

□ Statutory



Safer Recruitment Policy

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Review:

Northgate School Academy Trust

Safer Recruitment Policy

Introduction

The Governing Body of Northgate School Academy Trust is committed to safeguarding and promoting the welfare of children and young people and requires all staff and volunteers to demonstrate this commitment in every aspect of their work. The Governing Body regards its staff as its most important asset. It is the policy of the Governing Body to ensure an adequate supply of suitable qualified and experience staff to meet the school's human resource requirements and to deliver the school improvement plan (SIP).

The appointment of all employees at Northgate School Academy Trust will be made on merit and in accordance with the provisions of Employment Law, the Education Act 2002, the School Staffing (England) Regulations 2003 and the *Statutory Guidance, Safeguarding Children, Safer Recruitment in Education Settings* and school's *Equality Policies*. The Governing Body will ensure that people are treated solely on the basis of their abilities and potential, regardless of race, colour, nationality, ethnic origin, religious or political belief or affiliation, trade union membership, age, gender, gender reassignment, marital status, sexual orientation, disability, socio-economic background, or any other inappropriate distinction. The procedure for the appointment of the Executive Headteacher, Head of School or Deputy Head Teacher differs from that of other staff. The procedure is in **Appendix 1**.

Making safeguarding and promoting the welfare of children an integral factor in human resources management is an essential part of creating safe environments for children and young people. Safer practice in recruitment means thinking about and including issues to do with child protection at every stage of the process.

To ensure that those involved in recruiting and selecting staff are able to successfully test the candidates' ability and experience against a clearly defined person specification, each agency must offer them:

- Specific training in respect of safe recruitment and selection
- Supervised/supported experience of recruitment
- Periodic evaluation of performance by their supervisors

Any organisation commissioned to provide services to children must be required as a part of the commissioning process to comply with the safe recruitment, selection and supervision procedures set out in this chapter, and any service level agreement or contract must contain a safeguarding statement which clarifies the standards expected. This must include a requirement that the organisation must not sub-contract to any personnel who have not been part of a safe recruitment process.

Delegation of Appointment

The Governing Body delegates all support staff appointments and all teaching appointments below the level of Deputy/Assistant Head to the Executive Headteacher. The Executive Headteacher is expected to involve at least one member of the Governing Body in all appointments, except where indicated below (*), and governors who wish to be considered for involvement will be expected to undertake recruitment selection training, including 'Safer Recruitment' training, at the earliest opportunity.

- No governor is to be excluded from being involved in staff appointments unless there is a conflict between the interests of the governor and the interests of the governing body
- A selection panel will be drawn from all governors who have undertaken their recruitment training and who have advised the Clerk to the Governors of his/her wish to be involved in staff appointments as required by the Executive Headteacher
- (*) The Executive Headteacher may appoint alone but only for the following categories of staff:
 - Supply teachers

- Fixed term learning support assistants
- The Executive Headteacher may not delegate the final decision of appointment to any other senior manager or governor

Vacancy for a Deputy Head

In the event that the Governing Body, in consultation with the Executive Headteacher, decides to make a new appointment of a Deputy Head Teacher, the Business Committee of the Governing Body will agree the job description and person specification for the post. Every vacant post (including acting posts of one term or more) will be advertised in a manner likely to bring it to the notice of persons qualified to fill the post, and will be equally accessible to both sexes and all ethnic groups. The governors may decide to appoint internally after internal advertisement. In cases of internal advertisement, the details will be posted, in writing, on the staff notice board(s) giving at least 10 working days for applications to be made.

Choice of Candidate (See Appendix 2)

There must be an explicit written recruitment and selection policy statement (see Appendix 2) and detailed procedures that comply with the requirements set out in this chapter. This should include an explicit statement about the organisations commitment to safeguarding and promoting the welfare of children. This statement should be included in:

- Publicity materials
- Recruitment websites
- Advertisements
- Candidate information packs
- Person specifications
- Job descriptions
- Competency frameworks
- Induction training

Once a post becomes vacant or a new post is created, the job description and person specification need to be agreed and/or reviewed to ensure compliance with the safe recruitment guidance set out in this procedure. This will apply whatever the level of responsibility or duration of the appointment.

