



**Fulham**  
SCHOOL

## **SAFER RECRUITMENT POLICY**

<b>Reviewed by:</b>	<b>Human Resources</b>	<b>Sept 2022</b>
<b>Confirmed by:</b>	<b>Executive Head</b>	<b>Oct 2022</b>
<b>Approved:</b>	<b>Board of Governors</b>	<b>Oct 2022</b>

**Next review: September 2023**

## 1. Introduction

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

The purpose of this policy is to set out the minimum requirements of a recruitment process that aims to:

- follow safer recruitment procedures at all times to ensure compliance with all statutory requirements and relevant recommendations and guidance, including the recommendations of the Disclosure and Barring Service (DBS);
- ensure that the school meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks and interview procedures;
- ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position measured against the job description and person specification;
- ensure that all job applicants are considered equitably and consistently, in line with the School's Equal Opportunities Policy;
- help deter, identify and reject prospective applicants who are unsuitable for work with children.

This Policy has regard to:

- Keeping Children Safe in Education (September 2022) [KCSIE]
- Working Together to Safeguard Children (July 2018, updated December 2020) [WTTSC]
- The Equality Act 2010

## 2. Responsibilities

The governing body ensures that procedures and policies are in place for the safe recruitment of all staff and volunteers in accordance with best practice within the sector. Additionally, the Board ensures appropriate staff have received up to date safer recruitment training.

It is the responsibility of the Executive Head, Head, Executive Team and any other staff member nominated by the Executive Head or Head to:

- implement the school's safer recruitment procedures correctly;

- ensure all staff and volunteers working at the school undergo appropriate checks;
- monitor agency and contractor compliance with safe recruitment;
- promote the welfare of pupils at all stages of the process.

The school will ensure that at all times at least one person on the appointments panel has undertaken Safer Recruitment training

### **3. Recruitment & Selection Procedures**

#### **Advertising**

To ensure equality of opportunity, the School will advertise vacant posts to encourage as wide a field of applicant as possible. Normally this entails an external advertisement. Any advertisement will make clear the School's commitment to safeguarding and promoting the welfare of children, that safeguarding checks will be undertaken, and that the post is exempt from the provisions of the Rehabilitation of Offenders Act 1974 (as amended). A copy of our Child Protection and Safeguarding Policy can be found on the School's website.

The School will not normally follow an external recruitment process in the case of redeployment, where employees are under notice of redundancy and the vacancy is suitable alternative work, the employee is disabled or for health reasons requires alternative employment. Employees on temporary contracts can be made permanent without their job being advertised. The Executive Head or Head may designate some posts as suitable development opportunities for existing employees. These posts will not be advertised externally.

All documentation relating to applicants will be treated confidentially in accordance with data protection legislation.

#### **Application Forms**

The School uses its own application form and all applicants for employment will be required to complete an application form containing questions about their academic and full employment history and their suitability for the role (in addition all applicants are required to account for any gaps or discrepancies in employment history). CV's will not be accepted without a completed application form.

All applicants will be made aware that it is an offence to apply for the role if they are barred from engaging in regulated activity relevant to children or to provide false information. 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.

#### **Job Descriptions and Person Specifications**

A job description will be drawn up for the role and finalised prior to taking any other steps in the recruitment process. It will clearly and accurately set out the duties and responsibilities of the job role.

The person specification informs the selection decision and will set out the skills, experience, abilities and expertise that are required to do the job.

### **Shortlisting**

Shortlisting will be undertaken by at least two people from the recruitment panel. Candidates will be assessed against the person specification.

### **Self-declaration criminal record form**

Shortlisted candidates will be asked to complete and sign a self-declaration form of their criminal record or information that would make them unsuitable to work with children. It will make it clear that the post is exempt from the provisions of the Rehabilitation of Offenders Act 1974 (as amended) since it involves working with, or having access to children, and so applicants are required to declare:

- All unspent conditional cautions or convictions under the Rehabilitation of Offenders Act 1974
- All adult cautions (simple or conditional) or spent convictions that are not 'protected' as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended)

The amendments to the Exceptions Order provide that certain 'spent' convictions and cautions are 'protected' and are not subject to disclosure to employers and cannot be taken into account.

