

Schools HR Policy & Procedure Handbook



Keeping Children Safe in Education: Safer Recruitment Policy

This Policy and Guidelines have been agreed by the following professional associations and Trade Unions representing Teachers, Headteachers and Support Staff:

- National Union of Teachers
- National Association of Schoolmasters Union of Women Teachers
- Association of Teachers and Lecturers
- National Association of Headteachers
- Association of School and College Leaders
- Unison
- GMB

This policy has been adopted by the governing body of

on

September 2020

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SAFER RECRUITMENT POLICY

1. Introduction

Safer recruitment is an important part of safeguarding children and is the first step to safeguarding and promoting the welfare of children in education.

St Lawrence Primary School is committed to safeguarding and promoting the welfare of all pupils in its care and expects all staff and volunteers to share this commitment.

The School / Academy see it is vital that there is a culture of safe recruitment and has adopted recruitment procedures that will deter, reject and identify people who might be unsuitable to work with children and young people.

All elements of this Safer Recruitment Policy ensure that the recruitment and selection processes outlined:

- Meet the requirements of Keeping Children Safe in Education (KCSiE) September 2016
- are robust
- have relevant vetting and checking procedures
- include a robust induction
- provide an ongoing training infrastructure

This policy outlines the steps this school / academy will take to ensure those employed in this school are safe to work with children and young people and its main purpose is:

- to prevent unsuitable people working within our school / academy
- to attract the best possible candidates to work in our school / academy
- to create and maintain a safe workforce

The recruitment and selection process should ensure the identification of the person(s) best suited to the job at the school / academy based on the applicant's abilities, qualifications, experience and attitude as measured against the job description and person specification.

All those involved in the recruitment and selection of staff will ensure all processes are conducted in a professional, timely and responsive manner and in compliance with current employment legislation.

The KCSiE framework includes the following policies and guidance:

- Safer Recruitment Policy
- DBS Guidance
- Suitability Disqualification Guidance
- Single Central Record Guidance
- Whistleblowing Policy
- Managing Allegations against Staff in School

2. Roles and Responsibilities

It is the responsibility of the Governing Body to monitor and review the effectiveness of this policy and to be familiar with the DfE guidance 'Keeping Children Safe in Education' and its specific requirements related to Safer Recruitment.

It is the responsibility of the Headteacher to ensure that structures are in place to support the effective implementation of this policy and that all appropriate pre-employment checks are carried out on all staff who work at the school.

Both the Governing body and Headteacher will ensure before convening any interview panel that at least one member of the interview panel has completed Safer Recruitment Training.

The Interview Panel will ensure that child protection/safeguarding matters are central to the interview process.

Any member of staff involved in the recruitment and selection process will ensure they comply with all the elements of this policy.

3. Scope

This policy applies to the recruitment of all posts in this school. Headteacher appointments will be undertaken by the Governing Body.

4. Equalities Legislation

The governing body will comply with relevant equalities legislation, specifically:

- Equality Act 2010
- Employment Relations Act 1999
- Employment Rights Act 1996
- The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000
- The Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002
- The Agency Workers Regulations 2010

The governing body will promote equality in all aspects of school life, particularly with regards to all decisions on advertising of posts, appointing, promoting and paying staff, training and staff development. It will ensure that its processes are open, transparent and fair and all decisions will be objectively justified.

5. The Vacancy

When a vacancy arises the Headteacher, in conjunction with the Governing Body if appropriate, will review the needs of the school and ensure the post to be advertised meets the school / academy needs effectively.

The Headteacher will assess and analyse the vacant post taking into account the schools current and future staffing structure and budget, which is determined by the Governing Body.

The Headteacher will consider what type of appointment should be made and will ensure the implications of the different types of contracts are considered prior to advertising.

6. Employment Protection Scheme (Not Applicable to Academies)

The School has adopted the Employment Protection Scheme and is committed to considering employees subject to notice of compulsory redundancy from another Shropshire school for any suitable vacancies.

7. Job Descriptions and Person Specifications

The Job Description will summarise the duties, responsibilities, content and context of a post. It will be clear, concise and a fair representation of the post. It will be reviewed and updated annually at appraisal and when a post becomes vacant. It will also confirm if the post is/is not suitable for any flexible working arrangements.

