

**Caroline Haslett Primary School
& Faraday Club**



Safer Recruitment Policy Toolkit

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Approved by the Headteacher:

Signed: _____ **(Headteacher) Date:**

Approved by the Governing Board:

Signed: _____ **(Chair of Governors) Date:**

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Introduction

This Toolkit had been developed [in line with Milton Keynes Council guidance] using the Department for Education '*Keeping Children Safe In Education - Statutory Guidance For Schools And Colleges*' and the DfE Statutory guidance '*Regulated Activity (Children) – supervision of activity with children which is regulated activity when unsupervised*'.

Whilst this Toolkit focuses on safer recruitment, following the procedures demonstrated will also ensure recruitment processes are fair and meet equality and employment law requirements.

Further guidance should be sought from the school's HR Provider on any aspect of the recruitment and selection and clearance process around which any uncertainty, difficulty or concern arises.

To make sure we recruit suitable people, we will ensure that those involved in the recruitment and employment of staff to work with children have received appropriate safer recruitment training.

Recruitment process overview

For successful recruitment, it is important to plan the whole process from the outset. This will ensure that sufficient time is allowed between each stage so that applicants are given essential and focussed information about the school and the post they are applying for. This is to deter unsuitable people from applying for the role. It is essential to identify the people that will be involved in the recruitment process and what their responsibilities will be. Additionally, timescales will need to be planned to ensure that there is sufficient time to obtain references, give applicants enough time to prepare for the interview and carry out other pre-employment checks before the successful applicant starts with the organisation. The time and planning spent at this stage can reduce the risk of making an unsuitable appointment

The recruitment process should consist of:

- Reviewing role profiles and ensuring that they are up to date and that they make 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
- Advertising the vacancy in the appropriate media
- Using application forms to obtain and scrutinise comprehensive information about applicants
- Shortlisting against essential criteria for the role to ensure the best applicants are interviewed
- Ensuring references are obtained that help assess applicants' suitability for the post through specific focussed questions

- Conducting face to face interviews that ask appropriately robust questions that ensure their suitability to work with children
- Verification of applicant's identity
- Verification of qualifications and skills
- Verification of an applicant's previous employment history and experience.
- Verification of the employees Right to Work in the UK
- Completion of appropriate mandatory employment checks via the Disclosure and Barring Service (DBS)

The Disclosure and Barring Service (DBS) helps employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children. It replaces the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA).

DBS are responsible for:

Processing for criminal records checks (DBS checks)

Deciding whether it is appropriate for a person to be placed on or removed from a barred list and adults' barred list for England, Wales and Northern Ireland

- Verification that the applicant has the health and capacity to carry out the role by completion of the Occupational Health requirements for all appointed candidates.
- Induction programmes that ensure a "safeguarding children" culture is adopted and embedded into continuing practice
- Probationary Period
- Teachers Induction (Induction for Newly Qualified Teachers)
- For teachers – checking for prohibition orders

What is a Prohibition Order? - A prohibition order means that the individual concerned is not allowed to undertake unsupervised teaching work in schools, or other set-ups defined under the regulations. Once an individual is prohibited, their details will appear on a Prohibited List, which is administered by the National College for Teaching & Leadership (NCTL) and can be accessed by current and future employers, free of charge.

Role profiles for staff and volunteers

The role profile for the post should give a clear description of the main purpose or function of the role/volunteer role.

For teaching staff, the role profile will need to be built around the duties and responsibilities defined in the School Teachers' Pay and Conditions Document (STPCD). Generic profiles can be drawn up with specialist areas of responsibility defined as a supplement to the main role profile e.g. Curriculum Leader, Year Leader, SENCO etc.

For support staff, schools should use evaluated model role profiles, where available, to adapt as necessary to reflect local needs when duties have changed significantly.

New roles, or roles which do not match an already evaluated role, should be submitted to the Job Evaluation Team to be evaluated using the job evaluation scheme, this will ensure

that the correct grade is allocated to match the responsibilities and duties of the role, therefore, ensuring against equal pay claims.

