



Nether Kellet Primary School

Safer Recruitment Policy

1. The Policy

1.1 Headteachers and Governing Bodies have a responsibility to ensure that when recruiting to a post within their school, that the Policy be adhered to when planning and carrying out the recruitment process. This policy and guidance are in line with DfE and Bichard Inquiry recommendations.

1.2 How long will the recruitment process take?

Depending on the time it takes to receive all of the appropriate pre-employment checks and the candidate's notice period, it is important to access the time the whole process will take from job description to a new employee starting work. Appreciating the need for a thorough safe recruitment process will mean that you will allow enough time for all the stages of the process and some contingency time, may also be necessary. A Recruitment and Selection Checklist is included in the appendices (APPENDIX M), which will assist with planning the whole recruitment process.

2. JOB DESCRIPTION AND PERSON SPECIFICATIONS

2.1 At the start of the recruitment process it is important to define what the postholder's responsibilities towards children will be, as well as the qualifications and experience needed to perform the job, with particular attention to their work with such vulnerable groups. To confirm our School's commitment to safer recruitment, it is advisable to ensure that this statement of intent be included on all person specifications. Please find a template job description and person specification in the appendices (APPENDIX I & J)

2.1.1 Nether Kellet School, as an aware employer, is committed to safeguarding and protecting the welfare of children and vulnerable adults as its number one priority. This commitment to robust Recruitment, Selection and Induction procedures extends to organisations and services linked to the County Council on its behalf".

2.2 When a post requires a DBS Disclosure, this must be reflected in the job description and person specification relating to that post. It is envisaged that due to the nature of work in schools and contact with children that all posts will require an enhanced DBS Disclosure.

2.2.1 As advised all job descriptions must detail:

- Main duties and responsibilities of the post;
- The postholder's specific responsibility towards the promotion and the practice of safeguarding the welfare of children that they come in to contact with through their job. The nature of the responsibility will be reflected in the person's job title and their environment.

2.2.2 As advised all person specifications must detail:

- Qualifications required to do the job;
- Professional Registrations (if required);
- Enhanced DBS Disclosure required;
- Define the skills and competencies required;
- Explore issues relating to the safeguarding of children, such as:
 - Motivation to work with children;
 - Ability to form and maintain appropriate relationships and personal boundaries with children;
 - Emotional resilience in working with challenging behaviours;
 - Attitudes to use of authority and maintaining discipline.

2.2.3 As any other requirement on the person specification, it must state how these issues will be tested – E.g. application form, interview, or assessment day.

2.2.4 All of the points on the person specification should be evidenced either in a candidate's application form or through the interview and selection process.

2.3 Template examples of job descriptions and person specifications in the appendices (APPENDIX I & J) which can be adapted to meet the school's requirements.

3. THE ADVERT

3.1 The advert for a vacancy should also demonstrate the School's commitment to safer recruitment and vetting procedures, protecting every potential applicant from unfair practice and ultimately safeguarding children as much as possible. Promoting commitment to safeguarding and child protection can act as a deterrent to would-be abusers.

2 When placing an advert, please make sure the following statements are on the advert:

- Schools'
- Lancashire County Council
 - (School's Name)
 - Post Title
 - Hours (this should indicate if full or part-time)
 - Grade or Scale

4. APPLICATION PACKS

4.1 The importance of safeguarding and protecting children in schools should be promoted as much as possible throughout the recruitment process in order to deter unsuitable candidates.

4.2 It is strongly advised to include the following in a school's application pack:

- **Application Form**
(CVs are **not** acceptable)
- **Job Description (APPENDIX I)**
- **Person Specification (APPENDIX J)**
- **School's Prospectus**
- **DBS – A Guide for Applicants (APPENDIX A)**

- **The successful applicant will be required to apply for an enhanced disclosure from the Criminal Records Bureau.**
- **Closing Date**

5. INTERVIEW PROCESS

5.1 **The interviewing process should allow time for any discrepancy in a candidate's application or references to be scrutinised and clarified. With this in mind all candidates should have their qualifications verified, employment gaps explained, criminal record disclosed, reference issues and their attitude towards children discussed at interview. This means that when a candidate is successful, any issues surrounding their application and references have been fully explored before they are offered the post. Every interview should be carried out on a face-to-face basis (see *Safe Recruitment and Vetting Policy* paragraph 11).**

5.2 References

These should be requested prior to interview and ideally received back prior to interview. One of the referees **must** be the candidate's current or previous employer. Open references should not be accepted if they have 'To whom it may concern' on, no date evidenced or no obvious organisation authorization; these may have been forged, or may have valuable information missing if it is out of date. It is best practice to ask a referee to complete a reference pro-forma, which ensures that certain questions are asked of all your candidates. This avoids references, which may have been written as part of a compromise agreement and would not state any adverse qualities or incidents involving the candidate.¹

Reference Pro-formas should ask about the candidate's relationship with children in their current or previous role and if they have ever been involved in any disciplinary action concerning children.² Please see an example *Reference Pro-forma* in the appendices (APPENDIX E) which can be adapted to meet the school's requirements.