The person specification will include the criterion “a satisfactory DBS check at an enhanced level”.

All posts in this school have an element of safeguarding responsibility and this will be reflected in the job description and person specification.

The Person Specification will provide a profile of the ideal person for the post. It will list the qualifications, experience, skills, personal attributes, attitudes and behaviours needed to undertake the duties and responsibilities of the post as detailed in the job description. Person specifications are divided into essential and desirable criteria. All criteria defined as essential will be on job based grounds.

The person specification will confirm how each essential requirement will be assessed during the whole selection process, e.g. at interview, on the application form etc. This criteria will not be changed after the post has been advertised. Candidates must demonstrate on their application form how they meet the criteria listed on the Person Specification in order to be shortlisted.

A prescribed qualification/status will be used in a person specification if there is a legal requirement and if it can be objectively justified as essential for the role e.g. Teacher, Higher Level Teaching Assistant. Where a qualification is not essential and cannot be justified, the following paragraph will be stated in the person specification “if you do not have the formal qualifications specified, but can demonstrate skills or experience of an equivalent standard, we would still be interested in your application”.

Consideration will also be given when stating the length of experience required for the role to ensure equality of opportunity related to age.

8. Application Form

A standard application form will be used for all vacancies except casual staff (there is a separate application form for casual staff). **The standard application form currently used is the Shropshire Council application form / schools / academies own application form.**

The application form is designed so that information regarding the age, disability, ethnic or racial origin and marital status of applicants is confined to the back page. With the exception of applicants who have a disability, shortlisting will be undertaken without this information being available. It will be removed by *the school administrator* prior to shortlisting but will be recorded to ensure the governing body is able to monitor equality.

9. Advertising

The purpose of an advertisement is to attract only the right type of person for the job. Advertisement will give information on the type, age range, location and size of the school.

Adverts will appear on the schools website as a minimum but will be advertised on the following as appropriate Shropshire Council weekly vacancy list, Shropshire Council website, local press, The Times Educational Supplement, the Careers Service and Job Centres.

Consideration should also be given to advertising in other media to target under-represented groups.

The school / academy may decide that a post be filled from within the school's current staff, such an appointment will be on the basis of internal advertisement and open internal competition.

The aim of school / academy adverts will be to give enough information about a vacant post to persuade suitable applicants to apply for further details.

Adverts will:

- state the post title, function and pay (including any allowances) and contractual status - the appropriate pay range or hourly rate where appropriate will be included
- state clearly the hours/full-time equivalent and location
- contain brief information from the job description and essential criteria from the person specification
- include the statement “if you do not have the formal qualifications specified but can demonstrate skills or *experience* of an equivalent standard, we would be interested in your application” when appropriate
- include the statement “ The school / academy is committed to safeguarding children and young people. All postholders are subject to a satisfactory DBS check.”
- contain language that is non-gender specific
- avoid phrases which imply age restrictions
- contain a contact number for an informal discussion about the vacancy, or to arrange a visit to the school, if appropriate
- specify a closing date for applications
- state the date of the interview(s)

As a Shropshire Council maintained school the school is part of the Jobcentre Plus Two Ticks Symbol which guarantees an interview for disabled applicants who meet the essential criteria of the post.

10. The Recruitment Information Pack

Applicants responding to school adverts will receive appropriate information either electronically or via the school / academy website about the post to assist them in deciding whether or not to proceed with an application.

The main details which all applicants for posts will receive are:

- Application Form (incorporating Recruitment Monitoring Form)
- Covering letter - this will include details of the closing date, interview date (where known), telephone contact number, process for rejection, i.e. whether candidates should assume they have been unsuccessful after a certain date. The letter will confirm contact details if the candidate requires reasonable adjustments to be made. Details of the post being subject to a DBS check will also be included.
- Job Description and Person Specification
- Any specific job related information (i.e. organisation chart and additional information)
- Any relevant background information regarding the school and local area.
- Child protection policy / safeguarding statement
- Safer recruitment policy

The pack will normally be sent within 48 hours of the applicant's request.

11. Receipt of Application Forms

The application form will be used for all school vacancies. CVs are not acceptable.