If the form only has an electronic signature, a written hard signature will be required at interview.

### **References**

References will only be sought for short listed applicants and will be sent for immediately after short listing to enable investigation as needed during interview. The only exception is where an applicant has indicated on their application form 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 formal offer of employment being made. Two professional references must be provided. These will always be sought and obtained directly from the referee and their purpose is to provide objective and factual information to support appointment decisions. Any discrepancies or anomalies will be followed up. Direct contact by phone or face-to-face will be undertaken with each referee to verify the reference, either by the Executive Head, Head or HR. In particular references will establish:

- The candidate's suitability to work with children and young people;
- Any substantiated allegations;
- Any disciplinary warnings, including time-expired warnings, relating to the safeguarding of children and young people;
- the candidate's suitability for the post;
- current post and salary;
- attendance record;
- disciplinary record.

The School does not accept open references, testimonials or references from relatives.

### **Interviews**

Assessment will be by face-to-face interview, and the same panel will see all the applicants for the vacant position. The interview process will explore the applicant's ability to carry out the job description and meet the person specification. It will enable the panel to explore any anomalies or gaps that have been identified in order to satisfy themselves that the chosen applicant can meet the safeguarding criteria (in line with Safer Recruitment Procedures).

Any information in regard to past disciplinary action or allegations, cautions or convictions (including as declared on the self-declaration criminal record form) will be discussed and considered in the circumstance of the individual case during the interview process.

All applicants who are invited to an interview will be required to bring evidence of their identity, address, birth certificate (where possible), right to work in the UK and qualifications. Original documents only will be accepted, and photocopies will be taken. Unsuccessful applicant documents will be destroyed following the end of the recruitment programme unless the applicant has given specific consent for data to be retained for the purpose of later re-consideration.

### **Offer of Appointment and New Employee Process**

The appointment of all new employees is subject to the successful completion of all checks required for the Single Central Record (SCR) – see section 4 below. These include a medical fitness declaration. Anyone appointed to a post involving regular contact with children must possess the appropriate level of physical and mental fitness before any appointment offer is confirmed. All applicants are requested to complete a medical questionnaire and where appropriate a doctor's medical report may be required. The School is an equal opportunities employer and adjustments to facilitate an applicant's ability to discharge their role will always be discussed and considered based on medical and other relevant information.

No employee will be permitted to start work until all statutory checks have been completed. The only exception to this rule is where there may be delayed receipt of a DBS certificate or delayed completion of overseas police checks. In such instances a barred list check will be completed and a risk assessment completed and signed off weekly to ensure the candidate is engaging in an appropriate level of activities with appropriate supervision pending final approval. The appropriate levels will vary depending on the risk factors and nature of the role.

### **DBS (Disclosure and Barring Service) Certificate**

All staff at the School require an enhanced DBS Certificate and therefore a DBS Certificate must be obtained before the commencement of employment of any new employee (though see note below). The employee must bring their certificate to the school before commencing any form of regulated activity. The certificate will be recorded in the Single Central Record (SCR) though copies will not be retained for longer than six months in line with data protection legislation.

Members of staff at the School must inform the Executive Head or Head of any cautions or convictions that arise between these checks taking place as well as their obligation to disclose if they are disqualified from providing relevant childcare provision (as defined in the Department for Education's statutory guidance on Disqualification under the Childcare Act 2006 (as amended from time to time)).

As from 1 January 2021 the Teaching Regulation Agency will no longer maintain a list of EEA teachers with sanctions and professional regulators in the EEA (EU, Iceland, Liechtenstein and Norway) will no longer share information about sanctions imposed on EEA teachers with the Teaching Regulation Agency (TRA) via the IMI (Internal Market Information) system. Therefore, we will ask teachers to provide a letter of professional standing. This should be a letter of professional standing issued by the professional regulating authority in the country in which they worked. We will consider such evidence alongside other information obtained through other pre-appointment checks to help assess their suitability.

