



Safer Recruitment Policy

January 2023

Review by January 2026

Rationale:

At TJLS we believe that a caring school promotes the welfare, health, safety and guidance of every child. We recognise our statutory duty and pastoral duty to ensure the safety and wellbeing of our pupils. Our recruitment process will aim to attract the best possible applicants and deter and identify and reject prospective applicants who are unsuitable for work with children or young people.

Legislation and statutory guidance:

This policy is based on the following and most recent editions of:

- Keeping children safe in Education
- Working Together to Safeguard Children (July 2018)
- 2018 Childcare Disqualification Regulations and Childcare Act 2006

Safeguarding Vulnerable Groups Act 2006 (Prescribed Criteria and Miscellaneous Provisions)

Regulations 2009 **Definitions:**

Regulated activity means a person who will be:

- Responsible, on a regular basis in our school 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.

Roles and Responsibilities:

The Governing Board of the school will:

- ensure the school has effective policies and procedures in place for the safe and fair recruitment and selection of staff and volunteers in accordance with Department for Education guidance and legal requirements.
- monitor the school's compliance with them.
- ensure that appropriate staff and governors have completed safer recruitment training.

The Headteacher will:

- ensure that the school operates safe and fair recruitment and selection procedures which are regularly reviewed and up-dated to reflect any changes to legislation and statutory guidance.
- ensure that all appropriate checks have been carried out on staff and volunteers in the school.
- monitor any contractors' and agencies' compliance with this document.
- promote the safety and well-being of children and young people at every stage of this process.
- Any recruitment process will be led by a senior member of staff, where at least one member of staff has successfully completed safer recruitment training or in the case of recruitment of the Headteacher, a Governor.

Advertising:

All vacant posts will be advertised to ensure equality of opportunity and encourage as wide a field of candidates as possible. This will normally mean placing an advertisement on our website and/or other locations. Any internal recruitment process will follow the procedures set out in this policy. All advertisements for posts, paid or unpaid, will include the following statements:

Diversity statement: At TJLS, we support the principle of equality and diversity in employment wholeheartedly and welcome applications regardless of age, disability, religion or sexual orientation.

Safeguarding statement: 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.

Candidates will be required to undergo a number of pre-employment checks including an enhanced DBS check.

When advertising we will make it clear that the role is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to Exceptions Order 1975, 2013 and 2020.

Our application forms will include a link to our child protection and safeguarding policy.

Prospective applicants will be supplied, as a minimum, with the following:

- Job description and Person Specification
- Safeguarding Policy
- Recruitment Policy
- Pay Policy
- An application form (CVs will not be accepted)

Short listing and Reference Requests:

- Our short-listing process will involve at least 2 people.
- Short-listing of candidates will be against the person specification for the post.
- Where possible, references will be taken up before the selection stage, so that any discrepancies can be probed during the selection stage.
- References will be sought directly from the referee. References or testimonials provided by the candidate will never be accepted. References must be completed using our template. Where companies are unwilling to do so, we will seek alternative references.
- Where necessary, referees will be contacted by telephone or email in order to clarify any anomalies or discrepancies. A detailed written note will be kept of such exchanges.
- Where necessary, previous employers who have not been named as referees will be contacted in order to clarify any anomalies or discrepancies. A detailed written note will be kept of such exchanges.
- Referees will always be asked specific questions about: the candidate's suitability for working with children and young people; any disciplinary warnings, including time-expired warnings, that relate to the safeguarding of children; the candidate's suitability for this post.
- School employees are entitled to see and receive, if requested, copies of their employment references.
- If shortlisted, candidates will be subjected to an online search. The person completing the search will not have any involvement with conducting interviews or making decisions about recruitment. More information about this can be found within the Privacy Notice for Job Applicants.

The Selection Process:

Selection techniques will be determined by the nature and duties of the vacant post, but all vacancies will require an interview of short-listed candidates.

Interviews will always be face-to-face. Telephone interviews may be used at the short-listing stage but will not be a substitute for a face-to-face interview (which may be via visual electronic link).

Candidates will always be required:

- to explain satisfactorily any gaps in employment.
- to explain satisfactorily any anomalies or discrepancies in the information available to recruiters.
- to disclose any convictions, cautions or pending prosecutions, other than those protected, that the candidate has declared and are relevant to the prospective employment.
- to declare any information that is likely to appear on a DBS check. to demonstrate their capacity to safeguard and protect the welfare of children and young people.

The recruitment documentation will be retained. In line with GDPR legislation, applicants have the right to request access to notes written about them. After 6 months, all information about unsuccessful candidates will be securely destroyed.

