



## Safer Recruitment Policy

### Derby Diocesan Academy Trust Policy

Adopted by Bishop Lonsdale Church of England Primary School & Nursery

Annual Review Date by school:  
April 2020

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Appendix 1: Recruitment Checklist

## **1.0 Introduction**

This document sets out the duties and responsibilities of all staff at Derby Diocesan Academy Trust (DDAT) schools in relation to recruiting and vetting staff, contractors or volunteers and for maintaining a safe learning environment, including the process for dealing with allegations of abuse against staff or visitors. We will comply with Safer Recruitment best practice, some of which is underpinned by legislation including the Safeguarding Vulnerable Groups Act 2006 and the Education Act 2002 s157. We have a duty to ensure that all supply agencies and many contractors supplying services to the school also use Safer Recruitment techniques.

## **2.0 Context**

Experience shows the importance of organisations that provide services to children operating recruitment and selection procedures and other human resources (HR) management processes that help deter, reject, or identify people who might abuse children, or are otherwise unsuited to work with them. Making safeguarding and promoting the welfare of children an integral factor in HR management is an essential part of creating safe environments for children and young people.

The measures described in this policy will be applied in relation to everyone who works at DDAT schools including those who may not have direct contact with children as a result of their job, but nevertheless will be seen as safe and trustworthy because of their regular presence in the setting. This includes workers not on the payroll, e.g. staff employed by contractors, and unpaid volunteers. This policy is not a comprehensive guide to recruitment and selection or employment issues. It does not cover all the issues relevant to that subject. It is not a substitute for training in those areas, or in interviewing and assessment techniques. Staff who recruit and select staff and volunteers will need appropriate training as well as support and advice from the Trust HR team to ensure their practice satisfies the requirements of employment law.

## **3.0 Safer Recruitment Training**

Safeguarding Children and Safer Recruitment in Education (DfES 2007) requires that the Headteacher and at least one governor must have completed approved online Safer Recruitment training through the NSPCC.

From January 2010 it is anticipated that every interview panel for a school-based post must include at least one member with the NSPCC certificate.

### **Elements of Safer Recruitment**

Safer practice in recruitment means thinking about and including issues to do with child protection and safeguarding and promoting the welfare of children at every stage of the process. It starts with the process of planning the recruitment exercise and, where the post is advertised, ensuring that the advertisement makes clear our commitment to safeguarding and promoting the welfare of children. It also requires a consistent and thorough process of obtaining, collating, analysing, and evaluating

information from and about applicants. Main elements of the process include:

- ensuring the job description makes reference to the responsibility for safeguarding and promoting the welfare of children.
- ensuring that the person specification includes specific reference to suitability to work with children.
- obtaining and scrutinising comprehensive information from applicants, and taking up and satisfactorily resolving any discrepancies or anomalies.
- obtaining independent professional and character references that answer specific questions to help assess an applicant's suitability to work with children and following up any concerns.
- a face-to-face interview that explores the candidate's suitability to work with children as well as his or her suitability for the post.
- verifying the successful applicant's identity.
- verifying that the successful applicant has any academic or vocational qualifications claimed.
- checking his or her previous employment history and experience.
- verifying that s/he has the health and physical capacity for the job.
- the mandatory check of an Enhanced Disclosure via the DBS.

N.B. It is important not to rely solely on criminal record checks to screen out unsuitable applicants. Those checks are an essential safeguard, but they will only pick up those abusers who have been convicted, or have come to the attention of the police, or who have been listed.

The checklist at Appendix 1 provides a convenient way of signing off each stage of the process and can be filed as a permanent record at the end of the process. Completion of this checklist will fulfil the statutory requirement to maintain a record of the recruitment and vetting checks which have been undertaken as specified in this guidance.

#### **4.0 Policy statement**

**“This Trust is committed to safeguarding and promoting the wellbeing of children and young people and expects all staff and volunteers to share this commitment.”**

The statement above should be included in:

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

## 5.0 Interviews

DDAT schools will only progress individuals to interview if they have completed the school's application form – Curriculum Vitae's only will not be an acceptable form of application.

