

OAKWOOD JUNIOR SCHOOL

Safer Recruitment Policy

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|-----------------|-------------------------|
| Review Date | Spring 2017 |
| Reviewed by | School Business Manager |
| Review Cycle | 2 Years |
| Next review due | Spring 2019 |

Signed :.....

Name :.....
on behalf of the Governing Body of Oakwood Junior School

Safer Recruitment

Policy Statement

The safe recruitment of staff in schools is the first step to safeguarding and promoting the welfare of the children in education. The school is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.

Oakwood Junior School recognises the value of, and seeks to achieve a diverse workforce which includes people from different backgrounds with different skills and abilities. The school is committed to ensuring that the recruitment and selection of all who work within the school is conducted in a manner that is systematic, efficient, effective and promotes equality and opportunity. The school will uphold its obligations under law and national collective agreements to not discriminate against applicants for employment on the grounds of age, sex, sexual orientation, marital status, disability, race, colour, nationality, ethnic origin, religion or creed. This document provides a good practice framework to comply with the principles set down in the school's Equality Policy.

All posts within school are exempt from the Rehabilitation of Offenders Act 1974 and therefore all applicants will be required to declare spent and unspent convictions, cautions and bind-overs, including those regarded as spent and have an Enhanced Disclosure and Barring Service (DBS) check.

The school is committed to ensuring people who have been convicted are treated fairly and given every opportunity to establish their suitability for position.

The school will:

1. ensure that appropriate staff who undertake recruitment have received accredited safer recruitment training and successfully completed safer recruitment training assessment.
2. ensure every appointment panel includes one member who has received safer recruitment training.
3. implement robust recruitment procedures and checks for appointing staff and volunteers to ensure that reasonable steps are taken not to appoint a person who is unsuitable to work with children, or who is disqualified from working with children, or does not have the suitable skills and experience for the intended role.
4. keep and maintain a single central record of recruitment and vetting checks in line with DfE requirements.
5. ensure that the terms of any contract with a contractor or agency requires them to adopt and implement measures described in this procedure. The school will monitor the compliance with these measures.
6. require staff who are convicted or cautioned for any offence during their employment with the school to notify the school, in writing of the offence and the penalty.

The following pre-employment checks will be undertaken:

- Receipt of at least two satisfactory references, one of which will be from the former or most recent employer
- Verification of the candidate's identity in line with the requirements of The Immigration, Asylum and Nationality Act 2006
- A satisfactory enhanced DBS clearance
- Verification of the candidate's medical fitness
- Verification of qualifications
- Verification of professional registration as required by law for teachers
- Verification of successful completion of induction period (for those who obtained QTS after 7 May 1999)

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Roles and responsibilities

It is the responsibility of the governing body to:

- Ensure the school has effective policies and procedures in place for the recruitment of all staff and volunteers in accordance with DfE guidance and legal requirements.
- Monitor the school's compliance with them

It is the responsibility of the Headteacher and other managers 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
- To monitor contractors' and agencies' compliance with this document
- Promote welfare of children and young people at every stage of the procedure

It is the responsibility of the School Business Manager and School Administrators to:

- Deal with the administration of the disclosure system for the school
- Update the Single Central Record
- Carry out identity checks of individuals on their arrival at school.
- Ensure that written confirmation of vetting and clearance checks along with their photo has been received for agency staff before their arrival.
- Ensure that only agencies or third party organisations are used where written confirmation has been received that checks are carried out on individuals to the same level as school would otherwise perform
- Ensure that volunteers, contractors and other visitors are not left unsupervised in school if there is no evidence of the appropriate level of DBS check.

It is the responsibility of all potential and existing workers, including volunteers to comply with this document.

It is the responsibility of all contractors and agencies to comply with safe recruitment pre-employment checks.

In accordance with the School Staffing Regulations, the governing body has delegated responsibility to the Headteacher to lead in all appointments outside of the leadership group.

School governors may be involved in staff appointments, but the final decision will rest with the Headteacher. The Headteacher may delegate the selection process of staff outside of the leadership group to other managers in the school, but remains responsible for the decision to appoint.

The Procedure

Advertising

To ensure equality of opportunity, the school will advertise all vacant posts to encourage as wide a field of candidates as possible, normally this will entail an external advertisement.

However, where there is a reasonable expectation that there are sufficient qualified internal candidates or where staff are at risk of redundancy, an internal advertisement may be considered appropriate.