Information for Applicants

All applicants for all vacant posts advertised internally or externally will be provided with:

- A Job Description outlining the duties of the post and an indication of where the post fits into the organisational structure of Northgate School Academy Trust
- A Person Specification indicating the qualifications, skills and types of experiences or expertise which the Governing Body regard as essential or desirable in relation to the job
- An Application Form
- Information About the School and Other General Information
 - A description of the school relevant to the vacant post
 - A statement about access to the school for applicants who may wish to see it, or who may wish to consult the Executive Headteacher before making an application
 - A statement that canvassing any member of staff, or member of the Governing Body directly, is prohibited and will be considered grounds for disqualification
 - Reference to the school's policy on Equality
 - Reference to the legislation concerning Keeping Children Safe in Education
 - The name of any person who will be available to provide additional information about the post
 - The closing date for the receipt of applications
 - Salary level of the post

Shortlist

For all posts outside of the leadership group shortlisting will be the responsibility of the Executive Headteacher, and at least one other trained person. The selection panel will take up two references on each shortlisted candidate. For teaching posts the references will, where appropriate, include the applicant's current Head Teacher or LA. References shall be taken up by the person delegated to receive the application. References are the 'property' of the selection panel and strict confidentiality will be observed. References will be sought and set against the requirement of the job description and person specification and information regarding issues relating to child protection. Shortlisting will be based only on substantial information. The job description and person specification will be used to set the criteria and standards for inclusion on the long list and for reducing this to the short list of candidates to be invited for interview. The criteria for selection will be consistently applied to all applicants. If the field of applicants is felt to be weak the post may be re-advertised.

Interviews

The format, style and duration of the interviews are matters for the Executive Headteacher in consultation with governors involved in the process to decide but the following will be adhered to.

Candidates must be asked to bring documentary evidence of their identity that will satisfy DBS requirements ie full birth certificate or passport/photo driving licence and/or some form of photograph identification, together with an additional document such as utility bill that verifies the candidates' name and address. Where appropriate, change of name documentation should also be brought to the interview.

Candidates should also be asked to bring original or certified copies of documents confirming any necessary or relevant educational and professional qualifications. If the successful candidate cannot produce original documents or certified copies, written confirmation of his/her relevant qualifications must be obtained from the awarding body.

Interviews must be face to face, even where there is only one candidate. All questions must be prepared in advance by the Selection Panel and must not be discriminatory with regard to sex, marital status, race or ethnic origin, disability, religion, age, sexual orientation or political belief.

The candidates' attitude towards children and commitment to safeguarding and promoting the welfare of children should be tests. The following areas should be explored with the candidates in the interview:

- Their motivation and reasons for working with children
- Their attitudes and behaviour about control and punishment
- Their perceptions about the boundaries of acceptable behaviour towards children
- Their ability to form and maintain professional relationships
- Their understanding of safeguarding children.

Any gaps in the candidate's employment history must be fully explored during the interview as should any discrepancies arising from the information supplied by the candidate or a referee.

Notes of questions asked and answers given at the interview must be made and retained.

1. Briefing

All candidates will be given relevant information about the Academy to enable them to make further enquiries about the advertised job.

2. The Formal Interviews

Before the interviews the selection panel will agree on the line of questioning to be followed and will ensure that similar questions are put to each candidate. The questions asked will be aimed at obtaining evidence of how each candidate meets the criteria listed on the person specification and each candidate will be assessed against all of the criteria for the post. The same areas of questioning will be covered for each applicant and no questions which would discriminate directly, or indirectly on grounds of sex, marital status, sexual orientation, race, religious belief, disability or age will be asked. The interviews will also deal with the issues of child protection with each candidate.