For applicants who have lived or worked outside of the UK, we will continue to follow safer recruitment requirements and make any further checks we think appropriate so that relevant events that occurred outside the UK can be considered, this will include obtaining an enhanced DBS certificate with barred list information (even if the teacher has never been to the UK).

### **Dealing with convictions**

The School operates a formal procedure if a DBS Certificate is returned with details of convictions. Consideration will be given to:

- the nature, seriousness and relevance of the offence;
- how long ago the offence occurred;
- one-off or history of offences;
- changes in circumstances,
- decriminalisation and remorse.

A formal meeting will take place face-to-face to establish the facts with the executive Head or Head. A decision will be made following this meeting.

### **Induction Programme**

All new employees will be given an induction programme which will clearly identify the School's policies and procedures and make clear the expectation and Code of Conduct which will govern how staff carry out their roles and responsibilities. In particular the programme seeks to:

- ensure candidates understand the School's Child Protection and Safeguarding Policy and Staff Code of Conduct;
- check the candidate has read Part 1, Annex A and Annex B of KSCIE, in addition to key School policies and procedures.
- support individuals in a way that is appropriate for the role to which they have been appointed;
- provide opportunities for the candidate to discuss any issues or concerns about their role or responsibilities
- enable the candidate's subject coordinator or mentor to identify any concerns regarding the settling in process, teaching, behaviour management, relationships with pupils or staff and rectify them swiftly

## **4. Single Central Record (SCR)**

A Single Central Record (SCR) of recruitment and vetting checks, in line with legal requirements, is

maintained by the School. All individuals who work in regular contact with children, including governors, volunteers and those employed by third parties (supply agencies), are included. The SCR is kept up to date and checked by the safeguarding governor regularly. The SCR contains details of the following;

- Proof of identity and address;
- Confirmation of reference checks;
- Disqualification from childcare disclosure;
- Medical fitness disclosure;
- Enhanced DBS check for all those in regulated activity;
- Professional qualifications if appropriate;
- Overseas police checks where applicable;
- Right to work in the UK;
- Prohibition from teaching orders check where applicable;
- Prohibition from Management (s.128) check where applicable.

### **Social Media Checks**

In addition to the checks set out above, the School reserves the right to obtain such formal or informal background information about an applicant as is reasonable in the circumstances to determine whether they are suitable to work within a school setting. This may include internet and social media searches.

With regard to supply staff the register will record notification from the supply agency that all necessary checks have been made. Peripatetic staff such as music teachers and sports coaches will be subject to the checks as listed above before commencing employment.

## **5. Retention and security of disclosure information**

The school's policy is to observe the guidance issued or supported by the DBS on the use of disclosure information, with reference to data protection legislation.

In particular, the school will:

- store disclosure information and other confidential documents issued by the DBS in locked, non-portable storage containers, access to which will be restricted to members of the School's senior leadership team
- not retain disclosure information or any associated correspondence for longer than is necessary, usually for a maximum of six months. The school will keep a record of the date of a disclosure, the name of the subject, the type of disclosure, the position in question, the unique number issued by the DBS and the recruitment decision taken
- ensure that any disclosure information is destroyed by suitably secure means such as shredding at the date logged in the Personnel file.
- prohibit the photocopying or scanning of any disclosure information

### **Retention of other records**

Information will be processed, handled and stored in accordance with the Data Protection Act 2018. The school will retain any relevant information provided on the application form (together with any attachments) on the personnel file of candidates who are offered and accept the position for which they have applied. These files will be stored in a locked and secure cabinet.

DfE guidance requires that schools retain copies of identity documents, right to work, medical fitness and qualifications. Medical information may be used to help the school to discharge its obligations as an employer e.g. so that the school may consider reasonable adjustments if an employee suffers from a disability, or to assist with any other workplace issue.

It is normal practice for the school to retain personnel files for seven years after the member of staff has left, though any information relating to potential safeguarding concerns may be permanently retained.

The School will retain all interview notes on all applicants for a period of 6 months, after which time the notes will be destroyed (i.e. shredded). The 6-month retention period is in accordance with the Data Protection Act 2018 and will also allow the School to deal with any data access requests, recruitment complaints or to respond to any complaints made to an Employment Tribunal.