Applications

The form – The school uses a standard application form. CVs will not be accepted

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The school requires candidates to account for any gaps or discrepancies in employment history on this application form. Where an applicant is shortlisted, these gaps will be discussed at interview.

Applicants should be aware that providing false information is an offence and could result in the application being rejected or summary dismissal if the applicant has been selected, and possible referral to the police and other professional regulatory bodies (eg: General Teaching Council for England).

References

References for shortlisted candidates will be sent for immediately after shortlisting. The only exception to this is where candidates have indicated on their application forms that they do not wish their current employer to be contacted. In such cases, this reference will be taken up immediately after interview and prior to any offer of employment being made. One reference will be sought prior to interview wherever possible.

References must be in writing and be specific to the job for which the candidate has applied – open references or testimonials are not acceptable. The school will not accept references from relatives or people writing solely in the capacity as a friend. Only reference from a trusted authoritative source will be acceptable. Reference requests will specifically ask:

- About the referee's relationship with the candidate
- Whether the referee is completely satisfied that the candidate is suitable to work with children and, if not, for specific details of the concerns and the reasons why the referee believes that the person might be unsuitable.

Referees will also be asked to confirm details of:

- The applicant's current post, salary and attendance record
- Performance history and conduct
- Any disciplinary procedures in which the sanction is current
- Any disciplinary procedures involving issues related to the safety and welfare of children, including any in which the sanction has expired and the outcome of those
- Details of any allegations or concerns that have been raised that relate to the safety and welfare of children or behaviour towards children and the outcome of these concerns.

References will be compared to the application form to ensure that the information provided is consistent. Any discrepancies will be taken up with the applicant at interview.

Any information about past disciplinary action or allegations will be considered in the circumstances of the individual case. Cases in which an issue was satisfactorily resolved some time ago, or an allegation was determined to be unfounded or did not require formal disciplinary sanctions, and which no further issues have been raised, are not likely to cause concern. More serious or recent concerns or issues are more likely to cause concern. A history of repeated concerns or allegations over time is also likely to give cause for concern.

Self-declaration of convictions by job applicants

The school's policy requires shortlisted applicants for all posts (including volunteers) to declare all criminal convictions whether "spent" or "unspent" and include any cautions and pending prosecution.

Such declarations will be made on an appropriate form and should be submitted in a sealed envelope, marked strictly private and confidential to the chair of the selection panel/Headteacher,

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prior to the interview. The chair of the panel/Headteacher will discuss relevant, positive declarations confidentially with the applicant at interview.

The disclosure of convictions, cautions or pending cases will not necessarily prevent employment but will be considered in the same way as positive DBS disclosures.

Interviews

The selection process will always include the following where appropriate to the role:

- Face to face professional interview including a question related to safeguarding children (in line with accredited Safer Recruitment Training)
- Young people panel/activity with children

Proof of Identity and Right to Work in the UK & Verification of Qualifications and/or Professional Status

Shortlisted applicants for all posts will be required to provide proof of identity and right to work in the UK by producing documents on the day of interview in line with those set out in The Immigration, Asylum and Nationality Act 2006. Similar information is also required to undertake a DBS check on the preferred candidate.

Proof of identity and other documentation will be verified by the Headteacher, School Business Manager or School Administrators.

If the person has lived or worked outside the UK, further checks may be made that are considered appropriate in line with Home Office guidance on 'criminal records checks for overseas applicants'.

Short-listed candidates will also be required to provide proof of their qualifications and professional status by producing documentation on the day of interview. The school will verify that candidates have actually obtained any qualifications legally required or deemed essential for the job and claimed in their application by asking to see the relevant certificate, or a letter of confirmation from the awarding body/institution. If the original documents are not available, the school will require sight of a properly certified copy. Where candidates have obtained qualifications abroad, a certified comparability check by NARIC will also be required.

For teaching posts, the School Business Manager will check the Employer Access Online Service to ensure there are no Prohibition Orders.

Enhanced DBS check with Children's Barred List Check

An enhanced DBS check with Children's Barred List Check is needed for all staff engaging in regulated activity (see Appendix 1). A person will be considered to be engaging in regulated activity if as a result of their work they:

- Will be responsible, on a regular basis, in a school, for teaching, training, instructing, caring for or supervising children; or
- will carry out paid, or unsupervised unpaid, work regularly in a school where that work provides an opportunity for contact with children
- engage in intimate or personal care or overnight activity, even if this happens only once

There is no requirement to obtain an enhanced DBS certificate or carry out checks for events that may have occurred outside the UK if, in the 3 months prior to their appointment, the applicant has worked:

- In a school in England in a post which brought them into regular contact with children or young persons in any post in a school since 12 May 2006; or

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- In an institute within the further education sector in England or in a 16-19 Academy, in a post which involved the provision of education which brought the person regularly into contact with children or young persons.