Before the interviews the Executive Headteacher, in consultation with the governors involved with the interview, will decide a procedure for evaluating the candidates at the end of the interviews. The notes taken and documentation used in this evaluation process will form part of the formal record of why candidates were or were not selected and will be retained for six months; after that time, they will be destroyed.

Before the interviews the Executive Headteacher, in consultation with the governors involved in the interview, will decide the structure of the interview, determining which area each interviewer will cover and the approximate time allocation.

After the interview, panel members should separately score the candidates. They should then share their scores and discuss their reasons for reaching the scores. This discussion should result in a joint agreed score for each candidate.

A decision as to whether to appoint an individual to a role working with children must be based upon an evaluation of the information obtained from all the above stages. Appointments must be made on the basis of a person's experiences, ability and suitability to perform the role rather than on the urgency of the need or the ability of the applicant.

Offer of Appointment by the Selection Panel

References

The purpose of seeking reference is to obtain objective and factual information to support appointment decision.

References must not be accepted except where they have been sought directly from a previous employer or other referee. Open 'to whom it may concern' references must never be accepted.

A copy of the job description and the person specifications should be included with all reference requests.

All requests for references should ask (and a pro forma may be used for this purpose):

- About the referees' relationship with the candidate, eg did they have a working relationship, if so, what; how long has the referee known the candidate, and in what capacity
- Whether the referee is satisfied that the person has the ability and is suitable to undertake the job
- Whether the referee is completely satisfied that the candidate is suitable to work with children and if not, for specific details of the referees concerns and the reasons why the referee believes the person might be unsuitable

And should remind the referee that:

- They have a responsibility to ensure that the reference is accurate and does not contain any material misstatement or omission
- Relevant factual content of the reference may be discussed with the applicant.

In addition to the above, requests addressed to a candidate's current or previous employer in work with children should also seek:

- Confirmation of details of the candidate's current post, salary and sickness record
- Specific verifiable comments about the candidate's performance history and conduct
- Details of any disciplinary procedures the candidate has been subject to in which the disciplinary sanction is current
- Details of any disciplinary procedures the candidate has been subject to involving issues related to the safety and welfare of children, including any in which the disciplinary sanction has expired, and the outcome of those
- Details of any allegations or concerns that have been raised about the candidate that relate either to the safety and welfare of children or behaviour towards children and the outcome of those concerns, eg whether the allegations or concerns were investigated, the conclusions reached and how the matter was resolved.

An employer reference must also be obtained in respect of internal candidates for posts involving direct contact with children.

So that information of comparable weight is obtained for all candidates, references on all short-listed candidates (including internal ones) should wherever possible be obtained prior to interview so that any issues of concern they raise can be explored further with a referee and taken up with the candidate at interview.

Written references must be checked carefully with the application form to identify any possible discrepancies. In all cases, any discrepancy should be taken up with the candidate before the person's appointment is confirmed.

Offer of Appointment to Successful Candidate

An offer of appointment must be conditional upon pre-employment checks being satisfactorily completed, including:

- Receipt of two satisfactory references – if references have not been obtained before the interview, it is vital that they are obtained and scrutinised before a person's appointment is confirmed
- Verification of the candidate's identity (if this has not been verified straight after the interview)
- A DBS Disclosure appropriate to the role (but see also paragraph below)
- A check of the Disclosure and Barring Service's Barred Lists is completed as part of the DBS Disclosure and therefore separate checks will not be required except where the DBS Disclosure remains outstanding at the point where the person starts work
- Verification of the candidate's medical fitness
- Verification of any relevant qualifications and professional status (if not verified straight after the interview) and whether any restrictions have been imposed by a regulatory body such as the General Medical Council
- Evidence of right to work in the UK for those who are not nationals of a European Economic Area country.

All checks should be confirmed in writing, documented and retained on the personnel file and followed up where they are unsatisfactory or where there are discrepancies in the information provided. All employers should also keep and maintain a single central record of recruitment and vetting checks of staff and volunteers.

