

Philosophy

The safe recruitment of staff in our school is the first step to safeguarding and promoting the welfare of children in education. St Mary's is committed to safeguarding and promoting the welfare of all pupils in its care. As an employer, the school expects all staff, support agencies and volunteers to share this commitment.

Legal Background

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 - 2023 (KCSIE), the Prevent Duty Guidance for England and Wales, 2023 and any guidance or code of practice published by the Disclosure and Barring Service (DBS).

Aims & Objectives

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

- The School 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 the 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 2023 and Prevent Duty Guidance 2023).
- 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, selection, and decision-making process.
- The school aims to operate this procedure consistently and thoroughly while obtaining, collating, analysing and evaluating information from and about applicants applying for job vacancies at St Mary's.

Roles & Responsibilities

It is the responsibility of the governing body to:

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

It is the responsibility of the Headteacher, Office Manager and other senior leaders 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.

The governing body has delegated responsibility to the Headteacher to lead in all appointments. School governors may be involved in staff appointments, but the final decision will rest with the Headteacher.

Process for Recruitment

Advertising

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

Any advertisement will make clear the school'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 (DPA18).

Application Forms

- St Mary's First School uses the Staffordshire County Council application form 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 for the School to employ anyone who is barred from working with children. It is a criminal offence for any person who is barred from working with children to apply for a position at the School. 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. The person specification will include a specific reference to suitability to work with children in a school environment.

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 School.
- 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: the health form is required to be completed if short listed, but this will not be opened until a job offer has been made.

Any discrepancies or anomalies will be followed up. Contact by phone will be undertaken with each referee to verify the reference if required.

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

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.

- The interview process will explore the applicant's ability to carry out the job description and meet the person specification.
- It will enable the panel to explore any anomalies or gaps 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.
- At least one member of any interviewing panel will have undertaken safer recruitment training or refresher training as applicable.

Employment Checks

Pre-Employment Checks

In accordance with the recommendations set out in KCSIE 2023, the School carries out a number of 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:

- An mutually agreed start date. The contract is produced when employment begins, and when the staff member is on the payroll.
- 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 School considers to be satisfactory; for all positions.
- Where the position amounts to 'regulated activity' the receipt of an enhanced disclosure from the DBS which the School considers to be satisfactory.
- Where the position amounts to 'regulated activity' confirmation that the applicant is not named on the Children's Barred List.
- Confirmation that the applicant is not subject to a direction under section 142 of the Education Act 2002 which prohibits, disqualifies or restricts them from providing education at a school, taking part in the management of a school or working in a position which involves regular contact with children.
- Confirmation that the applicant is not subject to a direction under section 128 of the Education and Skills Act 2008 which prohibits, disqualifies or restricts them from being involved in the management of a school.
- 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.
- Verification of professional qualifications which the School deems a requirement for the post, or which the applicant otherwise cites in support of their application (where not previously verified).

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

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

The Rehabilitation of Offenders Act 1974

The Rehabilitation of Offenders Act 1974 does not apply to positions which involve working with or having access to pupils. Therefore, any convictions and cautions that would normally be considered 'SPENT' must be declared when applying for any position.

DBS (Disclosure and Barring Service) Check

The School applies for an enhanced disclosure from the DBS and a check of the Children's Barred List (now known as an Enhanced Check for Regulated Activity) in respect of all positions at the School which amount to "regulated activity" as defined in the Safeguarding Vulnerable Groups Act 2006 (as amended). 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 School's policy that the DBS disclosure must be obtained before the commencement of employment of any new employee.

Medical Fitness

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

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

Induction Programme

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

Single Centralised Record of Members of Staff (SCR)

In addition to the various staff records kept in school and on individual personnel files, a single centralised record of recruitment and vetting checks is kept in accordance Keeping Children Safe in Education (KCSIE 2023). This is kept up-to-date and retained by the Office Manager.

The Single Centralised Record will contain details of the following: -

- All employees who are employed to work at the school
- All employees who are employed as supply staff to the school whether employed directly or through an agency
- All others who have been chosen by the school to work in regular contact with children. This will cover volunteers, governors, peripatetic staff and people brought into the school to provide additional teaching, instruction or therapy for pupils but who are not staff members, e.g. sports coach, music teacher.

The designated Governor for Safeguarding will be responsible for checking the Single Central Record and reporting findings to the full Governing Body at each meeting. The single central record will also be audited termly by the Headteacher.

Record Retention/Data Protection

The School is legally required to undertake the above pre-employment checks. Therefore, if an applicant is successful in their application, the School will retain on their personnel file any relevant information provided as part of the application process. 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 School to discharge its obligations as an employer, e.g. so that the School may consider reasonable adjustments if an employee suffers from a disability or to assist with any other workplace issue. This documentation will be retained by the School for the duration of the successful applicant's employment with the School. All information retained on employees is kept centrally in the school office which is locked.

St Mary's school will retain all interview notes on all unsuccessful applicants for a period of 6 months, after which time the notes will be confidentially destroyed (i.e. shredded). The 6-month retention period is in accordance with the General Data Protection Regulations (GDPR)2018.

DBS Certificate

The DBS no longer issue Disclosure Certificates to employers; therefore employees/applicants should bring their original Certificate to the school (for employees within 7 days of issue or applicants before they commence work or any project involving regulated activity).

Portability of DBS Certificates Checks

Staff may wish to join the DBS Update Service if they are likely to require another check in the future. Applicants may sign up to the Service for a fee of £13 per annum, which is payable by the applicant.

This allows for portability of a Certificate across employers. The School will:

- Obtain consent from the applicant to carry out an update search
- Confirm the Certificate matches the individual's identity
- Examine the original certificate to ensure that it is for the appropriate workforce and level of check,
- How long ago the offence occurred
- One-off or history of offences
- Changes in circumstances
- Decriminalisation and remorse.

The Update check would identify and advise whether there has been any change to the information recorded, since the initial Certificate was issued. Applicants will be able to see a full list of those organisations that have carried out a status check on their account.

Dealing with convictions

The School operates a formal procedure if a DBS Certificate is returned with details of convictions.

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

- A formal meeting will take place face-to-face to establish the facts with the Headteacher and chair of Governors.
- A decision will be made following this meeting. In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the Headteacher will evaluate all of the risk factors above before a position is offered or confirmed.
- If an applicant wishes to dispute any information contained in a disclosure, they may do so by contacting the DBS. In cases where the applicant would otherwise be offered a position were it not for the disputed information, the School may, where practicable and at its discretion, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

Secretary of State Prohibition Orders (Teaching & Management roles)

In all cases where an applicant is to undertake a teaching role of any kind, a Prohibition Order check will be made using the Employer Access Online Service. It is anticipated that this will be performed at offer stage. A person who is prohibited from teaching must not be appointed to work as a teacher in such a setting.

Prohibition orders are made by the Secretary of State following consideration by a professional conduct panel convened by the Teaching Regulation Agency. Pending such consideration, the Secretary of State may issue an interim prohibition order if it is considered to be in the public interest to do so.

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

- All applicants invited to attend an interview at the school 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 School 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.

Monitoring and Evaluation

The Governing Body, Head Teacher and Office Manager will be responsible for ensuring that this policy is monitored and evaluated throughout the school. This will be undertaken through formal audits of job vacancies and an annual Safer Recruitment Evaluation audit which will be reported to the Governing Body

Agreed by Staff and Governors

Policy and Statements Reviewed by Governing Body October 2021 & October 2023 **Review: October 2025**