If a candidate submits only a CV before the closing date for the post, they will be given the opportunity to complete an application form with a request to return the completed form before the closing date. If an applicant is unable to complete an application form due to a disability, consideration can be made for accepting CVs if alternative formats are not suitable/available.

Applicants must fully complete the application form. Any application form received and deemed to not be fully completed will not be shortlisted.

Application forms received after the closing date will only be considered in exceptional circumstances, e.g. where proof of posting indicates undue delay through no fault of the applicant. Any decision made to accept an application after the closing date will be recorded with the reason(s).

Receipt of applications will not be acknowledged.

No shortlisting will take place until after the closing date. Personal information about the candidate such as age, gender and marital status on the Recruitment Monitoring Form will be detached from the body of the standard application form on receipt and not shown to anyone involved in the shortlisting.

12. Shortlisting

Shortlisting will be undertaken with reference to the set criteria as outlined in the job advertisement and will be undertaken by a panel or be delegated to the Head, assisted by appropriate members of staff. A minimum of two people will always be involved in shortlisting. At least one of those who undertake the shortlisting process will also be involved in the subsequent selection/interview. If possible, one of

these will be the line manager for whom the successful candidate will report to and wherever possible ensure a gender mix.

13. Objective Assessment

Each application form will be carefully considered and applicants will be assessed against the criteria listed in the person specification and job description. Those shortlisting will apply the criteria from the job description and person specification objectively based on the information provided within the application form.

The selection criteria will be applied consistently to all applicants, whether internal or external, and each applicant will be dealt with in the same way. Candidates who are shortlisted must always meet the essential requirements of the post - the desirable criteria may be used as an additional filter to reach the final shortlist.

Applicants who do not have the formal qualifications specified, but can demonstrate skills of an equivalent standard, will still be considered for the shortlist with exception of QTS if appropriate.

14. Equality Issues

As a Council maintained school, the school is signed up to the Jobcentre Plus “Two Ticks” disability symbol which commits the school / academy, amongst other measures, to guarantee an interview for candidates with a disability who meet the essential criteria laid down in the person specification, and to consider them on their abilities. Once all the application forms have been received they will be checked as to whether any applicant has declared that they have a disability and whether there are any adjustments required for interview.

If a candidate has a disability where they are likely to be at a substantial disadvantage because of working arrangements, then the school are legally required to consider any reasonable adjustments which could be made at the workplace if they were to be appointed.

15. Numbers to shortlist

If there is a large number of applicants who meet the essential criteria on the person specification, the selection panel may use the desirable criteria. If this is not effective in reducing the number, pre-screening may be used to reduce the numbers before the main selection process takes place. Any applicants who declare a disability will not be part of any pre-screening.

16. Recording the decision

The results of shortlisting will be recorded on the standard Recruitment Selection Form with clear reasons given for shortlisting or rejecting each applicant, and marks allocated against the criteria on the person specification.

Information obtained during the shortlisting process will be treated as confidential. Comments recorded as to why applicants were or were not included will not be disclosed outside of the selection panel, or only to an applicant who requests feedback on why they were not shortlisted for the vacancy.

17. The Interview and Selection Process

The main objective of the interview / selection process will be to:

- determine each candidate's suitability for appointment as measured against the person specification and job description
- give all candidates a fuller picture of the job
- select the right person for the job

One member of the Interview Panel will be nominated as the Appointing Officer with overall responsibility for making the final decision.

18. Contacting Shortlisted Candidates

All candidates will receive 5 days' notice of the date for interview (apart from exceptional circumstances). Candidates will receive written confirmation of their invitation to interview which will state the following:

- details of the nature of the selection process
- the selection panel
- the interview / selection process time and venue
- any reasonable adjustments which disabled candidates need in relation to the selection process
- confirmation of documents needed for evidence checking e.g. original certificates relating to professional or educational qualifications.
- posts that are exempt from the Rehabilitation of Offenders Act 1974, the successful candidate will be subject to a DBS check. All candidates will need to bring evidence of their identity with them to the interview.

19. Visits by Candidates

Shortlisted candidates are given an opportunity to visit the school while it is operating and should be able to meet and talk to other members of staff who will not form part of the selection process.