When references are received prior to interview it enables the interviewing panel to follow up any discrepancies or issues at interview and to make a decision with reference to all the facts available at the time. Obviously this relies entirely on the speed referees return them, this may not always allow for them to be seen prior to interview, but it should be aimed for as best practice as it complies with Bichard recommendations.

5.3 Employment Gaps

At interview, gaps in employment history **must** be discussed with the candidate. If there are gaps in their history, the candidate should fill in the *Employment Gap Pro-forma* (APPENDIX C) declaring the reasons for their break from work. This should then be signed by the candidate. Valid reasons for gaps in employment may be: the candidate did not need to work, travelling, bringing up a family, caring responsibilities, family bereavement or a period of sickness. As there could be more sinister reasons for an absence, it is important to ensure that the candidate is able to give as much detail as possible, in order for the panel to make an informed decision, and are in receipt of all relevant information.

It is strongly advisable to discuss patterns of repeated change in career or employers at interview, ensuring that the reasons for this are fully explored and satisfy the interview panel (see *Safe Recruitment and Vetting Policy* paragraph 11.).

5.4 Qualification Verification

At interview essential qualifications required for the post including those set by statute must be verified as a minimum, other qualifications stated on the application form may also need to be verified (see *Safe Recruitment and Vetting Policy* paragraph 11).

¹ DfES *Safeguarding Children and Safer Recruitment in Education* - pg 29 2006

² DfES *Safeguarding Children and Safer Recruitment in Education* - pg 27 2006

A photocopy of all the original qualification certificates should be taken and if the candidate is successful these should be placed on their personal file and recorded on the Central Record. If the candidate is unsuccessful, these should be destroyed.

5.5 Rehabilitation of Offenders Disclosure

As posts within schools are exempt from the Rehabilitation of Offenders Act 1974. This means as a prospective employer, you should encourage your shortlisted candidates to disclose any *unspent* and *spent* convictions during the application stage.

When applying for the post, candidates should fill out the *Rehabilitation of Offenders Disclosure Form* (APPENDIX D) and return it with their application form. If they have not sent it in with their application, it would be advisable to ask the candidates attending the interview if they have any previous convictions either *spent* or *unspent*. This gives the candidate a chance to discuss the circumstances surrounding any previous convictions they may have at interview.

Any convictions disclosed should not be given to the Shortlisting panel prior to shortlisting. Once the panel have made a shortlist and invited them for interview, they should then be made aware of any candidate's criminal disclosure. Disclosing a criminal background should not be used as a reason to not shortlist a candidate. Having a criminal conviction will not necessarily bar a person from working with children and should not be used to discount applications.

If they are successful they will be required to complete a DBS Disclosure application form. Once the Enhanced DBS Disclosure Certificate is returned, any conviction information will need to match up with the candidate's original disclosure to the interview panel. This information will not be kept if the candidate is not successful and should be destroyed.

5.6 Commitment to Safeguarding Children

Person specifications allow schools to explore a potential candidate's views and expectations in relation to working with children (see *Safe Recruitment and Vetting Policy* paragraph 11). The recruiting panel should seek to identify the candidate's experience or views on the following points:

- Motivation to work with children;
- Ability to form and maintain appropriate relationships and personal boundaries with children;
- Emotional resilience in working with challenging behaviours;
- Attitudes to use of authority and maintaining discipline.

Providing questions that ask candidates to draw on their experience of situations with children will give a good impression of the candidate's understanding of the points above. It will enable the panel to probe issues that the candidate may not discuss, allowing the panel to be aware of issues or lack of knowledge that a candidate may have or refuses to discuss their motivation to work within a school environment or with children. Some suggested competency interview questions are

included in the appendices (APPENDIX L) that may give an interview panel a point of reference for developing their own questions.