All role profiles, where the post holder is in contact with children, should detail the individual's responsibility for promoting and safeguarding the welfare of children and young persons and should include the following statement:

“Milton Keynes Council (MKC) is committed to safeguarding and promoting the welfare of children and vulnerable adults. All employees are expected to share this commitment, to follow the Council's safeguarding policies and procedures Safer Recruitment Schools Toolkit - FV4.0 - June 2020 5 and to behave appropriately towards children and vulnerable adults at all times, both in work and in their personal lives.”

The person specification should detail the qualifications, skills and experience along with any other requirements to undertake the role. This should be based on information within the role profile and the conditions applying to the post.

The person specification is crucial in that it will help shape how the recruitment process is conducted. It is essential to separate these features into essential and desirable categories.

Time spent on the production of a full, carefully prepared and objective person specification will invariably avoid later difficulties in interpreting and applying vague and unclear requirements.

The role profile is the document against which the competence of the applicants is measured. It is, therefore, vital that these documents are accurate and reflect the required competencies, skills and experience that are needed for the role.

If the recruitment decision is challenged it will prove difficult to defend such a challenge without an accurate and comprehensive person specification.

Role profile template

Advertising

All vacancies should be advertised to ensure equality of opportunity and a safeguarding commitment. All adverts should include the statement “This Post is Subject to Safer Recruitment” and, “Where Relevant, an Enhanced DBS with Barring Check is required for this Post”. This may be an internal only advertisement, external of the MKC website or in other media. When the need arises to advertise a post, it is recommended that the following information is included in an advert:

- Role Title, detailing key stage or subject specialism if appropriate
- Hours per week
- Salary (clarifying whether actual or FTE) including any additional allowances payable
- Whether the role is fixed term or permanent (specify duration if fixed term)
- Whether the post is term time, term time + x weeks, or all year round
- Likely start date for position

- Brief description of the school/ department/team
- Brief description of role
- Any experience, qualities or qualifications required for the role
- Interview dates (if known)
- Closing date for advert
- Who to contact for an informal discussion/school visit/ more details about the post
- School website address
- Full school address, including postcode and telephone number
- Safeguarding statement
- Whether or not the role is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020. If the role is exempt, certain spent convictions and cautions are 'protected', so they do not need to be disclosed, and if they are disclosed, we cannot take them into account

Information will not need to be included that is already contained in the role profile and person specification, however the advert content should be consistent with this Safer Recruitment Schools Toolkit.

The school must explicitly state its commitment to safeguarding children. The following safeguarding statement (or similar) should be included in all adverts and correspondence to applicants: *"MKC is committed to making sure that everyone living in Milton Keynes is safe and protected and that our specific statutory responsibilities to safeguard children and vulnerable adults are effectively met."*

Safeguarding children and adults from abuse is everybody's business. We all share a responsibility, both corporately and individually, to ensure that every person in society is treated with dignity and respect and protected from others who may abuse them. All school employees, elected members and contractors who come into contact with children or vulnerable adults in the course of their work have a duty of care to safeguard and promote their welfare and to work to prevent, detect and report neglect and abuse."

MK Together Safeguarding Partnership has responsibility for working together to oversee the safety and well-being of children and young people in Milton Keynes.

Candidate information packs

The Candidate Information pack/advert should include:

- Application form
- A detailed role profile
- Details about grade and type of post e.g. Is it fixed term, part time etc.
- Details of key terms and conditions of employment e.g. term time only, holiday entitlement
- Information about the recruitment and selection process i.e. interview dates or details of observations, interview tasks etc.
- Safeguarding statement

Application forms

Our application forms will:

- Include a statement saying that it is an offence to apply for the role if an applicant is barred from engaging in regulated activity relevant to children (where the role involves this type of regulated activity)
- Include a link to our child protection and safeguarding policy

Shortlisting

Our shortlisting process will involve at least 2 people and will:

- Consider any inconsistencies and look for gaps in employment and reasons given for them
- Explore all potential concerns

Once we have shortlisted candidates, we will ask shortlisted candidates to complete a self-declaration of their criminal record or any information that would make them unsuitable to work with children, so that they have the opportunity to share relevant information and discuss it at interview stage. The information we will ask for includes:

- If they have a criminal history
- Whether they are included on the barred list
- Whether they are prohibited from teaching
- Information about any criminal offences committed in any country in line with the law as applicable in England and Wales
- Any relevant overseas information

We will ask them to sign a declaration confirming the information they have provided is true.