A supervised volunteer who regularly teaches or looks after children is not in regulated activity. Oakwood Junior School will follow the latest DfE statutory guidance on supervision and regulated activity when considering which checks should be undertaken on volunteers.

Commencement of Employment prior to a DBS check being received

In exceptional circumstances it is permitted to commence employment prior to receiving a DBS check. In such cases, the employee will be appropriately supervised until the DBS certificate is available. All other checks, including a separate barred list check, must have been completed before employment commences.

Childcare (Disqualification) Regulations 2009

Oakwood Junior School has a statutory duty to ensure that all staff and volunteers who come into contact with children aged 8 or under are not disqualified from doing so under the Childcare (Disqualification) Regulations 2009.

A person will experience disqualification by:

1. Having certain orders or other restrictions placed upon them
2. Having committed certain offences
3. 'Disqualification by association' - Living in the same household as someone who is disqualified by virtue of 1 or 2 above

All staff and volunteers who either;

- provide any care, including education, for a child up to and including reception age
- provide later years childcare up to the age of 8
- are directly concerned with the management of such childcare above

are asked to complete a self declaration form (Appendix 3) to review these criteria and inform the Headteacher (or for Headteachers the Chair of Governors) should any of the criteria apply. Self declarations will be kept in a separate file by the Headteacher

Employment Offer

It may be possible to negotiate a provisional start date with the preferred candidate, however, with the exception of DBS disclosures, the checks above must all be completed BEFORE a person's appointment is confirmed. In the case of DBS disclosures, the certificate must be obtained before or as soon as practicable after appointment.

Once all pre-employment checks have been satisfactorily completed/received, an offer of employment will be made and the contract of employment issued.

Record Retention/Data Protection

The school will retain all interview notes on all applicants for a 6 month period, after which time the notes will be destroyed (i.e shredded). The 6 month retention period will allow the school to deal with any data access requests, recruitment complaints or to respond to any complaints or to respond to any complaints made to the Employment tribunal.

Under the Data Protection Act 1998, applicants have a right to request access to notes written about them during the recruitment process. Applicants who wish to access their interview notes must make a subject access request in writing to the chair of the panel/Headteacher within 6 months of the interview date.

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To comply with the Data Protection Act, Oakwood Junior School will not keep copies of DBS certificates

Personal file records

The school will retain the following information which will make up part of the personal file, for the successful candidate:

- Application form
- References
- Disclosure of convictions form
- Proof of identification
- Proof of Right to Work in the UK
- Proof of academic qualifications
- Proof of registration with General Teaching Council (for teaching staff)
- Certificate of Good Conduct (where applicable)
- Evidence of medical clearance from Occupational Health (where applicable)

Single Central Record of Recruitment Vetting Checks

In line with DfE requirements, the school will keep and maintain a single central record of recruitment and vetting checks. The central list will record all staff who are employed at the school, including casual staff, supply agency staff whether employed directly or through an agency, volunteers, governors who also work as volunteers, and those who provide additional teaching or instruction for pupils but who are not staff members, eg: specialist sports coach or artist.

The central record will indicate whether the following checks have been carried out or certificates obtained, and the date on which each check was completed/certificate obtained:

- An identity check
- A barred list check
- An enhanced DBS check
- A prohibition from teaching check
- Further checks on people living or working outside the UK
- A check of professional qualifications
- Checks of right to work in the United Kingdom
- Whether the post is subject to the childcare disqualification requirements (KCSIE)

In order to record supply staff provided through an agency, or third party, the school will require written confirmation from the supply agency/ contractor that it has satisfactorily completed the checks described above in its recruitment process. The school does not need to carry out checks itself except where there is information contained within the disclosure. However identity checks must be carried out by the school to check the person arriving is the person the agency intends to refer to them.

Where checks are carried out on volunteers, these will be recorded on the Single Central Record.

Existing staff

All staff are asked to complete an annual disclosure declaration (Appendix 2) which reminds them of their obligation to disclose any offences committed post issue of their criminal records check.

If there are any concerns about an existing staff member's suitability to work with children, Oakwood Junior School will carry out relevant checks as if the person were a new member of staff.

