



Hatherley
INFANT SCHOOL

Safer Recruitment Policy

Agreed: September 2018
Review: September 2020

We want to ensure your needs are met. If you would like this document in any other format, please contact us:
admin@hatherley-inf.gloucs.sch.uk

Introduction

We believe this policy should be a working document that is fit for purpose, represents the school ethos, enables consistency and quality across the school and is related to the following legislation:

- Rehabilitation of Offenders Act 1974
- School Teachers' Pay and Conditions Act 1991
- School Standards and Framework Act 1998
- Data Protection 2018
- 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 2013 and Guidance on School Teachers' Pay and Conditions (DfE)

We are aware that the General Data Protection Regulations (GDPR) has entirely replaced the previous Data Protection Act (DPA) making changes to many existing data protection rules and regulations that schools, academies and other educational establishments adhered to under the DPA. The principal aim of the GDPR is to strengthen and unify the safety and security of all data held within an organisation.

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 such as teaching, training, instructing, caring for or supervising children; or carrying out paid or unsupervised unpaid work but in contact with children; or

engaging in intimate or personal care or overnight activity is 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.

However, a supervised volunteer 'who regularly teaches or looks after children is not in regulated activity.'

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 expect all applicants to declare whether they are in a close relationship with any employee, worker, volunteer, governor or anyone else connected with this school as we wish to encourage and promote an open and transparent recruitment process.

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

We are aware that schools are finding it difficult to recruit and retain teaching staff, support staff and school leaders. We recognise that recruiting and retaining the right staff is at the centre of providing a quality learning experience for pupils.

We understand that besides low pay, high workload and stress teachers' also decide to leave the profession because of other factors such as teaching performance resulting in the involvement of the senior leadership team, feeling undervalued or a behavioural incident involving pupils and parents/carers.

We aim to retain and further develop high quality teaching and support staff to ensure quality learning experiences for pupils by reducing unproductive or unnecessary teacher workload associated with marking, planning or tracking pupil progress that does not contribute to the raising of pupil standards. Also, we need to ensure that we deal with all other issues in order to retain school personnel.

We recognise the importance of ensuring all school personnel enjoy a reasonable balance between their working life and their out of school commitments and interests. It is not in the interests of either the school or the individual for any employee to work excessively without complementary rest or recreation. We are committed to ensuring that positive steps are taken to promote a healthy work-life balance for all school personnel.

We recognise the importance of promoting and supporting the health and well-being of all school personnel as we wish to improve moral, job enrichment, the quality of work life and the continuous improvement of educational achievement.

We aim to promote from within whenever possible in order to give staff a clear path of advancement. In exceptional circumstances such as a job offer from another school, we will consider providing incentives to retain the right staff.

We work hard to create and maintain a skilled, balanced, conscientious, diverse and committed staff that reflects the diversity of the local community.

We are aware that the General Data Protection Regulations (GDPR) will entirely replace the current Data Protection Act (DPA) by making radical changes to many existing data protection rules and regulations that schools, academies and other educational establishments adhere to under the DPA. The principal aim of the GDPR is to strengthen and unify the safety and security of all data held within an organisation.

We acknowledge the new guidance given to all schools in the 'Data protection: a toolkit for schools' (DfE April 2018) regarding the appropriate use of personal data.

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 and 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 and the local authority to share good practice in order to improve this policy.

Responsibility for the Policy and Procedure

Role of the Governing Body

The Governing Body has:

- the responsibility of ensuring that the safe recruitment process complies with all current guidance and legal requirements;
- delegated certain powers and responsibilities to the Headteacher to oversee compliance with current guidance and legal requirements;
- delegated powers and responsibilities to the Headteacher 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 governor 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;
- nominated a link governor to:
 - visit the school regularly;
 - work closely with the Headteacher and the coordinator;
 - ensure this policy and other linked policies are up to date;
 - ensure that everyone connected with the school is aware of this policy;
 - attend training related to this policy;
 - report to the Governing Body every term;
 - annually report to the Governing Body on the success and development of this policy.
- responsibility for the effective implementation, monitoring and evaluation of this policy.

Role of the Headteacher

The Headteacher 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;
- be aware of the three types of DBS checks namely:
 - standard which provides information about convictions, cautions, reprimands and warnings held on the Police National Computer;
 - enhanced which provides the same information as above plus any additional information held by the police;
 - enhanced with barred list check for people working or seeking work in regulated activity with children and allowing for additional checks to be made to see whether the person appears on the children's barred list.
- be aware of the teacher prohibition orders that prevent a person from carrying out teaching work;
- ensure contractors and agencies comply with this policy;
- undertake appointments of school personnel and volunteer helpers other than appointments to the leadership group;
- look at ways with the Senior Leadership Team to retain valued school personnel by considering the following:
 - Reducing workload as much as possible by ensuring that workload is regularly reviewed and discussed with all school personnel.
 - Improving in-school support for teachers by reducing feelings of pressure in terms of scrutiny, accountability and workload from the Senior Leadership Team.
 - Looking at ways to ensure greater progression opportunities.
 - Improving worklife balance and working conditions by considering introducing flexible working and part-time contracts.
 - Allowing teachers more freedom to mark and plan.