20. Visits to Candidates (Teaching Staff)

Considerable care will be exercised where visits are arranged to the applicants' schools. All applicants will be visited and information gathered in an agreed and systematic way. It will be clear in the job information that observations will form part of the overall assessment. Consistency of approach feeding back to the panel is essential to ensure fair treatment in this area. A common schedule of factors will be drawn up and applied to each visit.

21. Selection Panel

The interviewing panel should be constituted according to the determination of the Governing Body. Interviews will be conducted by panels of at least two people.

22. The Interview Process

All vacancies will require a face to face interview which will explore each applicant's ability to do the job applied for as set out in the job description and person specification.

During the interview candidates will be asked the same pre-prepared core questions. The process will give all candidates an equal chance to demonstrate their suitability for the job.

Supplementary questions can be asked of candidates based on responses during the interview and also any questions which arose from the application form.

All members of the interview panel must remain objective and ensure they give each candidate equal opportunity during the interview.

Each panel member will be responsible for keeping clear, concise objective notes of the interview process which will be available to candidates should they so request afterwards.

Any information disclosed by the candidate on their application form related to allegations, disciplinary action, cautions or convictions will be discussed during the interview.

Candidates will have the opportunity at the end of the interview process to ask questions about the job or the school. The Chair of the panel will ensure the candidates are aware of the decision making timescales and how decisions will be communicated.

23. Declaration of Interest

Any person on the interviewing panel who has any interest in, or is related to, any of the applicants will declare that interest or relationship so that all the other members of the interviewing panel are aware of it. If appropriate such a person may be removed or replaced on the selection panel.

24. Other Selection Methods

The selection process will normally involve at least one other selection method in addition to the interview.

- **Oral Presentation** - If this is a requirement of the job being applied for, candidates will be advised in advance if they will be expected to make a presentation and what is expected of them.
- **Written Tests** - This could involve a job related task which requires a reasoned written response, testing each candidate's ability to supply and draw from their own experience and knowledge, and their ability to communicate effectively.
- **Observing Teaching (or other practical task/activities relevant to the position)** - See Visits to Candidates (Teaching Staff) on page 9. Any observations undertaken during on the selection day will follow a similar process and will be outlined to the candidates in advance.

- **Psychometric Tests** - If psychometric tests are to be used they will be used as an aid to all other selection assessment material. Psychometric tests will only be administered by someone trained in their use. The administration of the test can be amended / changed to ensure disabled candidates are given an equal opportunity to participate.

25. Equality Issues

The interview panel will be mindful of Equality legislation to ensure questions do not indicate any form of discrimination; however, issues of disability which may affect the job should be addressed positively and discussed during the interview.

The panel will discuss with the candidate during the interview, what reasonable adjustments would be required in order to fulfil the role of the post.

If the post is exempt from the Rehabilitation of Offenders Act 1974, evidence of the candidate's identity will be checked and recorded before the end of the interview. This will be included on the person specification.

26. Asylum and Immigration Check

In line with the Asylum and Immigration Act 1996, the school is required to check that employees are legally able to reside and work in the UK. To adhere to this requirement, candidates for interview will be asked to bring with them a copy of one of the following:

- A passport showing that the holder is a British citizen, or has a right of abode in the UK.
- A document showing that the holder is a national of a European Economic Area country or Switzerland. This must be a national passport or national identity card.
- A residence permit issued by the Home Office to a national from a European Economic Area country or Switzerland
- A passport or other document issued by the Home Office which has an endorsement stating that the holder has a current right of residence in the UK as the family member of a national from a European Economic Area country or Switzerland who is resident in the UK.
- A passport or other travel document endorsed to show that the holder can stay in the UK; and that this endorsement allows the holder to do the type of work you are offering if they do not have a work permit.
- An Application Registration Card issued by the Home Office to an asylum seeker stating that the holder is permitted to take employment.

If the applicant is unable to produce a document from the list above, then they must produce two documents from the Asylum and Immigration checklist.

A photocopy of the relevant document will be taken and kept as part of the employee's personal file.

27. Feedback

One member of the interview panel will contact each candidate (whether successful or not) to be offered feedback on how they performed during the process. This will normally be within 5 working days of the interview.

