

# Foreland Fields School

## Safer Recruitment Policy



### Governing Body Approval and Categories

Date of Last Review / Scrutiny	6 <sup>th</sup> May 2020
Date (Month / Year) of Next Review /Scrutiny	May 2023
Date Policy was Ratified	6 <sup>th</sup> May 2020
Category of the Policy	Safeguarding
Named Lead for Writing the Policy	Headteacher / Personnel and Payroll Officer
Named Governor for Scrutiny	Safeguarding Lead Governor
Approval Body	Strategy Team
Display on Main Web Site	No
NOTE: IF THIS POLICY HAS BEEN SCRUTINISED BY A DIFFERENT LEAD GOVERNOR OR BEEN RATIFIED BY A DIFFERENT GOVERNING TEAM PLEASE STATE WHICH TEAM	
Signed – Chair of Governors 	Date 18/5/20

### United Nations Convention on the Rights of the Child

Foreland Fields School is a Rights Respecting School thereby this policy ensures that the following rights are acknowledged:



**Article 6** (life, survival and development). Every child has the right to life. Governments must do all they can to ensure that children survive and develop to their full potential.

**Article 19** (protection from violence, abuse and neglect). Governments must do all they can to ensure that children are protected from all forms of violence, abuse, neglect and bad treatment by their parents or anyone else who looks after them.

**Article 23** (children with a disability). A child with a disability has the right to live a full and decent life with dignity and, as far as possible, independence and to play an active part in the community. Governments must do all they can to support disabled children and their families.

**Article 34** (sexual exploitation). Governments must protect children from all forms of sexual abuse and exploitation.

**Article 27** (adequate standard of living). Every child has the right to a standard of living that is good enough to meet their physical and social needs and support their development. Governments must help families who cannot afford to provide this.

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Date:

18/5/20

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## INTRODUCTION

The safe recruitment of staff in schools is the first step to safeguarding and promoting the welfare of the children in education. Foreland Fields 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 inter-agency 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 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 to not discriminate against applicants for employment on the grounds of age, sex, sexual orientation, gender reassignment, 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 Single 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 Criminal Records Disclosure (DBS).

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.

## RELEVANT SCHOOL POLICIES

This document should be read in conjunction with the following policies:

- Child Protection/Safeguarding Policy
- Prevent Duty Policy
- Whistleblowing Policy
- Discipline and Conduct Policy
- Single Equality Policy
- Capability Policy
- Staff Behaviour Policy

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Date: 18/5/20

## **SAFER RECRUITMENT PRINCIPLES**

Foreland Fields School will;

- 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.
- ensure that the Prevent Strategy is given due consideration and staff all have an understanding of the implications involved.
- keep and maintain a single central record of recruitment and vetting checks in line with DfE requirements.
- 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.
- require staff who are convicted or cautioned for any criminal 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. If the candidate is not currently working in a school or childcare setting but has done so in the past, one reference must be from their most recent children's workforce referee.
- Verification of the candidate's identity and entitlement to work in the UK in line with the requirements of The Immigration, Asylum and Nationality Act 2006.
- A satisfactory DBS clearance. If the candidate has lived overseas, a criminal records certificate or other documentation from relevant overseas authorities will be requested. For teaching posts, this will include a check of the EEA list.
- Verification of the candidate's medical fitness (clearance from Occupational Health where applicable).
- 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)
- Check against the Teacher Service Register for any teaching prohibition or restriction orders for a teaching role or if candidate has previously held a teaching role in past employment.

## **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 and KSCB 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.
- Monitor contractors' and agencies' compliance with this document.

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Date: 18/5/20

- 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 safer recruitment pre-employment checks.**

**It is the responsibility of the school's HR provider (School's Personnel Service - SPS) 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.

Whilst school governors may be involved in staff appointments, 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.

## **PROCEDURES**

### **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.

The school's safeguarding statement will be inserted into all advertisements.

All external vacancies will also be advertised on the Foreland Fields School website.

### **Applications**

The school uses a standard Kent County Council (KCC) application form. Applications received in any other format will not be accepted. Curriculum Vitae (CVs) will only be accepted if the CV accompanies a standard KCC application form.

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

Applicants should be aware that providing false information is an offence and could result in the application being rejected, or later dismissal if the applicant has already been selected, and possible referral to the police and other professional regulatory bodies.

### **References**

References for shortlisted teachers will be sent for immediately after shortlisting and before interview.

Teaching assistants and other roles may be interviewed prior to references being sought, however any offer of employment is provisional, dependent on acceptable references (and other required checks) being received. Where candidates have indicated on their application forms that they do not wish their current employer to be contacted, references will not be sought unless a candidate is successful. Again the offer is provisional and is dependent on all references and other required information being acceptable.

