

PORTFIELDS PRIMARY SCHOOL

SAFER RECRUITMENT POLICY

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| **Date** | **Review Date** | **Co-ordinator** |
| March 2021 | March 2023 | Sarah Folkard |

We believe this policy relates 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 have a major duty to ensure safe recruitment of school personnel, volunteer helpers and School Governors 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 are for personnel who will be responsible for the care and supervision of children on a regular basis (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.

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

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 are 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 ensure that a fair and legal recruitment procedure is in place.

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;
* responsibility for ensuring this policy and all policies are maintained and updated regularly;
* responsibility for ensuring all policies are made available to parents;
* 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 safer recruitment procedures;
* organise safer recruitment training for school personnel involved in recruitment;
* all appointment panels to include one person who has successfully passed safer recruitment training;
* ensure all appropriate pre-employment checks are completed on school personnel and volunteer helpers;
* ensure contractors and agencies comply with this policy;
* undertake appointments of school personnel and volunteer helpers other than appointments to the leadership group;
* ensure all school personnel and parents are aware of and comply with this policy;
* monitor the effectiveness of this policy;

Safer 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.

**Job advertisement**

All posts will be advertised internally and/or externally in order to attract the best field of candidates possible.

The vacancy will be advertised in one or more of the following ways:

* internally
* via the school’s website
* via Milton Keynes Council’s website
* national press such as TES
* Department of Education Teaching Vacancies, free job listing service for teaching vacancies

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, and direct the applicant to the most recent inspection report, and copies of the Safeguarding and Safer Recruitment Policies on our school website.

**Short Listing and References**

Short listing will be undertaken by the appropriate personnel.

All applications will be looked at.

Applicants will be shortlisted for the post if they suit the job description and person specification.

Immediately after short listing references will be sent for those candidates shortlisted.

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.

The candidate will be asked to clarify any highlighted discrepancies.

The appropriate personnel will inform those shortlisted immediately after the short listing process has taken place.

Shortlisted candidates will be sent:

* detailed documentation of the interview process
* contact details for the school

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 skills tests as part of the interview.

**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.

Dependent on the role, the interview could consist of one or more of the following: an activity, a lesson observation, informal meetings with the Governing Body or 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 personnel 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:

* References (2)
* Proof of identity with current photographic ID and proof of address
* Provision of a Disclosure and Barring Service (DBS) disclosure (with a Barred List check) where the person will be engaging in regulated activity
* Proof that a candidate for a teaching vacancy is not subject to a prohibition order
* A barred list check if a DBS certificate is not available before an individual begins regulated activity
* Proof of qualifications
* Proof of a right to work in the UK
* Carry out further additional checks, as appropriate, on candidates who have lived or worked outside of the UK. Where available, these include:
	+ For all staff, including teaching positions: [criminal records checks for overseas applicants](https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants)
	+ For teaching positions: obtaining a letter of professional standing from the professional regulating authority in the country where the applicant has worked
* Check that candidates taking up a management position are not subject to a prohibition from management (section 128) direction made by the secretary of state
* Employment history references

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 including 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 offering them the job, confirming the variation to his or her terms and conditions if applicable
* the start date
* the name of the designated member of the SLT who will act as a mentor during the probationary period, if applicable

Governors

All governorswill have an enhanced DBS check without barred list information.

They will have an enhanced DBS check with barred list information if working in regulated activity.

All governors will also have a section 128 check (as a section 128 direction disqualifies an individual from being a maintained school governor).

Single Central Record

We will keep a single central record of recruitment and record checks of:

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| * all teaching staff
* support staff
* supply teachers
* School Governors
 | * Sports Coaches
* Music Service personnel
* Student teachers
* regular contractors including Tatry and Chartwells
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The information recorded will be checked:

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| --- | --- |
| Checks | Date when checked |
| * Identity check
 | at interview |
| * Barred list check
 | at acceptance of post |
| * Enhanced DBS check
 | at acceptance of post |
| * Prohibition from teaching check
 | at acceptance of post |
| * Checks on individuals living or working outside the UK
 | at acceptance of post |
| * Professional qualifications check
 | at interview |
| * Right to work in the UK check
 | at interview |
| * Additional overseas checks, as appropriate
 | at acceptance of post |
| * 128 check for Governors and School Leaders
 | at acceptance of post |

Training

All school personnel:

* have equal chances of training, career development and promotion
* receive periodic training so that they are kept up to date with relevant and new information

All Governors:

* have equal chances of training
* Undergo Safer Recruitment training, if necessary
* receive periodic training so that they are kept up to date with relevant and new information

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.