28. Pre-employment Checks

Appointments are subject to all of the pre-employment checks detailed below and any offer of employment will be conditional subject to satisfactory receipt of all such checks.

Once all the pre-employment checks have been received and deemed to be satisfactory by the Headteacher, an unconditional offer of employment will be confirmed.

29. References

References will be requested for all shortlisted candidates (including internal candidates) prior to interview and in sufficient time for them to be made available to the interviewing panel except when a candidate requests clearly on their application form no contact with their referee(s) until they have been formally offered the post in question. An offer of appointment will not be confirmed until all references have been received and are deemed to be satisfactory.

The Appointing Officer will contact the referee directly in order to clarify any aspect of the reference. Any telephone discussion with a referee will be recorded with full notes being kept of the conversation.

References received will, on request, be disclosed to applicants under Data Protection and Freedom of Information law.

Interview / selection panel members should not act as a referee unless in exceptional circumstances (this will sometimes happen, particularly with internal candidates). Candidates will be asked to name an alternative referee.

References will be used to check the appointment and to reinforce decisions made as part of the interview / selection process. References will be checked against information on the application form and from the interview / selection process.

30. Information to Referees

Requests for references will be on the schools standard reference request form. Requests will be accompanied by the job description and person specification.

31. Use of References

References received before the interview process will be checked by the appointing officer / chair of the interview panel prior to the interview. References will be shared with other panel members after the interview. The appointing officer / chair of panel will clarify or probe any discrepancies from within the reference during the interview if appropriate.

32. Need for References

At least two references will be required, one from the current employer and one from the other most recent employer. A reference will also be requested from a previous school / education employer should the current and most recent not be. In addition a reference may also be requested from a previous employer when a candidate worked with children.

References will be sought directly from the referee. References provided directly by the candidate with the application form or at interview will not be accepted.

Previous employers not named as referees may be contacted to clarify any anomalies or discrepancies. This will only be in relation to administrative details and not used as an informal means of canvassing views as to any applicants potential suitability for the post being applied for. On such occasions, the candidate will be notified in the first instance.

33. Qualifications

All shortlisted candidates will be asked to bring with them to interview any relevant original qualification certificates (i.e. stated as essential requirements in the person specification). If these documents are not available at the interview, the Appointing Officer will inform the candidate that, if successful, they will be required to provide the certificates prior to the offer of employment being confirmed.

34. Pre-employment Medical Check

Pre-employment medical checks are used solely for determining the fitness of a prospective employee for a specific post, and to ensure their placement in a post will present no risk to the health of the applicant or other employees.

All appointments are subject to satisfactory medical clearance by the Occupational Health Unit. The Appointing Officer will ensure that the medical questionnaire includes an accurate and up to date summary of the physical and mental requirements of the job. The successful candidate(s) will be provided with either a hard copy or electronic copy of the medical questionnaire with the conditional offer letter. Candidates must then return this to Occupational Health as soon as possible. The Appointing Officer will receive confirmation from Occupational Health once the candidate receives appropriate medical clearance.

All clinical information is confidential and will not be released to management unless there is a specific need to do so, and the consent of the applicant has been obtained. Adjustment of duties, assistance with equipment or adjustment to premises should be part of any assessment.

35. Disclosure and Barring Service Checks (DBS)

All posts which involve working directly with children, young people in school are exempt from the Rehabilitation of Offenders Act (1974), Section 4 (2) by virtue of the Rehabilitation of Offenders Act (1974) (Exemption) (Amendment) Order 1986. Candidates for these posts are obliged to declare any pending court actions, all previous criminal convictions, bind over orders or cautions, which for other posts would be considered spent. Failure to disclose this information could lead to the offer of employment being withdrawn.

All posts within this school / academy requires an enhanced DBS certificate. Therefore a satisfactory DBS certificate must be obtained prior to a new employees start date. The successful employee will be required to provide the DBS certificate to the Headteacher as soon as possible after receiving it.

A criminal background will not automatically debar an applicant from employment. Where a DBS check discloses information not previously disclosed by the individual and discussed at interview stage, they must be interviewed by the Headteacher who will make a final decision as to whether or not employment will be confirmed.

Information given by candidates will be treated in the strictest confidence. Access to the information given will be restricted to those with legitimate need to see it.