Ideally, where a DBS Disclosure is required, it should be obtained before an individual begins work. It must in any case be obtained as soon as practicable after the individual's appointment and the request for a DBS Disclosure should be submitted in advance of the individual starting work. There is discretion to allow an individual to begin work pending receipt of the DBS Disclosure. However, in such cases, the individual must be appropriately supervised and all other checks, including the DBS's Barred List, should have been completed.

Appropriate supervision for individuals who start work prior to the result of a DBS Disclosure being known needs to reflect what is known about the person concerned, their experience, the nature of their duties and the level of responsibility they will carry. For those with limited experience and where references have provided limited information the level of supervision required may be high. For those with more experience and where the references are detailed and provide strong evidence of good conduct in previous relevant work, a lower level of supervision may be appropriate. For all staff without completed DBS Disclosures it should be made clear that they are subject to this additional supervision. The nature of the supervision should be specified and the roles of staff in undertaking the supervision spelt out. The arrangements should be reviewed regularly until the DBS Disclosure is received.

Where a DBS Disclosure indicates cause for concern for agency or directly employed staff, the member of staff must immediately be withdrawn pending further enquiries.

Recording

All documentation relating to the recruitment of staff must be retained on file, including notes made of candidates' responses to questions at interview. Any check completed must be confirmed in writing and retained on the candidate's personnel file, together with photocopies of and documents used to verify his/her identity and qualifications. Under DBS regulations, DBS disclosures should be destroyed as soon as it is no longer needed, but a record must be kept of the date the disclosure was obtained and who by, the level of the disclosure and the unique reference number.

A record must be kept of evidence to show that such checks have been carried out in respect of supply staff and volunteers whether recruited directly or through an agency.

Satisfactory references must be kept on the candidate's personnel file or, in the case of supply staff or volunteers not recruited through an agency, on a central record within the organisation.

Where information gained by the employer from either references or other checks calls into question the candidate's suitability to work with children, or where the candidate has provided false information in support of the application, the facts must be reported to the MASH.

The selection and Appointment of the Executive Headteacher, Executive Deputy Head Teacher, Head of School or Deputy Head Teacher

1. The Governing Body will appoint a Selection Panel of at least three Governors. The proceedings of the Selection Panel shall be under the control of the Selection Panel. The Governing Body will not delegate the power of appointment, only the selection process. A minimum of one Governor must have completed 'Safer Recruitment' training.
2. The Selection Panel will determine the interview process and seek approval from the Governing Body before commencing the process.
3. If the need arises, the Selection Panel will appoint an Acting Executive Headteacher/Executive Headteacher. Where it is intended to fill an acting position by external temporary appointment of more than one term the post will be advertised within the area.
4. If an external appointment is to be made to an acting position the governors will seek to do so by secondment and will seek advice from the personnel service provider on the contracting of such secondment.
5. The Selection Panel will advertise the permanent post in such publications circulating throughout England and Wales as they consider appropriate. In the case of a Deputy Head Teacher vacancy, the Governing Body may decide that it will not be advertised nationally. All applicants will receive the information set out in paragraph 4 of the Governing Body's policy statement.
6. The selection panel shall shortlist such applicants for the post as they think fit. In the case of the Executive Headteacher or Head(s) of School appointment, if it is able to do so, the Selection Panel will recommend one of the interviewed applicants to the Governing Body. The decision of the Selection Panel will be approved by a meeting of the Governing Body, which must be quorate. The Selection Panel may make a decision about the appointment of a Deputy Head Teacher without recommendation to the Governing Body.
7. If the Governing Body approves the recommended candidate for an Executive Headteacher or Head(s) of School appointment, the applicant will be offered the appointment subject to staff qualification requirements, medical, DBS Disclosure check and references. A decision by the Selection Panel regarding the appointment of a Deputy Head Teacher will also be subject to staff qualification requirements, medical DBS Disclosure check and references.
8. If the Selection Panel cannot agree or Governing Body does not approve the recommendation, then the Governors may re-advertise as in step 5 or may require the Selection Panel to repeat step 6.