If the school wishes to retain the name and details of unsuccessful candidates on file for future vacancies, the candidates will be informed and offered the opportunity to remove their details from the School's records.

## **6. On-going Employment**

The School 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 on-going training and support for all staff, as identified through the annual review/appraisal process.

In addition, the School will undertake regular rescreening for key roles. Key roles include roles involved in regulated activity and any roles based within School settings. These include:

1. An up-to-date criminal record check/police vetting check at least every 5 years if not sooner;
2. A check against the registering or certificating body of registered professions regularly (recommended at least once every 5 years if not sooner)

All employees should be made aware of the requirement for ongoing screening as part of their employment conditions and any information or checking done in rescreening should be added to the School's Single Central Register.

## **7. Leaving Employment at the School**

Despite the best efforts to recruit safely there will be occasions when allegations of abuse against children and young people are raised. These allegations will be handled in accordance with the Child Protection and Safeguarding Policy in conjunction with the Disciplinary Policy.



In cases of dismissal (or resignation), the School will: refer any cases of suspected abuse to the relevant children's social care services:

- a. Refer to the Local Authority Designated Officer (LADO) for cases involving child protection and concerns regarding staff or other adults in the school and to act accordingly on the advice provided;
- b. Refer to the Channel programme where there is a radicalisation concern;
- c. Refer to the police in any cases of FGM or where it is thought a crime may have been committed;
- d. In consultation with the Executive Head or Head and Governor responsible for safeguarding refer to the Disclosure and Barring Service (DBS) in cases where a person is dismissed or leaves due to risk/harm to a child.
- e. In consultation with the Executive Head or Head and Governor responsible for safeguarding refer to the Teaching Regulation Agency (TRA) as appropriate. Concerns that do not meet the threshold for referral to the DBS may still require referral to the TRA.

## **8. EYFS and Childcare for Children Under 8 - disqualification requirements**

The Childcare Act 2006, the Childcare (Disqualification) Regulations 2009, and 'Disqualification under the Childcare Act 2006' place separate and additional requirements on schools.

Staff are covered by this legislation if they are involved in;

- Early years provision - staff who provide any care for a child up to and including reception age. This includes education in nursery and reception classes and/or any supervised activity (such as breakfast clubs, lunchtime supervision and after school care provided by the school) both during and outside of school hours for children in the early years age range
- Later years provision (for children under 8) - staff who are employed to work in childcare provided by the school outside of school hours for children who are above reception age but who have not attained the age of 8. This does not include education or supervised activity for children above reception age during school hours (including extended school hours for co-curricular learning activities).
- The management of early or later years provision. This includes the Executive Head or Head and, on occasion, other members of the school's management team and any manager, supervisor, leader or volunteer responsible for the day-to-day management of the provision.

The key requirement of the Act upon schools is that they must not knowingly employ people to work in childcare or allow them to be directly concerned in its management, if they are 'disqualified' unless they have received a valid waiver from Ofsted.

This school fulfils the duty to have regard to the Disqualification guidance by:

- Requiring all new staff to complete a self-disclosure form
- Ensuring all those connected with EYFS and childcare in the school have access to this policy and understand the requirements of the legislation, including that they may be disqualified by association

- Taking all required steps to gather sufficient and accurate information about whether any member of staff in a relevant childcare setting is disqualified

In addition to inclusion on the DBS Children's Barred List, the grounds for disqualification include:

- being found to have been cautioned about or having committed certain violent and sexual criminal offences against children and adults at home or abroad which are referred to in regulation 4 and Schedules 2 and 3 of the 2009 Regulations (note that regulation 4 also refers to offences that are listed in other pieces of legislation)
- being the subject of certain orders made in relation to the care of children which are referred to in regulation 4 and listed at Schedule 1 of the 2009 Regulations
- refusal or cancellation of registration relating to childcare or children's homes, or being prohibited from private fostering, as specified in Schedule 1 of the 2009 Regulations

Staff providing such care should note that disqualification by association ceased to apply to care in a school setting from September 2018. However, all such staff are subject to the rigours of the School's safer recruitment procedures and to the safeguarding arrangements laid out in this policy and related policies.