply.

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

We wish to work closely with the School Council and to hear their views and opinions as we acknowledge and support Article 12 of the United Nations Convention on the Rights of the Child that children should be encouraged to form and to express their views.

We as a school community 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.
- To work with other schools to share good practice in order to improve this policy.

## **Responsibility for the Policy and Procedure**

### **Role of the Governance Body**

The Governance Body has:

- the responsibility of ensuring that the safe recruitment process complies with all current guidance and legal requirements;
- the responsibility of considering the retention of staff;
- delegated certain powers and responsibilities to the Principal to oversee compliance with current guidance and legal requirements;
- delegated powers and responsibilities to the Principal to ensure all school personnel and visitors to the school are aware of and comply with this policy;
- responsibility for ensuring that the school complies with all equalities legislation;
- nominated a designated Equalities Governance to ensure that appropriate action will be taken to deal with all prejudice related incidents or incidents which are a breach of this policy;
- responsibility for ensuring funding is in place to support this policy;
- responsibility for ensuring this policy and all policies are maintained and updated regularly;
- responsibility for ensuring all policies are made available to parents;
- the responsibility of involving the School Council in the development, approval, implementation and review of this policy;
- nominated a link Governance to visit the school regularly, to liaise with the Principal and the coordinator and to report back to the Governance Body;
- responsibility for the effective implementation, monitoring and evaluation of this policy

### **Role of the Principal**

The Principal will:

- promote the safeguarding and welfare of children;
- ensure the school operates safe recruitment procedures;
- organise safe recruitment training for school personnel involved in recruitment;
- all appointment panels to include one person who has successfully passed safe recruitment training;
- ensure all appropriate pre-employment checks are completed on school personnel and volunteer helpers;
- ensure contractors and agencies comply with this policy;
- undertake appointments of school personnel and volunteer helpers other than appointments to the leadership group;

- ask the Governing Body to consider a case for retaining any member of staff regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- ensure all school personnel, pupils and parents are aware of and comply with this policy;
- provide leadership and vision in respect of equality;
- provide guidance, support and training to all staff;
- monitor the effectiveness of this policy;
- annually report to the Governance Body on the success and development of this policy

## **Safe Recruitment Procedure**

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

### **Job and Person Specification**

- For every vacancy a job and person specification will be written and approved by the Governance Body.

### **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:
  - internally
  - intranet
  - local press
  - national press such as TES
  - other teacher publications
- All advertisements for posts will state that the school 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).
- We welcome any member/s of the present staff to apply.

### **School and Job Information Pack**

- All interested applicants will be provided with an application form, job description and person specification, school handbook, the most recent inspection report, and copies of the Safeguarding and Safe Recruitment Policies.
- All applications will be acknowledged within two weeks.

### **Short Listing and References**

- Short listing will be undertaken by the appropriate sub-committee.
- All applications will be looked at.

- Applicants will be short listed for the post if they suit the job description and person specification.
- Immediately after short listing references will be sent for those candidates short listed.
- All referees will be asked if the candidate is suitable to work with children, has any disciplinary procedures relating to the safety and welfare of children, or any details of allegations/concerns/bad behaviour relating to the safety and welfare of children.
- All references will be checked for consistent information.
- The candidate will be asked to clarify any highlighted discrepancies.
- The clerk to the Governances will inform those shortlisted immediately after the short listing process has taken place. Unsuccessful applicants will also be informed.
- Shortlisted candidates will be sent:
  - detailed documentation of the interview process
  - directions to the place of interview
- Shortlisted 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.
- 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.

### **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.
- The interview will consist of an activity, informal meetings with the Governance Body and representatives from the Local Authority, a meeting with the School Council and a professional interview.
- All candidates will be assessed for their suitability to the post and their capability to safeguard and protect the welfare of children and young people.

### **Job Offer**

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

### **Pre - Employment Checks for the Successful Candidate**

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

- References (2)
- Proof of identity with current photographic ID and proof of address
- Provision of a Disclosure and Barring Service (DBS) disclosure (with a Barred List check) where the person will be engaging in regulated activity

- Proof that a candidate for a teaching vacancy is not subject to a prohibition order
- A barred list check if a DBS certificate is not available before an individual begins regulated activity
- Mental and physical fitness from Occupational Health
- Proof of qualifications
- Proof of a right to work in the UK
- Employment history references

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

### **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.

### **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
- the name of the designated member of the SMT who will act as a mentor during the probationary period

### **Induction**

The induction programme for all newly appointed school personnel will include all school policies dealing with the safeguarding of children and young people plus receive copies of the DCSF guidance on Safe Working Practice.

### **Probationary Period**

- All new employees will be subject to a satisfactory probationary period during which their progress will be monitored by their mentor.
- 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**

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

<ul style="list-style-type: none"> <li>▪ all teaching staff</li> <li>▪ support staff</li> <li>▪ supply teachers</li> <li>▪ volunteer parent helpers</li> </ul>	<ul style="list-style-type: none"> <li>▪ Governances who work as volunteers</li> <li>▪ LA tutors</li> <li>▪ After school club leaders</li> <li>▪ Breakfast club leaders</li> </ul>
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The information recorded will be checks on:

Checks	Date when checked
▪ Identity check	
▪ Barred list check	
▪ Enhanced DBS check	
▪ Prohibition from teaching check	
▪ A section 128 check (for management positions)	
▪ Checks on individuals living or working outside the UK	
▪ Professional qualifications check	
▪ Right to work in the UK check	

### **Raising Awareness of this Policy**

We will raise awareness of this policy via:

- the School Handbook/Prospectus
- the Staff Handbook
- the school website
- reports such as the annual report to parents and Principal reports to the Governance Body

### **Training**

All school personnel:

- have equal chances of training, career development and promotion
- receive training on this policy on induction
- receive periodic training so that they are kept up to date with new information
- receive equal opportunities training on induction

### **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 Effectiveness of the Policy

The practical application of this policy will be reviewed annually or when the need arises by the coordinator, the Principal and the nominated Governance.

A statement of the policy's effectiveness and the necessary recommendations for improvement will be presented to the Governance Body for further discussion and endorsement. (See Policy Evaluation)

<b>Principal:</b>	Mrs M F Brown	<b>Date:</b>	4 <sup>th</sup> April 2017
<b>Chair of Governance Body:</b>	Nomination Process in Progress.	<b>Date:</b>	