Safer recruitment and DBS checks- policy and procedures

We will record all information on the checks carried out in the school's single central record (SCR). Copies of these checks, where appropriate, will be held in individual's personal files. We follow requirements and best practice in retaining copies of these checks, as set out below.

New Staff

When appointing new staff, we will:

- Verify their identity
- Obtain an enhanced Disclosure and Barring Service (DBS) certificate, including barred list information for those who will be engaging in regulated activity (see definition below). We will not keep a copy of this for longer than 6 months.
- Obtain a separate barred check list if they will start work in regulated activity before the DBS certificate is available.
- Verify their mental and physical fitness to carry out their work responsibilities
- Verify 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
- Ensure they are not subject to a prohibition order if they are employed to be a teacher.
- Carry 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.
- Check that candidates taking up management position are not subject to a prohibition from management (section 128) direction made by secretary of state.

We will ask for written information about previous employment history and check that information is not contradictory or incomplete.

We will seek 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.

Regulated activity means a person who will be:

- 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

Existing Staff

If we have any concerns about an existing member of staff's suitability to work with children, we will carry out all the relevant checks as if the individual was a new member of staff. We will also do this if an individual moved from a post that is not regulated activity to one that is.

We will refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult where:

- We believe the individual has engaged in [relevant conduct](#); or
- The individual has received a caution or conviction for a relevant offence, under the [Safeguarding Vulnerable Groups Act 2006 \(Prescribed Criteria and Miscellaneous Provisions\) Regulations 2009](#); or
- The 'harm test' is satisfied in respect of the individual (i.e. they may harm a child or vulnerable adult or put them at risk of harm); and
- The individual has been removed from working in regulated activity (paid or unpaid) or would have been removed if they had not left

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 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 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 contractors who are not in regulated activity but whose work provides them with an opportunity for regular contact with children
- We will obtain 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.

Trainee/student teachers

Where applicants for initial teacher training are salaried by us, we will ensure that all necessary checks have been carried out and that the trainee has been judged by the provider to be suitable to work with children.

Volunteers

We will:

- Never leave an unchecked volunteer unsupervised or allow them to work in regulated activity
- Carry out a risk assessment when deciding whether to seek an enhanced DBS check without barred list information for any volunteers not engaging in regulated activity. We will retain a record of this risk assessment.

Governors

All governors will 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.

The chair of the board will have their DBS check countersigned by the secretary of state.

All trustees, local governors and members will also have the following checks:

- A section 128 check (to check prohibition or participation in management under [section 128 of the Education and Skills Act 2008](#))
- Identity

- Right to work in the UK
- Other checks deemed necessary if they have lived or worked outside the UK

Staff working in alternative provision settings

Where we place a pupil with an alternative provision provider, we obtain written confirmation from the provider that they have carried out the appropriate safeguarding checks on individuals working there that we would otherwise perform.

Adults who supervise pupils on work experience

When organising work experience, we will ensure that policies and procedures are in place to protect children from harm.

We will also consider whether it is necessary for barred list checks to be carried out on the individuals who supervise a pupil under 16 on work experience. This will depend on the specific circumstances of the work experience, including the nature of the supervision, the frequency of the activity being supervised, and whether the work is regulated activity.

Pupils staying with host families

Where the school makes arrangements for pupils to be provided with care and accommodation by a host family to which they are not related (for example, during a foreign exchange visit), we will request enhanced DBS checks with barred list information on those people.

Where the school is organising such hosting arrangements overseas and host families cannot be checked in the same way, we will work with our partner schools abroad to ensure that similar assurances are undertaken prior to the visit.

Linked Policies

- Keeping Children Safe in Education Policy
- Redundancy
- Equality
- Safeguarding – staff code of conduct