Employment Checks:

An offer of appointment to a successful candidate, including one who has lived or worked abroad, will be conditional upon satisfactory completion of pre-employment checks.

All successful applicants are required:

- To provide proof of identity.
- Obtain (via the school) an enhanced Disclosure and Barring Service (DBS) certificate, including barred list information for those who will be engaging in regulated activity (see definition below). Obtain a separate barred list check if they will start work in regulated activity before the DBS certificate is available.
- Have a satisfactory certificate of good conduct relating to time spent living outside of the UK, where applicable.
- To pass a prohibition from teaching check.
- To provide actual certificates of professional qualifications, as deemed appropriate by the school.
- To complete a confidential health questionnaire and be deemed mentally and physically fit to perform the role.
- To provide proof of their right to work in the United Kingdom We will keep a copy of this verification for the duration of the member of staff's employment and for 2 years afterwards.
- 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.
- To complete a childcare disqualification declaration. 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 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.

- 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.

Values based recruitment

The school holds interviews using a values-based recruitment approach.

A values-based interview (VBI) is a type of structured interview which is particularly focused on understanding an applicant's values. A VBI may appear similar to other types of interviews in that the format will involve asking applicants to provide examples of behaviour they have previously demonstrated or to explain how they would respond to a particular situation. However, it is the probing questions, designed as part of a VBI, that are utilised to elicit detailed evidence in relation to learning and reflection that differentiate it.

It is these probing questions that provide insight into an applicant's values or what they consider to be important. The probing questions that follow a lead question in a VBI focus on how and why an applicant makes particular choices in the workplace, providing insight into the reasons and drivers for their behaviour. It is appropriate for values-based questions to be asked alongside competency/situational-based questions which focus on an interviewee's skills or knowledge.

However, in some cases it may be appropriate to separate out the two components into two distinct interviews (i.e. a VBI and a skills or competency-based interview), for example, if the two interviews were to be conducted by different assessors or on different days.

Offer of appointment:

The appointment of all new employees is subject to the receipt of a satisfactory DBS Certificate, references, medical checks, prohibition checks, childcare disqualification checks and waivers, copies of qualification and proof of identity.

Fitness to undertake the role:

A confidential pre-employment health questionnaire must be completed to verify the candidate's mental and physical fitness to carry out their work responsibilities. A job applicant can be asked relevant questions about disability and health in order to establish whether they have the physical and mental capacity for the specific role.

Single Central Record and Personnel File:

Recruitment and selection information for the successful candidate will be retained securely and confidentially for the duration of his/her employment with the school including:

- Application form – signed by the applicant.
- Interview notes – including explanation of any gaps in the employment history
- References – minimum of two.
- Proof of identity.
- Proof of right to work in the UK.
- Proof of relevant academic qualifications.
- Evidence of medical clearance from the Occupational Health service.

- Evidence of DBS clearance, Barred List (where applicable) and Teacher Prohibition checks. Offer of employment letter and signed contract of employment.

The school will maintain a Single Central Record of employment checks in accordance with DfE guidance.

Start of Employment and Induction:

TJLS recognises that safer recruitment and selection is not just about the start of employment, but should be part of a larger policy framework for all staff. The school will therefore provide ongoing training and support for all staff. All staff who are new to the school will receive induction training that will include the school's safeguarding policies and guidance on safe working practices. Please see the school staff induction policy for more details of the induction process.

Existing staff:

If we have 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 moves 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, or there is reason to believe the individual has committed a listed 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

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.

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

- A section 128 check (to check prohibition on participation in management under section 128 of the Education and Skills Act 2008). [Section 128 checks are only required for local governors if they have retained or been delegated any management responsibilities.]
- Identity
- Right to work in the UK
- Other checks deemed necessary if they have lived or worked outside the UK

Adults working with children who are not employed directly by the school

Peripatetic staff:

We use staff employed by Central Bedfordshire Council who ensure and confirm that necessary checks and DBS requirements have been satisfactorily completed for peripatetic staff. 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.

Volunteers:

We carry out DBS checks with barred list information for regular volunteers. Volunteers who help on an occasional basis (e.g. trips/PTA events) are supervised, in accordance with legislation. 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

Students on placement:

When students are working in school as part of a recognised training course (such as PGCE, BEd, NVQ etc.), references and completion of an application form will not be required. However, we will require proof of DBS enhanced clearance with barred list check and will carry out identity checks when the student arrives at TJLS. We will also require students to complete the Childcare Disqualification Declaration form if they are working within the EYFS.

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.

Students on work experience:

When organising work experience, we will ensure that policies 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.

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.