The selection process for people who will work at a DDAT School should always include a face-to-face interview even if there is only one candidate. At the interview, the identity of the successful candidate will be checked thoroughly to ensure the person is who he or she claims to be, and the successful candidate will be required to complete an application for a DBS Disclosure straight away.

Consequently all candidates should be instructed to bring with them documentary evidence of their identity that will satisfy DBS requirements.

### Involving Pupils and Students

We are committed to involving pupils and students in the recruitment and selection process where appropriate. This may be by student panel, lesson observation or group activities, for example.

## 6.0 Conditional offer of Employment – pre-employment checks

An offer of appointment to the successful candidate should be conditional upon:

- the receipt of at least two satisfactory references (if those have not already been received – see below).
- verification of the candidate's identity (if that could not be verified at interview).
- a satisfactory DBS Disclosure.
- verification of the candidate's medical fitness.
- verification of qualifications (if not verified at interview).
- verification of professional status where required e.g. GTC registration, QTS status (unless properly exempted), NPQH
- (for teaching posts) verification of successful completion of statutory induction period (applies to those who obtained QTS after 7 May 1999), and
- (for non teaching posts) satisfactory completion of the probationary period.

NB In any case where a reference has not been obtained on the preferred candidate before interview, the chair of the interview panel must ensure that it is received and scrutinised, and any concerns are resolved satisfactorily, before the person's appointment is confirmed.

All checks should be:

- confirmed in writing.
- documented and retained on the personnel file (subject to relevant advice).
- contained in the DBS Code of Practice and our own data protection arrangements), and
- followed up where they are unsatisfactory or there are discrepancies.

Additional due diligence checks may be carried out by the school including an online check for current and former names of candidates.

### **7.0 Post Appointment: Induction**

There will be an induction programme for all staff and volunteers newly appointed including teaching staff, regardless of previous experience. The purpose of induction is to:

- Provide training and information about our policies and procedures.
- Support individuals in a way that is appropriate for the role for which they have been engaged.
- Confirm the conduct expected of staff within the school.
- Provide opportunities for a new member of staff or volunteer to discuss any issues or concerns about their role or responsibilities.
- Enable the person's line manager or mentor to recognise any concerns or issues about the person's ability or suitability at the outset and address them immediately.

The induction programme will include information and written statements of:

- Policies and procedures in relation to safeguarding and promoting welfare e.g. child protection, anti-bullying, anti-racism, physical intervention or restraint, internet safety and local child protection and safeguarding procedures.
- Safe practice and the standards of conduct and behaviour expected of staff and pupils.
- How and with whom any concerns about those issues should be raised.
- Other relevant personnel procedures e.g. disciplinary, capability and whistleblowing.

### **8.0 Recruiting and Vetting checks**

See also:

- 'Safeguarding Children and Safer Recruitment in Education' (DfES 2007 chapter 5)
- Safeguarding Vulnerable Groups Act 2006

All staff appointments to DDAT schools will be subject to an enhanced disclosure from the Criminal Records Bureau (a DBS check) in line with current legislation. This requirement will also apply to all supply staff, volunteers visiting the school regularly - once a month or more, or for more than three days in one month – and some contractors (see 'Safeguarding Children and Safer Recruitment in Education' chapter 4.74 - 4.76).

We expect all staff to notify the Headteacher of any cautions or convictions accrued whilst in the employ of this school.

We will ensure that all adults – whether employees or volunteers – involved in overnight or residential activities have a current enhanced DBS.

