

**Safer Recruitment**

**Policy**

**Approved: November 2020**

**To be reviewed**: **November 2021**

**INTRODUCTION**

The safe recruitment of staff in schools is the first step to safeguarding and promoting the welfare of children in education. Willen Primary School is committed to safeguarding and promoting the welfare of all children in its care. As an employer, the school expects all staff and volunteers to share this commitment.

Willen Primary School follows the guidance provided by Milton Keynes Safeguarding Children Board, much of which is summarised in our policy below, but should be consulted alongside this policy.

**Safeguarding:**

At Willen Primary School, safeguarding and child protection is paramount and we are fully committed to ensuring the welfare and safety of all our children. We believe that pupils have a right to learn in a supportive, caring and safe environment which includes the right to protection from all types of abuse; where staff are vigilant for signs of any student in distress and are confident about applying the processes to avert and alleviate any such problems. If any behaviour is a concern in relation to safeguarding Willen Primary School procedures and processes will be followed at all times in accordance with the Child Protection Policy. Any concerns will be referred to the Designated Safeguarding Leads; Carrie Matthews, Sarah Orr or Kim Cole as procedures state.

The school takes very seriously its duty of care for all pupils. In order to help safeguard and promote the welfare of all its pupils the school is committed to a thorough and consistent Safer Recruitment Policy.

**AIMS AND OBJECTIVES**

The aims of this Safer Recruitment policy is to help deter, reject or identify people who might abuse pupils or are otherwise unsuited to working with them by having appropriate procedures for appointing staff.

The policy objectives are to operate this procedure consistently and thoroughly while obtaining, collating, analysing and evaluating information from and about applicants applying for job vacancies at Willen Primary School.

The school follows the Safer recruitment Guidance issued by Milton Keynes Safeguarding Children Board.

**ROLES AND RESPONSIBILTIES**

It is the responsibility of the Headteacher, School Business Manager and members of the School Leadership Team 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 by:

* Verifying their identity
* Obtaining an enhanced Disclosure and Barring Service (DBS) certificate, including barred list information for those who will be engaging in regulated activity
* Obtaining a separate barred list check if they will start work in regulated activity before the DBS certificate is available
* Verifying their mental and physical fitness to carry out their work responsibilities
* Verifying their right to work in the UK. We will keep a copy of this verification for the duration of the member of staff’s employment and for 2 years afterwards
* Verify their professional qualifications, as appropriate
* Ensuring they are not subject to a prohibition order if they are employed to be a teacher
* Carrying out further additional checks, as appropriate, on candidates who have lived or worked outside of the UK, including (where relevant) any teacher sanctions or restrictions imposed by a European Economic Area professional regulating authority, and criminal records checks or their equivalent
* Ask for written information about previous employment history and check that information is not contradictory or incomplete
* Seeking references on all short-listed candidates, including internal candidates, before interview. We will scrutinise these and resolve any concerns before confirming appointments. The references requested will ask specific questions about the suitability of the applicant to work with children
* Checking that candidates taking up a management position are not subject to a prohibition from management (section 128) direction made by the secretary of state
* Ensuring that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we take a decision that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment on the individual’s personnel file. This will include our evaluation of any risks and control measures put in place, and any advice sought
* Maintaining high levels of safer recruitment training every three years

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 DCSF guidance and legal requirements
* Monitor the school’s compliance with them
* It is the responsibility of the Headteacher, School Business Manager and members of the School Leadership Team involved in recruitment to:

**Safeguarding is everyone’s responsibility.**

**Policy Statement** The school’s safer recruitment statement is below:

*“This organisation is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.”*

This statement should be included in:

* all publicity materials
* recruitment websites
* job advertisements
* candidate information packs, person specifications and job descriptions
* competency frameworks
* induction training programmes

**Advert**

When a vacancy is advertised, all advertisements will include a statement about the school’s commitment to safeguarding and promoting the welfare of children and advise that the successful applicant will require an Enhanced Disclosure or an Enhanced Disclosure with a Barred List check if working in “regulated activity” from the Disclosure and Barring Service (DBS) where appropriate, as well as the usual details of the post, salary, qualifications required etc. This gives candidates the opportunity to make an informed decision about whether or not they apply for the position.

**Job description and person specification**

All job descriptions and the person specifications for jobs that involve working with children and young people will clearly describe the role, responsibilities, accountabilities, knowledge, skills and experience required for safeguarding and promoting the welfare of children and young people.

It is good practice to ensure that each employee’s specific duty of care and personal responsibility for safeguarding and promoting the welfare of children and young people is built into job descriptions, Codes of Practice, contracts of employment and disciplinary procedures.