6. PRE-EMPLOYMENT CHECKS

6.1 In summary any offer of employment to any post in a school should be subject to the following (see *Safe Recruitment and Vetting Policy* paragraph 13):

6.1.1 References

Schools should request and have returned two references for every potential employee, one of these references **must** be from their current or most recent employer. As the post requires working in an environment with children, it is important to have a reference, if available, from an employer or voluntary agency demonstrating the candidate's previous work experience, paid or unpaid, of working with children. This may mean another reference will need to be requested. Please see the template *Reference Pro-forma* (APPENDIX E).

6.1.2 Verification of Candidate's Identity

It is vital that schools know who their employees are and have evidence to prove this. The *Identity Confirmation Sheet* (APPENDIX F) filled in during the DBS process will suffice and this must be carried out in a face-to-face interview i.e. not via the post. The ID check can then go on to their personal file and logged on the School's Central Record.

6.1.3 List 99 Check

This is a list of people barred from working with children, compiled by the DfES. This check is done as part of the DBS Application Process and can also be accessed separately on the teacher's pensions website by the Children's Services staffing team. A List 99 check can be undertaken within 24 hours if necessary by staffing team.

6.1.4 Enhanced DBS Disclosure

This shows a school previous convictions held on file for a potential employee. Having a conviction will not necessarily bar someone from working in a job with children or vulnerable adults. The severity, nature, circumstances and timing of the conviction will need to be taken into consideration. Candidates will need to be given the opportunity at the application stage to declare any *unspent* or *spent* convictions they may have, any declaration they make will be compared with the returned criminal record disclosure. The procedure for assessing DBS Disclosure positive trace returns is detailed in the policy (see *Safe Recruitment and Vetting Policy* paragraph 22 and appendix 2 and 3).

6.1.5 Medical Clearance

A potential employee must complete a medical questionnaire, which is then assessed by our Occupational Health provider. Depending on the answers given by the candidate, Occupational Health may request an appointment to confirm fitness. A potential employee is confirmed as medically cleared once a letter has been received

from Occupational Health declaring them fit for their proposed post. For High Schools this confirmation will be received by the school, for all other schools, personnel will receive it and pass this information on to the school and a copy held on file.

6.1.6 Verification of Qualifications

Any essential qualifications legally required to perform a particular job, such as QTS, as stated in the person specification, need to be evidenced by the potential employee. A copy of original certificates should be taken and placed on their personal file and logged on the Central Record. This should ideally be confirmed at the interview stage.

6.1.7 Verification of Professional Registration

Some posts require a professional registration with a regulatory body, such as the General Teaching Council etc. This again needs to be evidenced and placed on file, if the person specification states it as an essential prerequisite. The staffing team will check a teacher's status on the GTC website when a new starter form is received.

6.1.8 Right to Work in the UK

It is a legal obligation that every employer in the UK verifies whether a potential employee has the right to work in the UK. This can be easily confirmed by filling in the Council's *Asylum & Immigration Pro-forma* (APPENDIX G) and photocopying evidence to support their right to work in the UK, which can then go on their personal file and logged on the Central Record.

6.1.9 Employment History

When checking an application form it is important to note any gaps in employment or noticeable patterns when the candidate changed their employment. At interview any gaps will need to be discussed and satisfactory explanations given and recorded on an *Employment Gap Pro-forma* (APPENDIX C). This should ideally be confirmed at the interview stage.

6.1.10 Overseas Criminal Record Disclosure

If the potential employee has lived abroad for a period of time or who comes from another country prior to working in the UK, then a UK DBS Disclosure will not give a full picture in respect of any criminal record they may have (see Policy paragraph 11). In these cases an overseas Criminal Record Disclosure will need to be applied for as well as a UK DBS Disclosure and details for each countries' equivalent Bureau are available on the DBS website There is more detail about this later on in this guidance.

6.2 These checks should be made clear to candidates at interview. Any offer of employment should be a conditional offer subject to satisfactory clearances being received and checked by the school. When a decision has been made and a successful candidate notified they should be encouraged to contact the staffing team as soon as possible to start their pre-employment checks.

6.2.1 Only when all of these checks are completed and returned should an offer of employment be confirmed. Please do not offer a candidate an unconditional offer at any point. If the Headteacher requires the candidate to start prior to all of these checks, then they must fill out the Risk Assessment sheet provided in the Policy,

but only in exceptional cases and this must not be considered the norm (see *Safe Recruitment and Vetting Policy* paragraph 14).

- 6.3 Once these checks have been completed, evidence should be sent into the HR team along with a completed *Pre-employment Checklist* (APPENDIX K) detailing the level of checks that have been undertaken.