- work in conjunction with the Senior Leadership Team to ensure all school personnel, pupils and parents are aware of and comply with this policy;
- 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 by speaking with pupils, school personnel, parents and governors;
- annually report to the Governing Body on the success and development of this policy.

Role of the Data Protection Officer

The Data Protection Officer will:

- have expert knowledge of data protection law and practices;
- inform the school and school personnel about their obligations to comply with the GDPR and other data protection laws;
- ensure data management is strengthened and unified;
- monitor compliance with the GDPR and other data protection laws;
- manage internal data protection activities;
- ensure risk and impact assessments are conducted in accordance with ICO guidance;
- report data breaches within 72 hours;
- ensure individuals have greater control over their personal data;
- ensure that prior to the processing of an individual's data that:
 - the process is in line with ICO guidance;
 - the process is transparent;
 - the individual will be notified;
 - the notification is written in a form that is understandable to children;
 - when sharing an individual's data to a third party outside of school that details for the sharing are clearly defined within the notifications.
- share an individual's data where it is a legal requirement to provide such information;
- process all written subject access requests from individuals within 40 days of receiving them;
- have in place a formal contract or service level agreement with a chosen data processor who is GDPR compliant;
- ensure the secure disposal of redundant data and IT hardware holding data in compliance with ICO guidance;
- train school personnel;
- conduct audits.
- be the first point of contact for supervisory authorities and for individuals whose data is processed;
- keep up to date documentation of all data protection activities.
- work closely with the Headteacher and nominated governor;
- periodically report to the Headteacher and to the Governing Body;
- annually report to the Governing 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 Governing 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.
- Internal candidates also require a reference before interview.
- Immediately after short listing references will be sent for those candidates short listed.
- Where a candidate is not currently employed in a school, checks will be made with their most recent employer as well as the school where they were most recently employed.
- Where candidates are already employed in a school, references should be from a senior person with appropriate authority and not from a colleague.
- 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.
- All references will be verified to ensure they originate from a legitimate source.
- The candidate will be asked to clarify any highlighted discrepancies.
- The clerk to the governors 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 may consist of an activity, informal meetings with the Governing 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 - Appointment Checks for the Successful Candidate

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

- verify a candidate's identity. Identification checking guidelines can be found on the GOV.UK website;
- obtain (via the applicant) an enhanced DBS certificate (including barred list information, for those who will be engaging in regulated activity);
- obtain a separate barred list check if an individual will start work in regulated activity before the DBS certificate is available;
- verify the candidate's mental and physical fitness to carry out their work responsibilities. A job applicant can be asked relevant questions about disability and health in order to establish whether they have the physical and mental capacity for the specific role;
- verify the person's right to work in the UK. If there is uncertainty about whether an individual needs permission to work in the UK, then prospective employers, or volunteer managers, should follow advice on the GOV.UK website;
- if the person has lived or worked outside the UK, make any further checks the school or college consider appropriate; and
- verify professional qualifications, as appropriate, including TRA (Teacher Regulation Agency) prohibition checks and section 128 checks for those who hold a managerial responsibility (SLT and Governors)

(Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges (DfE))

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">▪ all teaching staff▪ support staff▪ supply teachers▪ volunteer parent helpers	<ul style="list-style-type: none">▪ governors▪ Local Authority tutors▪ After school club leaders▪ Breakfast club leaders
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The information recorded will be checks on:

Checks	Date when checked
<ul style="list-style-type: none">▪ Identity check	
<ul style="list-style-type: none">▪ Barred list check	
<ul style="list-style-type: none">▪ Enhanced DBS check	
<ul style="list-style-type: none">▪ Prohibition from teaching check	
<ul style="list-style-type: none">▪ Checks on individuals living or working outside the UK	
<ul style="list-style-type: none">▪ Professional qualifications check	
<ul style="list-style-type: none">▪ 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 Headteacher reports to the Governing Body

Training

All school personnel:

- have equal chances of training, career development and promotion
- receive training on induction which specifically covers:
 - All aspects of this policy
 - Safeguarding and Child Protection
 - Safer Recruitment
 - Contract of Employment
 - Data Protection
 - Disclosure and Barring Service Checks
 - Equal opportunities
 - Inclusion
- receive periodic training so that they are kept up to date with new information
- receive equal opportunities training on induction in order to improve their understanding of the Equality Act 2010 and its implications.

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 Headteacher and the nominated governor.

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

Linked Policies

- Contract of Employment
- Data Protection
- Disclosure and Barring Service Checks
- Safeguarding and Child Protection

Other Linked Policies

▪ Acceptable Use	▪ Early Help Offer
▪ Anti-bullying and hate	▪ Health and Safety
▪ Attendance	▪ Relationships and Sex Education
▪ Behaviour	▪ SEND
▪ Complaints Procedure	▪ Safeguarding and Child Protection
▪ Confidentiality	▪ Safer Recruitment and Induction
▪ Curriculum	▪ Staff code of Conduct
▪ E-Safety (online safety)	▪ Whistleblowing