We will also consider carrying out an online search on shortlisted candidates to help identify any incidents or issues that are publicly available online. Shortlisted candidates will be informed that we may carry out these checks as part of our due diligence process.

Seeking references and checking employment history

We will obtain references before interview. Any concerns raised will be explored further with referees and taken up with the candidate at interview.

When seeking references, we will:

- Not accept open references
- Liaise directly with referees and verify any information contained within references with the referees

- Ensure any references are from the candidate's current employer and completed by a senior person. Where the referee is school based, we will ask for the reference to be confirmed by the headteacher/principal as accurate in respect to disciplinary investigations
- Obtain verification of the candidate's most recent relevant period of employment if they are not currently employed
- Secure a reference from the relevant employer from the last time the candidate worked with children if they are not currently working with children
- Compare the information on the application form with that in the reference and take up any inconsistencies with the candidate
- Resolve any concerns before any appointment is confirmed

Interview and selection

When interviewing candidates, we will:

- Probe any gaps in employment, or where the candidate has changed employment or location frequently, and ask candidates to explain this
- Explore any potential areas of concern to determine the candidate's suitability to work with children
- Record all information considered and decisions made

Pre-appointment vetting checks

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 individuals' personnel files. We follow requirements and best practice in retaining copies of these checks, as set out below.

A. New staff

All offers of appointment will be conditional until satisfactory completion of the necessary pre-employment checks. When appointing new staff, we will:

- Verify their identity
- Obtain (via the applicant) an enhanced DBS certificate, including barred list information for those who will be engaging in regulated activity (see definition below). We will obtain the certificate before, or as soon as practicable after, appointment, including when using the DBS update service. We will not keep a copy of the certificate for longer than 6 months, but when the copy is destroyed we may still keep a record of the fact that vetting took place, the result of the check and recruitment decision taken
- Obtain a separate barred list check 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. These could include, where available:
 - For all staff, including teaching positions: criminal records checks for overseas applicants
 - For teaching positions: obtaining a letter from the professional regulating authority in the country where the applicant has worked, confirming that they have not imposed any sanctions or restrictions on that person, and/or are aware of any reason why that person may be unsuitable to teach

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.

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

B. Existing staff

In certain circumstances we will carry out all the relevant checks on existing staff as if the individual was a new member of staff. These circumstances are when:

- There are concerns about an existing member of staff's suitability to work with children; or
- An individual moves from a post that is not regulated activity to one that is; or
- There has been a break in service of 12 weeks or more

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
- We believe the individual has received a caution or conviction for a relevant (automatic barring either with or without the right to make representations) offence, under the

Safeguarding Vulnerable Groups Act 2006 (Prescribed Criteria and Miscellaneous Provisions) Regulations 2009; or

- We believe 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

C. 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 on whom the checks have been made.

D. 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.

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.

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.

E. Trainee/student teachers

Where applicants for initial teacher training are salaried by us, we will ensure that all necessary checks are carried out.

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

F. Volunteers

We will:

- Never leave an unchecked volunteer unsupervised or allow them to work in regulated activity
- Obtain an enhanced DBS check with barred list information for all volunteers who are new to working 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
- 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

G. 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 governors will also have a section 128 check (as a section 128 direction disqualifies an individual from being a maintained school governor).

H. 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.

Equal opportunities statement

MKC is an equal opportunities employer. The aim of the Equalities Policy is to ensure that no job applicant or employee receives less favourable treatment on the grounds of race, colour, nationality, gender, sexual orientation, marital status, age, religion or any disability nor is disadvantaged by conditions or requirements which cannot be shown to be justifiable.

Monitoring and review

This Safer Recruitment Policy Toolkit will be monitored and reviewed by the Headteacher annually, or sooner in line with legislation changes.

At every review, the policy will be approved by the full governing board.

Links with other policies

This Safer Recruitment Policy Toolkit links to the Child Protection Policy.