### **9.0 The Single Central List**

We will also make all other recruitment checks as outlined earlier and will keep a single central list as described in DCSF guidance (see appendix 2). The single central list will include all employees, supply

staff, relevant contractors and volunteers. The central record must indicate whether or not the following have been completed:

Identity checks;

- Qualification checks for any qualifications legally required for the job e.g. those posts where a person must have QTS, NPQH, etc. Additionally, for those applying for teaching posts, registration check with the GTC where appropriate;
- Checks of permission to work in the United Kingdom;
- DBS Enhanced Disclosure; and
- Further overseas criminal records checks where appropriate (see 'Safeguarding Children & Safer Recruitment in Education' (DfES 2007) paragraphs 4.65 to 4.71 for advice on staff who have lived or worked outside the United Kingdom).

### **10.0 Supply Staff**

DDAT schools will expect supply agencies to comply with 'Safer Recruitment' techniques and we will seek written confirmation from each agency to this effect. We will require the DBS disclosure reference for each agency worker in order that this can be recorded on the single central list. In addition, we will seek to verify the identity of each agency worker when they arrive on site and these checks will also be recorded.

### **11.0 Dealing with Allegations of Abuse Against Staff and Volunteers**

See also:

- 'Safeguarding Children and Safer Recruitment in Education' (DfES 2007 chapter 5)
- 'Working Together to Safeguard Children' (DfES 2006)
- Child Protection Policy

It is essential that any allegation of abuse made against a teacher or other member of staff or volunteer is dealt with fairly, quickly, and consistently, in a way that provides effective protection for the child, and at the same time supports the person who is the subject of the allegation.

This section outlines how we will manage concerns that might indicate that a person is unsuitable to continue to work with children in their present position, or in any capacity. It should be used in respect of all cases in which it is alleged that a teacher or member of staff (including a volunteer) in our school has:

- behaved in a way that has harmed a child, or may have harmed a child
- possibly committed a criminal offence against or related to a child or
- behaved towards a child or children in a way that indicates s/he is unsuitable to work with children

Any adult in school, if they receive an allegation against another member of staff / visitor, or if they themselves have concerns about the behaviour of another adult, must report their concern straight away, normally to the Headteacher. In cases where the Headteacher is the subject of the allegation or

concern, this must be reported to the Chair of Governors. The Headteacher or, where relevant, the Chair of Governors, will immediately contact the school's HR adviser.

### **Supporting those involved**

Parents or carers of a child or children involved should be told about the allegation as soon as possible if they do not already know of it (subject to agreement by the Local Authority Designated Officer [LADO]). They should also be kept informed about the progress of the case, and told the outcome where there is not a criminal prosecution, including the outcome of any disciplinary process. Please note that the deliberations of a disciplinary hearing, and the information taken into account in reaching a decision, cannot normally be disclosed, but the parents or carers of the child should be told the outcome.

We will also keep the person who is the subject of the allegations informed of the progress of the case and consider what other support is appropriate for the individual. If the person is suspended, we will also keep the individual informed about developments at school. If the person is a member of a union or professional association s/he should be advised to contact that body at the outset.

### **Confidentiality**

Every effort should be made to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

### **Resignations and Compromise Agreements**

The fact that a person tenders his or her resignation, or ceases to provide their services, must not prevent an allegation being followed up in accordance with these procedures. It is important that every effort is made to reach a conclusion in all cases of allegations bearing on the safety or welfare of children, including any in which the person concerned refuses to cooperate with the process.

“Compromise agreements”, by which a person agrees to resign and the school agrees not to pursue disciplinary action, and both parties agree a form of words to be used in any future reference, **must not** be used in these cases. In any event, such an agreement will not prevent a thorough police investigation where that is appropriate.

### **Record Keeping**

It is important that a clear and comprehensive summary of any allegations made, details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached, is kept on a person's confidential personnel file, and a copy provided to the person concerned. The record should be retained at least until the person has reached normal retirement age or for a period of 10 years from the date of the allegation if that is longer.