7. CRIMINAL RECORD BUREAU RENEWALS OR RE-CHECKS

- 7.1 **DBS Disclosures are only a record or a snapshot of the day they were issued. Since a Disclosure was issued staff may have new convictions or warnings that they may or may not have made the school aware of. It is Lancashire County Council's policy that every member of staff should have their DBS Disclosure renewed every three years (see *Safe Recruitment and Vetting Policy* paragraph 20), except Supply Teachers – please see below.**

- 7.2 The process of renewal or re-checking a person's DBS Disclosure is exactly the same as when applying for an original. There is no fast track. A new *Identity Confirmation Sheet (Appendix c)* should be filled in, mainly to register any changes in address or name and then a new DBS application form should be issued. Please mark on the Application form that the application is a re-check, this will aid the staffing team with logging the application.

- 7.3 Schools can track the status of a DBS Application with the DBS online. To do this, you will need the Form Reference number which starts in *F* and the applicant's date of birth. To log on to this service follow this link www.DBS.gov.uk/tracking

- 7.4 The requirement for a renewal for a DBS Disclosure also applies to all volunteers working in schools. The process is the same for all staff. It also applies to supply staff, but the renewal period is shorter.

- 7.5 For instances when a candidate's DBS Disclosure is returned with a Positive Trace, the Policy details the process for assessing information recorded on the Disclosure, producing a risk assessment based on the candidate's post and then making an informed recruitment decision (see policy paragraph 22).

8. SUPPLY TEACHERS (employed by the School or Agency)

- 8.1 **Supply Teachers should be recruited and treated in the same way as any other member of staff in a school.**

- 8.2 Recruiting Supply Teachers should be managed in the same way as any other staff in schools, if directly employed by a school or Lancashire County Council. This means that they should also have all the appropriate pre-employment checks carried out before their employment is confirmed.

- 8.3 If the Supply Teacher is mobile and does not work predominately at any one particular school in the Borough, the school should request evidence of ID before that person starts work at their school.
- 8.4 Supply Teachers should have their DBS Disclosure re-checked every 12 months. This is due to the casual and ad-hoc nature of their work, which may mean they do not actively work for the Borough or school for a few months at a time. If a Supply Teacher is predominately based at one school, it is recommended that, that school should organise and fund the re-check. If the Supply Teacher is mobile and only works for a few days for weeks at a time, the teacher should organise their re-check through Children's Services staffing team and fund it themselves.

9. PERIPATETIC TUTORS & AGENCY STAFF (including Agency Supply Teachers)

- 9.1 **As with outside contracted staff, providing services such as music tuition, specialist sports coaching, supply teaching or specific courses that requires staff to work on school premises whilst children are in school, it is important that schools have evidence of the necessary checks in relation to these staff.**
- 9.2 In a school environment it is essential to carry out or have evidence of the same standard of checks for all staff working in schools and the extended provision even if they are not employed directly by the school. It is the Headteachers and Governors responsibility to ensure that these checks are being carried out. With this in mind, all outside providers should be requested to provide evidence of the same pre-employment checks that the school would complete if they were directly employing the staff themselves. This should be given in writing and in advance of the provider starting work at the school and should be agreed as part of any contract between the school and provider. **Schools have the right to view the original copy of the Disclosure from the agency if it contains additional information. Evidence of checks from external providers should be recorded on the Central Record.**
- 9.3 If evidence is not provided then the school are strongly advised to not allow the peripatetic tutors or agency staff to have unsupervised access to children. If on an exceptional basis a risk assessment can be undertaken (see Policy paragraph 13 and appendix 1) but this **must not** be considered the norm.
- 9.4 Lancashire Council would recommend schools who use supply teaching agencies to only use agencies who have been awarded the Quality Mark by the DfES. This mark is only given to agencies who demonstrate robust recruitment and selection procedures ensuring that their employees are DBS cleared, have a full face-to-face interview and all the appropriate pre-employment checks and child protection inductions are carried out. For more information on the Quality Mark please go to <http://www.teachernet.gov.uk/supplyteachers/schoolsdetail.cfm?&id=3>
- 9.5 As with any external provider coming on to a school's premises the school should verify their identity, the provider should be asked to show documents such as a passport or driver's licence along with company ID. The school should be given the

names of expected guests or outside providers in advance of their arrival on site. The school should be very clear that the named individual is who they say they are.

10 CONTRACTORS

10.1 Contractors may have unsupervised contact with children. With this in mind a List 99 check must be completed before a Contractor can start work in an establishment with children. A DBS Enhanced Disclosure may be required under certain conditions. Ideally contractors should try and work outside of opening hours for such establishments, if this is not practicable then the following guidelines should be consulted.