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Date: 18/5/20

References must be in writing and be specific to the job for which the candidate has applied - open references or testimonials are not acceptable. The school will not accept references from relatives or people writing solely in the capacity as a friend. Only references from a trusted authoritative source will be acceptable.

**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, salary and attendance record.
- Performance history and conduct.
- Any disciplinary procedures in which the sanction is current.
- 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.
- 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\* (see below).

**\*Anyone subject to a direction under section 142 of the Children's Act 2002 Act given on the grounds that they are unsuitable to work with children is disqualified from working with children. It is important to note DfE Guidance states "cases in which an allegation was proven to be false, unsubstantiated, or malicious should not be included in an employer's reference.**

References will be compared to ensure the information provided is consistent. Any discrepancies will be taken up with the applicant at interview/ as soon as possible afterwards. 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.

**Self-declaration of convictions by job applicants -**

Applicants are required to provide details of all unspent and spent convictions and cautions by completing a self-disclosure declaration on the on-line application form. This self-disclosure will only be viewed by the Personnel Officer if the candidate is shortlisted for interview, and passed onto the chair of the panel/Headteacher if any details are given. The chair of the panel/Headteacher will discuss relevant, positive declarations confidentially with the applicant at interview.

The disclosure of convictions, cautions or pending cases will not necessarily prevent employment but will be considered in the same way as positive DBS disclosures.

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Date: 18/5/20

**PROOF OF IDENTITY AND RIGHT TO WORK IN THE UK & VERIFICATION OF QUALIFICATIONS AND/OR PROFESSIONAL STATUS. (To be carried out at or prior to the interview)**

Shortlisted applicants for all posts will be required to provide proof of identity by producing documents in line with those set out in The Immigration, Asylum and Nationality Act 2006 (see above) either on the day of interview, or before any offer is confirmed. Similar information is also required to undertake a Disqualification and Barring Service check on the preferred candidate.

Short-listed candidates will also be required to provide proof of their qualifications and professional status by producing documentation on the day of interview or, if they cannot be verified at interview, before any offer is confirmed. The school will verify that candidates have actually obtained any qualifications legally required or deemed essential for the job and claimed in their application by asking to see the relevant certificate, or a letter of confirmation from the awarding body / institution. If the original documents are not available, the school will require sight of a properly certified copy. Where candidates have obtained qualifications abroad, a certified comparability check by NARIC will also be required. Proof of identity and other documentation will be verified by the chair of the panel/Headteacher/Personnel Officer.

Documents which show 'Right to Work' evidence can be found here

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/774286/Right\\_to\\_Work\\_Checklist.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/774286/Right_to_Work_Checklist.pdf)

**DISCLOSURE AND BARRING SERVICE**

The DBS (Disclosure and Barring Service) was established under the Protection of Freedoms Act 2012 and merges the functions previously carried out by the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA).

Due to the nature of the work, Foreland Fields School applies for an enhanced disclosure from the DBS in respect of all prospective members of staff, governors and volunteers.

Evidence required includes:

- passport, photo-card (together with counterpart where possible) driving licence and/or original birth certificate;
- two utility bills no older than three months (from different sources) showing the applicants name and current home address;
- documentation confirming their National Insurance Number (such as but not limited to a P45, P60 or National Insurance Card)
- where an applicant claims to have changed his/her name by deed poll or any other means (e.g. marriage, adoption, statutory declaration) he/she will be required to provide documentary evidence of the change.

Further guidance related to evidence which candidates can provide to prove identity can be found at

<https://www.gov.uk/disclosure-barring-service-check/documents-the-applicant-must-provide->

An enhanced disclosure will contain details of all convictions on record (including those which are defined as "spent" under the Rehabilitation of Offenders Act 1974) together with details of any cautions, reprimands or warnings held on the Police National Computer. An enhanced disclosure will also reveal

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Date: 18/5/20

whether an applicant is barred from working with children or vulnerable adults by virtue of his/her inclusion on the lists of those considered unsuitable to work with children or vulnerable adults maintained by the DBS. An enhanced disclosure may also contain non-conviction information from local police records which a chief police officer thinks may be relevant in connection with the matter in question.

DBS checks will be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence. These applicants may also be asked to provide further information, including the equivalent of a DBS disclosure (Certificate of Good Conduct), from the relevant jurisdiction(s).

## **INTERVIEWS**

**At least one member of any interviewing panel will have completed approved safer recruitment training.**

The selection process may include the following:

- (for teachers) a short lesson prepared prior to interview and taught to a small group.
- Tasks related to the post, e.g. finance, in-tray exercises.
- Face to face professional interview which will include at least one question related to safeguarding children/culture.
- Young people panel / activity with pupils/students where appropriate to post applied for.