The person specification will explain how the requirements will be tested and assessed during the selection process. For example: ‘In addition to candidates’ ability to perform the duties of the post, the interview will also explore issues to safeguarding and promoting the welfare of children, *eg* motivation to work with children and emotional resilience to working with challenging behaviour’

**Candidate information pack**

The candidate information pack should include a copy of:

* the application form and guidance notes about completing the form
* the job description and person specification
* any relevant information about the employer or establishment and the recruitment process and statements of relevant policies such as the employer’s or establishment’s policy about equal opportunities, the recruitment of ex-offenders, etc
* the establishment’s child protection policy statement
* a statement of the terms and conditions relating to the post

**Application form**

We will use the approved MK Council application form to obtain a common set of core data from all applicants. We will not accept a letter of application or curriculum vitae alone, because these will only contain the information the applicant wishes to present and may omit relevant details.

Apart from including details such as full name, date of birth, current address and national insurance number, the application form should explain that the post is exempt from the Rehabilitation of Offenders Act 1974. Therefore, all convictions, cautions and reprimands including those regarded as “spent” or “pending” must be declared.

The application form will require a signed statement that the person is not disqualified from working with children or subject to any sanctions imposed by a regulating body such as the Health and Care Professions Council.

The application form should will also contain a question about any outstanding complaints or investigations against the candidate which might in the future bring the organisation into disrepute.

**Scrutinising and short-listing**

All application forms received will be scrutinised by a minimum of 2 people to ensure they are fully and properly completed; that the information provided is consistent and does not contain any discrepancies and to identify any gaps in employment history or any other issues that may cause concern. Other issues may include:

* Frequent changes in employment that do not show any clear career or salary progression
* A move from higher paid permanent employment to temporary or supply work

Any areas of concern will be explored and verified with the candidate at interview. In addition, the information provided by the applicant will be compared to that provided by the referees (after the short-listing process).

**References**

References are an important part of the safer recruitment process, their purpose being to obtain objective and factual information to support appointment decisions. They will always be sought and obtained directly from the referee (one of which must be the current employer), prior to interview where possible. If all questions have not been answered or the reference is vague or unspecific, the referee will be contacted and asked to provide written answers or further information as requested. We will not accept references and testimonials provided by the candidate, or open references and testimonials, *ie* ‘To Whom it May Concern’.

As in ‘application’ above, the referee should include information about any outstanding complaints or investigations against the candidate which might in the future bring the organisation into disrepute.

Refusal or reluctance by an applicant for a former employer to be contacted will be explored further.

For those who have not worked before, consider obtaining a reference from any voluntary organisation they have worked with or from someone in authority such as a lecturer.

**Interviewing**

All interview panels involved with the appointment of staff to work with children will have a least one panel member who is knowledgeable and experienced in safeguarding issues and for all school appointments, must have completed the Safer Recruitment Training (which should be updated every five years).

Specific questions relating to child protection issues will form part of the standard selection process.

Any conditional offer of employment will be made subject to all the relevant pre-employment checks being made before they take up the position e.g. right to work, references, qualifications, employment history, relevant DBS check.

**SINGLE CENTRAL RECORDS**

Willen Primary school maintains a single centrally-held record of staff employed, including the following details:

* An identity check (right to work check)
* A barred list check
* And enhance DBS check / certificate
* Further checks on people who have lived or worked outside the UK. This includes recording check for those European Economic Area (EEA) teacher sanction and restrictions

Information disclosed as part of a DBS disclosure will be treated as confidential. However, before the disclosure is destroyed (in line with DBS guidance), records need to be kept detailing the date the disclosure was obtained, who obtained it, the level of disclosure and the unique reference number. This is not only good practice but also a source of primary evidence for regulatory bodies that will be looking closely at safer recruitment practice.

**SAFEGUARDING CONCERNS and MANAGING ALLEGATIONS AGAINST STAFF**

Any concern that a child is suffering, or is at risk of suffering harm (abuse or neglect) is a matter for Local Authority Children’s Social Care and the Police; this should be referred directly the Multi Agency Safeguarding Hub (known as MASH, incorporating the Integrated Support and Social Care Referral Hub).

If a concern involves a safeguarding allegation against a member of staff, this is a matter for the Local Authority Designated Officer (LADO) working alongside the MASH. The LADO **must** be contacted within one working day in respect of all cases in which it is alleged that a person who works with children has:

* behaved in a way that has harmed a child, or may have harmed a child;
* possibly committed a criminal offence against or related to a child; or
* behaved towards a child or children in a way that indicates they pose a risk of harm to children.

It applies regardless of whether the alleged abuse took place in the school. Allegations against a teacher who is no longer teaching and historical allegations of abuse will be referred to the police.