36. Overseas Applicants and Checks

If a candidate has lived or worked overseas in the five years prior to appointment, a 'Certificate of Good Conduct' must be obtained and provided by the candidate. If an applicant is unable to obtain the document the must provide evidence confirming the attempts made and then a risk assessment will be undertaken by the Headteacher regarding confirmation of employment. All other pre-employment check must be satisfactorily completed.

37. Carefirst Check

A check will also be carried out against the Shropshire Council CareFirst system. This check determines whether an individual is known to the Council as a 'Risky Person'. A separate procedure is in place to deal with cases of a positive match.

38. Childcare Disqualification Declaration

All appropriate applicants must complete the schools self-declaration form in relation to the Childcare Disqualification Regulations 2009. Where a positive declaration is made the Headteacher will meet with the individual to discuss the declaration further. Employment will not commence until appropriate decision is made by the Headteacher.

39. Teachers Status & Prohibition Check

The school / academy will undertake a check against the Department for Education 'Employer Online Service' to confirm that a teacher has qualified teacher status and is not prohibited from teaching.

40. Proof of Identity and Right to Work in the UK (Asylum and Immigration Act)

All applicants will be required to provide evidence of identity in line with the Asylum and Immigration Act 1996. The school / academy is required to check that employees are legally able to reside and work in the UK. To adhere to this requirement, candidates for interview will be asked to bring with them appropriate evidence of identity.

41. Offer of Appointment

The offer of employment will be confirmed in writing by the Headteacher to the successful candidate(s) as soon as possible after the interview. This will be a **conditional offer** of employment and is subject to satisfactory receipt of all pre-employment checks.

Once all pre-employment checks have been satisfactorily received a formal **unconditional offer** of appointment will be confirmed in writing by the Headteacher to the successful candidate.

Within 2 months of the successful candidate's start date, the individual will receive a statement of written particulars.

The Appointing Officer will send all appropriate information from the recruitment process to HR.

42. Equalities Issues

If a candidate requires any adjustments to be made to enable them to do the job, these will be discussed with the individual prior to their start of employment.

43. Probationary Periods

All new support staff employees will be subject to a probationary period and this will be confirmed in the unconditional offer of employment and the Statement of Written Particulars. Probationary service shall not apply to any member of staff with previous continuous service with another local authority, or with other previous service accepted by the school / academy as appropriate to the post being filled.

44. Recruitment Monitoring

The school / academy is required to monitor its recruitment processes and provide information on the ethnic origin of applicants to fulfill our duty under the Equality Act 2010.

All applicants are required to complete a recruitment monitoring form as part of their application form. This form will be detached and stored separately and is not seen by any member of the selection panel.

Examples of the type of information we gain from the monitoring process include:

- numbers of applicants for posts
- gender breakdown of applicants
- age breakdown of applicants
- ethnicity of applicants
- disability status of applicants
- where adverts are seen

After an appointment has been made, the Appointing Officer is responsible for the completion of the Recruitment Selection Form. This form, together with all other interview and selection documentation will be retained within the school / academy for a minimum period of 6 months after appointment.

45. Single Central Record

The school / academy will keep a single central record of all the pre-employment checks of employees (including supply staff) who work in the school in accordance with KCSiE and Ofsted. Volunteer information is also part of this record.

46. Induction & Ongoing Training

All new employees will be subject to the school / academy induction process during the first term of their employment.

In addition the school / academy recognises that as part of its commitment to create a safe workforce and culture it needs to ensure all staff receive appropriate personal and professional development.

The aims of the school / academy induction process is to:

- familiarise employees with their new environment
- be aware of the appropriate behaviors and standards of conduct expected
- help them to develop skills and the knowledge to do their job
- gain an awareness to how their post relates to the rest of the school
- gain an awareness of the culture of the school
- become a motivated and effective member of staff as quickly as possible

Training opportunities will be identified and agreed during an employee's annual appraisal. The school / academy will ensure all employees receive appropriate training in accordance with any statutory or school / academy requirements/priorities aswell as to ensure its ongoing commitment to developing employees.

47. Monitoring and Review

The Governing Body will monitor the outcomes and impact of this policy on an annual basis.