The interview notes that have been completed by members of the interview panel should be signed, as requested on the form, on each page by the individual who made the notes of the interview.

## **COMMENCEMENT OF EMPLOYMENT PRIOR TO DBS AND OTHER DOCUMENTATION BEING RECEIVED**

Foreland Fields School does not allow any member of staff to commence employment until all required documents (listed above in Pre-Employment Check) have been received and are accepted.

## **EMPLOYMENT OFFER**

It may be possible to negotiate a provisional start date with the preferred candidate, however the checks detailed must all be completed before a person's appointment is confirmed.

Once all pre-employment checks have been satisfactorily completed/received, an offer of employment will be made and the start date confirmed. The contract will be issued on the first day of employment.

## **Record Retention / Data Protection**

The school will retain all interview notes on all applicants for a 6-month period, after which time the notes will be destroyed (i.e.: shredded). The 6-month retention period will allow the school to deal with any data access requests, recruitment complaints or to respond to any complaints made to the Employment tribunal.

Under the Data Protection Act 1998, applicants have a right to request access to notes written about them during the recruitment process. Applicants who wish to access their interview notes must make a subject access request in writing to the chair of the panel / Headteacher within 6 months of the interview date.

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Date: 18/5/20

## **PERSONAL FILE RECORDS**

The school will retain the following information which will make up part of the personal file, for the successful candidate:

- Application form
- References
- Disclosure of convictions form
- Proof of identification
- Proof of academic qualifications
- Certificate of Good Conduct (where applicable)
- Evidence of medical clearance from Occupational Health (where applicable)
- Evidence of the DBS clearance (DBS certificate reference number, NOT the actual DBS form or certificate)

## **SINGLE CENTRAL RECORD OF RECRUITMENT VETTING CHECKS**

In line with DfE requirements, the school will keep and maintain a single central record of recruitment and vetting checks. The central list will record all staff who are employed at the school, including casual staff, volunteers, and those who provide additional teaching or instruction for pupils but who are not staff members, e.g. specialist sports coach or artist.

A relevant employer, or agent (e.g. a teacher supply agency), is required to provide a report to the DBS where they cease to use a person's services, or a person is dismissed or resigns before a disciplinary process is completed, because they are considered unsuitable to work with children, as a result of misconduct, or because of a medical condition that raises a possibility of risk to the safety or welfare of children.

The central record will indicate whether or not the following have been completed:

- Identity checks
- Qualification checks for any qualifications legally required for the job
- Additionally, for those applying for teaching posts, registration check with the GTC where appropriate
- Checks of right to work in the United Kingdom
- DBS Enhanced Disclosure
- Further overseas records where appropriate. It shall also indicate who undertook the check and the date on which the check was completed or the relevant certificate obtained.

## **Probation periods**

Newly appointed staff who are new to the employment of the governing body will be subject to the school's 6<sup>th</sup> month probationary period.

## **INDUCTION**

All staff and volunteers are required to attend induction training prior to commencing work at Foreland Fields School. In most cases, this will be during an induction week to be delivered prior to commencement

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Date: 18/5/20



of the role. As part of the Induction process, all staff will attend training sessions in-Safeguarding, Moving and Handling, PROACT-SCIP (Positive Behaviour Support) and Communication. In addition, all new staff will complete on-line Prevent and Channel Training Sessions. Many staff will also be required to complete training in Eating and Drinking and Hydrotherapy Pool Evacuation. Induction training requirements are dependent on the individual's role within school however, all staff will complete all safeguarding related elements.

All school staff and volunteers are given an Induction Pack which includes Keeping Children Safe in Education along with the school's Child Protection Policy, Whistleblowing procedures and other relevant policies. As part of the Induction training, staff are given clear guidelines for reporting any concerns they have regarding the safety and welfare of the pupils. They are made aware of the Designated Safeguarding Lead and Deputies and how to pass on any concerns.

As part of their induction all staff and volunteers are requested to read and sign the Staff Behaviour Policy which outlines clear guidelines for professional boundaries and responsibilities.

#### **CONTRACTORS, AGENCY AND PERIPATETIC STAFF**

Contractors engaged in regulated activity by Foreland Fields School must complete the same checks for their employees that the School is required to complete for its staff. The School requires confirmation that these checks have been completed before employees of the Contractor can commence work at the School.

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

Peripatetic staff will complete the same checks the School is required to take for all other staff.

The School will independently verify the identity of staff supplied by contractors or an agency.

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Date:

18/5/20