We will deal with any allegation of abuse against a member of staff or volunteer very quickly, in a fair and consistent way that provides effective child protection while also supporting the individual who is the subject of the allegation.

Our procedures for dealing with allegations will be applied with common sense and judgement.

Suspension of the accused until the case is resolved

Suspension will not be the default position, and will only be considered in cases where there is reason to suspect that a child or other children is/are at risk of harm, or the case is so serious that it might be grounds for dismissal. In such cases, we will only suspend an individual if we have considered all other options available and there is no reasonable alternative.

Based on an assessment of risk, we will consider alternatives such as:

* Redeployment within the school so that the individual does not have direct contact with the child or children concerned
* Providing an assistant to be present when the individual has contact with children
* Redeploying the individual to alternative work in the school so that they do not have unsupervised access to children
* Moving the child or children to classes where they will not come into contact with the individual, making it clear that this is not a punishment and parents have been consulted
* Temporarily redeploying the individual to another role in a different location, for example to an alternative school or other work for the Milton Keynes LA.

**WHISTLE-BLOWING PROCESS**

All schools have a whistle-blowing policy that is issued by the Local Authority. These procedures enable individuals (without the fear of reprisals) to express worries or concerns about the conduct of another member of staff if it affects a child’s welfare. All staff are made aware of this policy and our open culture at induction.

**VETTING ARRANGEMENTS IF APPOINTED**

The primary role of the Disclosure and Barring Service is to help employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups including children.

It remains a criminal offence for individuals barred by the DBS (formerly the Independent Safeguarding Authority (ISA) to work or apply to work with children or vulnerable adults in a wide range of posts - including most NHS jobs, Prison Service, education and childcare. Employers also face criminal sanctions for knowingly employing a barred individual across a wider range of work.

The three former barred lists (POCA, POVA and List 99) have been replaced by two new Barred Lists, one for those working with children and one for working with adults.

Employers, local authorities, professional regulators and other bodies have a duty to refer to the DBS, information about individuals working with children or vulnerable adults where they consider them to have caused harm or pose a risk of harm 6.

In 2009, the ISA introduced increased safeguards under the Vetting and Barring Scheme for all those applying or already working in regulated activities.

**What is regulated activity?**

Regulated activity covers anyone working closely with children or vulnerable adults, paid or unpaid, not part of a family or personal arrangement, on a frequent or intensive basis. It can include, but is not limited to, any of the following:

* Responsible, on a regular basis in a school or college, for teaching, training, instructing, caring for or supervising children; or
* Carrying out paid, or unsupervised unpaid, work regularly in a school or college where that work provides an opportunity for contact with children; or
* Engaging in intimate or personal care or overnight activity, even if this happens only once and regardless of whether they are supervised or not

**Volunteers**

All volunteers who perform regular (deemed to be more than occasional help such as help on a one off trip or event) service/duties at school will undergo the same recruitment process as paid employees regarding the interview and vetting procedures. All will undergo enhanced DBS checks and will be inducted in statutory school policies including (but not limited to) whistle blowing, confidentiality, safeguarding, code of conduct and Keeping Children Safe in Education.

**Governors**

All governors will have an enhanced DBS check without barred list information as they do not work in regulated activity. They will also have a section 128 check (as a section 128 direction disqualifies an individual from being a maintained school governor).

Agency and third-party staff

We will obtain written notification from any agency or third-party organisation that it has carried out the necessary safer recruitment checks that we would otherwise perform. We will also check that the person presenting themselves for work is the same person on whom the checks have been made.

Contractors

We will ensure that any contractor, or any employee of the contractor, who is to work at the school has had the appropriate level of DBS check (this includes contractors who are provided through a PFI or similar contract). This will be:

* An enhanced DBS check with barred list information for contractors engaging in regulated activity
* An enhanced DBS check, not including barred list information, for all other contractors who are not in regulated activity but whose work provides them with an opportunity for regular contact with children

We will obtain the DBS check for self-employed contractors.

We will not keep copies of such checks for longer than 6 months.

Contractors who have not had any checks will not be allowed to work unsupervised or engage in regulated activity under any circumstances.

We will check the identity of all contractors and their staff on arrival at the school.

For self-employed contractors such as music teachers or sports coaches, we will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we decide that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought.

Trainee/student teachers

Where applicants for initial teacher training are salaried by us, we will ensure that all necessary checks are carried out.

Where trainee teachers are fee-funded, we will obtain written confirmation from the training provider that necessary checks have been carried out and that the trainee has been judged by the provider to be suitable to work with children.

In both cases, this includes checks to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006.