10.2 Building Contractors

Children should not be allowed in areas where builders are working for Health and Safety reasons, so there should be little opportunity for workers to be unsupervised with children. It is difficult to say that there will not be times when contact with a child occurs. To accommodate for this all projects with contractors who may come into contact with children on site during opening hours in an establishment should undergo a DBS Enhanced Disclosure. This clearance should be stated in any contract struck and/or tendered between a Lancashire Council School and paid for by the agreed contracted company. LCC can act as an umbrella body, but a charge will be levied on the company and work should not commence before the Disclosure has been received. Building Contractors who are most likely to come into the school and potentially engage with children are site managers, who will liaise with the Headteacher or Office Managers.

10.3 Maintenance Contractors

In cases where a Council employee is contracted out to an establishment caring for children, they are most likely to be working unsupervised during their visits. The Directorate where the maintenance employees are based should provide the school / establishment with a DBS Disclosure and List 99 clearance, or written evidence, signed to prove that the appropriate checks have been carried out (DBS Disclosure, List 99 and ID verification).

10.4 Contracted Staff (Agency staff)

A School must make sure that any agency they use follows the same standard of safe recruitment checks Lancashire County Council. This should be evidenced in writing by the agency. Headteachers should ensure that the recruitment checks have been completed prior to their start day in the same way as they would their own staff. Safe recruitment checks must be part of the contract agreement between establishments with children and the Agency.

10.5 Emergency Call-Out Contractors (not previously checked by the school)

Contractors that are called out in an emergency may not be a contractor that is checked and known to the school prior to the 'call-out'. It is not necessary to obtain a DBS Disclosure for such staff, as they will only have contact with children on an ad hoc or irregular basis and are unlikely to be left unsupervised with children. It is best

practice to monitor these staff in the building by getting them to sign in or out in a visitor log and to have them escorted by a DBS cleared member of staff at all times.

10.6 Any contractor, maintenance worker or agency staff coming on to a school's premises should verify their identity, providing documents such as a passport or driver's licence along with company or council ID. The school should be very clear that the named individual is who they say they are.

11. VOLUNTEERS

11.1 Volunteers in schools often have the same unsupervised access to children as employees. A child will not consider a distinction between a volunteer and a member of staff, when seeking help or support. This means that volunteers should have certain checks completed as they are in a position of trust.

11.2 As with any new staff member an Identity check and a DBS Disclosure should be carried out prior to the volunteer starting their duties within the school. It is also important to request and receive two references on behalf of the volunteer. These checks must be carried out for all volunteers and not just for those unknown to the school. DBS Disclosures should be re-checked as with other staff every three years.

11.3 If a Volunteer becomes a paid employee, then their right to work in the UK should be assessed. It is advised to apply for a new Enhanced DBS Disclosure as well to reflect their change to an employee. If assisting on a one-off school trip, a volunteer does not require a DBS Disclosure, but should be supervised at all times.

12. GOVERNORS

12.1 School Governors should only be subject to an Enhanced DBS Disclosure if:

- In undertaking their role they care for, train, supervise or are in sole charge of children;
- If their actions provide *cause for concern*;

12.2 This guidance is taken from the DfES and Governornet.co.uk.

13. WORK EXPERIENCE AND PLACEMENTS

13.1 Secondary students completing a two-week placement will not necessarily require the same checks that a Teacher training or PGCE student would require to carry out their placement.

13.2 Secondary or College Students placed in a School, College or Nursery

These students will be supervised at all times during their placement and will not need an Enhanced DBS Disclosure. The school organising the placement should ensure that the pupil is suitable for the placement environment³. Once again an ID check should be carried out to establish that the student who has arrived for the placement is who they say they are.

13.3 Teacher or Teaching Assistant Training Students

The Schools, Universities or FE Colleges should provide evidence in writing to the school in which they are placed (in the same way as a Supply Agency would do) that they have carried out all the same checks that the schools would have done if they were their own staff (including DBS Disclosure, Identity check etc)

14. BICHARD ONLINE TRAINING

15. OVERSEAS CRIMINAL RECORD CHECKS

15.1 **As mentioned before in this guidance, candidates or volunteers who have lived abroad at any time or who have come from another country will not have all of their potential criminal record shown through an UK Enhanced DBS Disclosure. There are only limited records from other countries accessible by the UK DBS.**

³ DfES *Safeguarding Children and Safer Recruitment in Education* – pg 41 2006