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School staff will be given a copy of the Keeping Children Safe in Education 2015 Part 1 and asked to sign a declaration that they have read and understood the document. They will follow the guidelines in the school's Code of Conduct to maintain professional boundaries at all time.

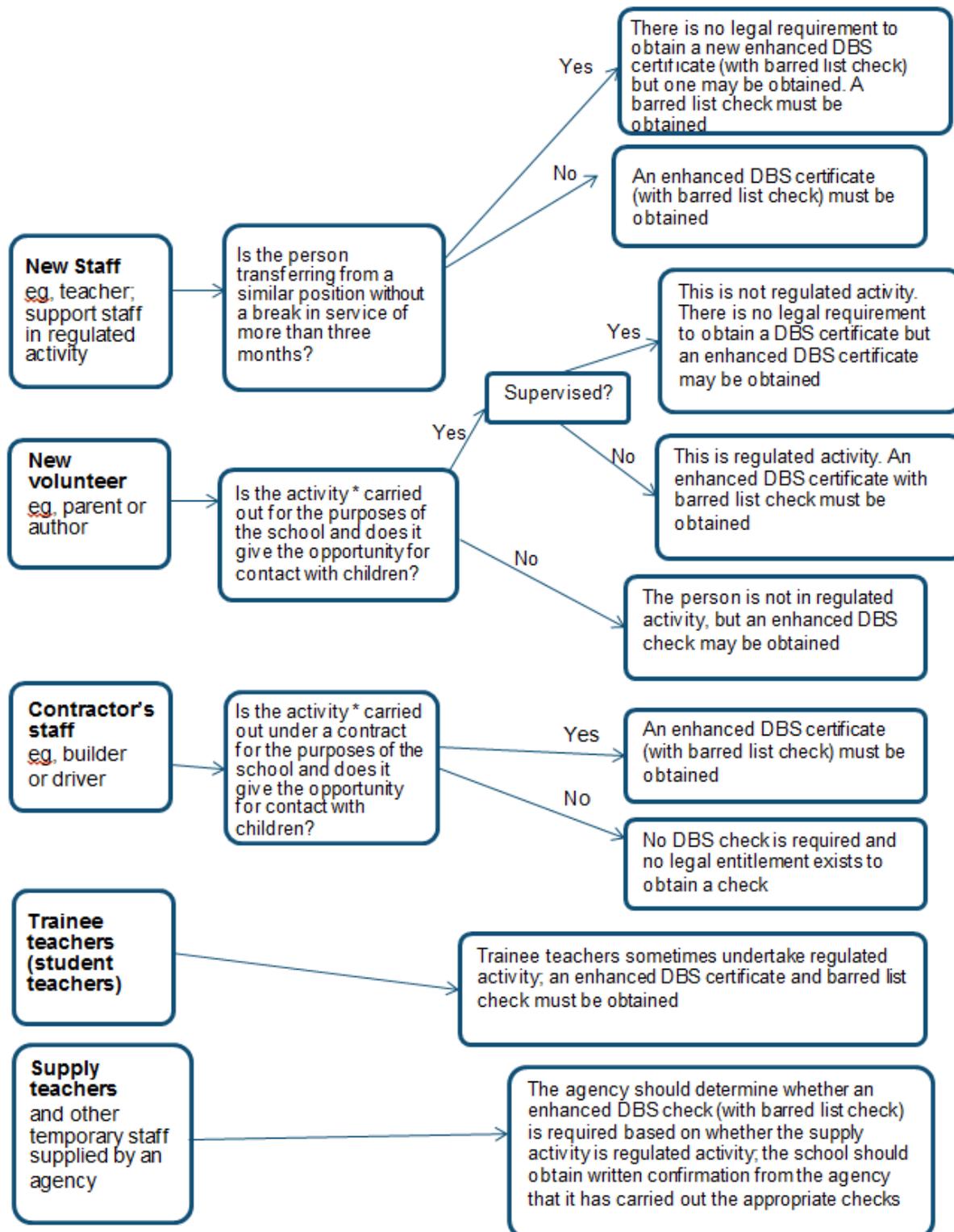
The school follows the Derby Safeguarding Children Board's procedures for managing allegations against staff which has been disseminated to all staff and volunteers.

The school adopts a culture of vigilance where all concerns are listened to and taken seriously.