### **Initial Considerations**

The procedures need to be applied with common sense and judgement. In rare cases allegations will be so serious as to require immediate intervention by children's social care and/or police. Others that meet the criteria may seem much less serious and on the face of it will not warrant consideration of a police investigation, or enquiries by children's social care. However, it is important to ensure that even



allegations that appear less serious are seen to be followed up and taken seriously, and that they are examined objectively by someone independent of the school. Consequently, via our HR adviser, the local authority designated officer (LADO) will be informed of all allegations that come to our attention and appear to meet the criteria above, so that s/he can consult police and social care colleagues as appropriate.

The Headteacher should inform the accused person about the allegation as soon as possible after consulting HR. However, where a strategy discussion is needed, or police or children's social care may need to be involved, the Head will not do that until those agencies have been consulted, and have agreed what information can be disclosed to the person.

### **Suspension**

The possible risk of harm to children posed by an accused person needs to be effectively evaluated and managed – in respect of the child(ren) involved in the allegations, and any other children in the individual's home, work or community life. In some cases that will require the Head teacher to consider suspending the person until the case is resolved.

Suspension should be considered in any case where there is cause to suspect a child is at risk of significant harm, or the allegation warrants investigation by the police, or is so serious that it might be grounds for dismissal. However, a person must not be suspended automatically, or without careful thought. The power to suspend is vested in the head teacher or principal and the governing body of the school. However, where a strategy discussion or initial evaluation concludes that there should be enquiries by social care and/or an investigation by the police, this should inform the school's consideration of suspension.

### **Investigations**

Where the initial consideration decides that the allegation does not involve a possible criminal offence it will be for the employer to deal with it. In such cases, if the nature of the allegation does not require formal disciplinary action, the Headteacher should institute appropriate action **within three working days**. If a disciplinary hearing is required and can be held without further investigation, the hearing should be held **within 15 working days**.

Where further investigation is required to inform consideration of disciplinary action the head teacher and the school's HR adviser should discuss who will undertake that with the local authority designated officer. In some circumstances it may be appropriate for the disciplinary investigation to be conducted by a person who is independent of the school. In any case the investigating officer should aim to provide a report to the employer **within 10 working days**.

On receipt of the report of the disciplinary investigation, the Headteacher and Chair of Governors should decide whether a disciplinary hearing is needed **within two working days**. If a hearing is needed it should be held **within 15 working days**.

### **Action on Conclusion of a Case**

If the allegation is substantiated and the person is dismissed or the school ceases to use the person's services, or the person resigns or otherwise ceases to provide his or her services, we have a duty under the Safeguarding Vulnerable Groups Act 2006 to make a referral. The DDAT HR team will make this referral.

In cases where it is decided on the conclusion of the case that a person who has been suspended can return to work, we will consider how best to facilitate that. Most people will benefit from some help and support to return to work after a very stressful experience. Depending on the individual's circumstances, a phased return and/or the provision of a mentor to provide assistance and support in the short term may be appropriate. We will also consider how the person's contact with the child or children who made the allegation can best be managed.

### **Action in respect of False Allegations**

If an allegation is determined to be false, the LADO may refer the matter to children's social care to determine whether the child concerned is in need of services, or may have been abused by someone else. In the rare event that an allegation is shown to have been deliberately invented or malicious, the head teacher will consider whether any disciplinary action is appropriate against the pupil who made it, or the police may be asked to consider whether any action might be appropriate against the person responsible if s/he was not a pupil.

### **12.0 References and useful websites**

*Child Protection: Information & Procedures for Schools* (composite file) Education Leeds 2004

Every Child Matters Change for Children: <http://www.everychildmatters.gov.uk/>

General Teaching Council for England (GTC) [www.gtce.org.uk](http://www.gtce.org.uk)

*Physical and Mental Fitness to Teach of Teachers and Entrants to Initial Teacher*

*Training*, DfEE – Circular 4/99 [www.dfes.gov.uk/publications/guidanceonthelaw/6\\_99/circa148.htm](http://www.dfes.gov.uk/publications/guidanceonthelaw/6_99/circa148.htm)

Quality Mark for supply agencies (DCSF) <http://www.rec.uk.com/rec/about-therec/quality-mark.aspx>

Safeguarding Children and Safer Recruitment in Education (DfES 2007)

Staffing Guidance Under Section 35(8) and 36(8) of the Education Act 2002:

<http://www.governornet.co.uk/linkAttachments/New%20Staffing%20>

[Guidance.pdf](#)

The Office for Standards in Education (Ofsted) [www.ofsted.gov.uk](http://www.ofsted.gov.uk)

Working Together to Safeguard Children (DfES 2006)

### **13.0 Monitoring and Evaluation**

The Headteacher will review this policy statement annually and update it in consultation with key staff, in line with current best practice as s/he considers necessary.

## 14.0 Approval by Trust and Review Date

This policy has been formally approved and adopted by the Trust at a formally convened meeting.

Signed: \_\_\_\_\_  
(Chair of Governing Body)

Review date: April 2020

**End of statement**

## Appendix 1 – Recruitment and Selection Checklist

<b>PRE-INTERVIEW:</b>	<b>Initials</b>	<b>Date</b>
<b>PLANNING</b> Timetable decided: job specification and description and other documents to be provided to application reviewed and updated as necessary. Application form seeks all relevant information and includes relevant statements about references etc.		
<b>VACANCY ADVERTISED</b> (where appropriate) Advertisement includes reference to safeguarding policy, i.e. statement of commitment to safeguarding and promoting welfare of children, and need for successful applicant to be CRB checked.		
<b>APPLICATIONS</b> on receipt Scrutinised – any discrepancies/ anomalies/ gaps in employment noted to explore if candidate considered for shortlisting.		
<b>SHORTLIST PREPARED</b>		
<b>REFERENCES – seeking</b> Sought directly from referee on short listed candidates: ask recommended specific questions: include statement about liability for accuracy.		
<b>REFERENCES – on receipt</b> Checked against information on application; scrutinised; any discrepancy/ issues of concern noted to take up with applicant (at interview if possible) .		
<b>INVITATION TO INTERVIEW</b> Includes all relevant information and instructions.		
<b>INTERVIEW ARRANGEMENTS</b> At least 2 interviewers: panel members have authority to appoint: have met and agreed issues and questions/ assessment criteria/ standards.		
<b>PRE-INTERVIEW:</b>	<b>Initials</b>	<b>Date</b>
<b>INTERVIEW</b> Explores applicants' suitability for work with children as well as for the post.		
NB Identity and qualifications of successful applicant verified on day of interview by scrutiny of appropriate original documents:		

copies of documents taken and placed on file; where appropriate applicant completed application for CRB Disclosure.		
<b>CONDITIONAL OFFER OF APPOINTMENT: PRE APPOINTMENT CHECKS</b> Offer of appointment is made conditional on satisfactory completion of the following pre-appointment checks and for non-teaching posts a probationary period.		
<b>REFERENCES</b> (if not obtained and scrutinised previously).		
<b>IDENTITY</b> (if that could not be verified straight after the interview.		
<b>QUALIFICATIONS</b> (if not verified on the day of interview) .		
Permissions to work in UK if required.		
CRB – Where appropriate satisfactory CRB disclosure received.		
LIST 99 – person is not prohibited from taking up post		
HEALTH – the candidate is medically fit.		
GTC England – (for teaching post in maintained schools and non-maintained special schools) the teacher is registered with the GTC or exempt from registration.		
QTS – (for teaching posts in maintained schools the teacher has obtained QTS or is exempt from the requirement to hold QTS (for teaching posts in FE colleges the teacher has obtained a Post Graduate Certificate of Education (PGCE) or Certificate of Education (Cert. Ed) awarded by a higher Education Institute (HEI), or the FE Teaching Certificate conferred by an awarding Body.		
STATUTORY INDUCTION (for teachers who obtained OTS after 7 May 1999).		