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Appendix 1

Flowchart of Disclosure and Barring Service criminal record checks and barred list checks (taken from Keeping Children Safe in Education March 2015)



* Activities listed under the guidance's definition of regulated activity and which are carried out 'frequently'

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Appendix 2

Oakwood Junior School

Annual Disclosure Declaration

As part of Oakwood Junior School's commitment to safeguarding our children, all staff, governors and volunteers are required to declare any offences committed post issue of their Criminal Records Bureau (CRB) or Disclosure and Barring Service (DBS) immediately an offence occurs .

If you are charged with or receive a caution or conviction or are considered to be a risk to children that might affect your ability to perform your duties you must inform the Headteacher immediately in writing.

The Headteacher will consider whether such a conviction or caution or risk to children could affect your ability to fulfil your contract. Offences may need to be discussed with the Chair of Governors depending on their nature.

If you fail to disclose a conviction or caution that might affect your ability to perform your duties you may be subject to disciplinary procedure.

All staff, governors and volunteers must sign an annual declaration confirming they understand and comply with this requirement.

I have not been charged with or received a caution or conviction since my last CRB/DBS check and am not deemed to be a risk to children.

I will declare any offences detailed above and understand that failure to do so may result in disciplinary action.

Signed _____ Date _____

Name (Printed) _____

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Appendix 3

CHILDCARE DISQUALIFICATION DECLARATION

Oakwood Junior School has a statutory duty to ensure that all staff and volunteers who come into contact with children aged 8 or under are not disqualified from doing so under the Childcare (Disqualification) Regulations 2009.

A person will experience disqualification by:

1. Having certain orders or other restrictions placed upon them
2. Having committed certain offences
3. 'Disqualification by association' - Living in the same household as someone who is disqualified by virtue of 1 or 2 above

This declaration pro-forma sets out the disqualification criteria outlined in the Regulations.

All staff and volunteers who either;

- provide any care, including education, for a child up to and including reception age
- provide later years childcare up to the age of 8
- are directly concerned with the management of such childcare above

must carefully review these criteria and inform the Head Teacher (or for Head Teachers the Chair of Governors) should any of the criteria apply.

Staff and volunteers may choose to complete and return this pro-forma, however, doing so is not mandatory.

Please complete the declaration below answering all the questions to the best of your knowledge. Please sign the declaration once it has been completed.

| | |
|----------------|-----------------------|
| School: | Oakwood Junior School |
| Name: | |
| Role: | |

| | |
|--|--------|
| About You: | |
| | |
| Have your children been, or are they currently, the subject of a child protection plan? | Yes No |
| Have there been any orders or other determinations relating to a child under your care? | Yes No |
| Have you been refused registration or had your registration cancelled in relation to childcare or a children's home or from private fostering? | Yes No |
| Are you barred from working with children by the Disclosure and Barring Service (DBS)? | Yes No |
| Are you prohibited from Teaching? | Yes No |

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|---|--------|
| Have you any unspent cautions (including reprimanded or warned) or unspent convictions of any of the following: | |
| Offences against or involving a child? | Yes No |
| Any violent or sexual offence against an adult? | Yes No |
| Any offence under the Sexual Offences Act? | Yes No |

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|---|--------|
| About Your Household: By this we mean all those living with you and includes family, lodgers, house/flat sharers and household employees who live with you | |
| | |
| Has anyone in your household have any unspent cautions (including reprimanded or warned) or unspent convictions of any of the following: | |
| Offences against or involving a child? | Yes No |
| Any violent or sexual offence against an adult? | Yes No |
| Any offence under the Sexual Offences Act? | Yes No |
| Has anyone in your household been barred from working with Children by the Disclosure and Barring Service (DBS)? | Yes No |
| Has anyone in your household had their children taken into care or have children that are the subject of a child protection order? | Yes No |
| Has anyone in your household been refused registration or had their registration cancelled in relation to childcare or a children's home or from private fostering? | Yes No |

If you have answered YES to any of the questions above, you should provide the details below:

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I confirm that the information provided is true to the best of my knowledge.

I understand my responsibility to safeguard children.

I will notify the Headteacher immediately if the information I have provided on this declaration changes any time.

| | |
|--------------------|--|
| Signed: | |
| Print Name: | |
| Date: | |

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OFFICE USE

TO BE COMPLETED BY THE HEADTEACHER/ CHAIR OF GOVERNORS:

I have reviewed the information provided on this declaration and no further action is required.

| | |
|---------------------|--|
| Reviewed By: | |
| Signed: | |
| Date: | |

Or

I have reviewed the information provided on this declaration and the following action has been taken:

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| | |
|---------------------|--|
| Reviewed By: | |
| Signed: | |
| Date: | |