

## Safer Recruitment Policy

### **1. Introduction**

This policy has been developed in accordance with the DfE Guidance contained in 'Keeping Children Safe in Education 2019'.

The Academy takes seriously its responsibility under Section 175 of the Education Act 2002 to safeguard and promote the welfare of students and to work together with other agencies to ensure arrangements within the Academy are effective in protecting students.

### **2. Principles**

The safe recruitment of all staff and volunteers is the first step to safeguarding and promoting the welfare of our children and young people.

The Academy is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. This is to be achieved through effective recruitment and retention of competent, motivated staff members who are suited to their roles.

The Academy recognises the value of and seeks to achieve a diverse workforce comprising different backgrounds, skills and abilities. As such, it is committed to a recruitment and selection process which is systematic, efficient, effective and equal. In doing so, it upholds its obligations under law and national collective agreements to not discriminate against applicants on grounds of age, sex, sexual orientation, marital status, disability, race, colour, nationality, ethnic origin, religion or creed.

The purpose of this policy is to ensure the practice of safe recruitment of staff appointed to the Academy. It also sets out the minimum requirements to:

- attract the best possible applicants to vacancies;
- deter prospective applicants unsuitable for work with children and young people;
- identify and reject applicants unsuitable for work with children and young people.

### **3. Recruitment Procedures**

The following procedures and practices are in place to ensure the safe recruitment of all staff and volunteers.

#### **3.1 Advertising and Inviting Applications**

All advertisements for all posts will clearly stipulate the stance adopted by the Academy by the inclusion of the following statement:

*'The Academy is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. A criminal disclosure check will be requested for any applicant who is offered a position'.*

This statement will also be present on the Academy's websites, on the vacancy page.

### **3.2 Application Pack**

Prospective applicants will be supplied with the following:

- A copy of the advert, how to apply for the vacancy and the closing date;
- The Academy Application Form;
- Job Description and Person Specification; these will include references to the responsibility of all staff for safeguarding and to promote the welfare of students, as well as including suitability to work with children as an essential criterion;
- Access to the Privacy Notice for Candidates, in line with data protection and GDPR.

All applicants must complete the application form in full; CV's will not be acceptable. The Academy reserves the right to reject any incomplete applications.

### **3.3 Applicant Selection/ Short-Listing**

Candidates for the post and who are suited to the job description and person specification following analysis of their applications will be short-listed, following consultation between the Senior Leader (or a person to whom this has been delegated) and other staff involved in the interview process. In the event of large numbers applying for a particular post, the selection criteria will be further refined so as to select those who have scored most highly against the short-listing criteria.

The shortlisting panel will be supplied with a Shortlisting Template, provided by the HR Department, which they will complete, sign and return to the HR Department.

Telephone interviews may be used at the short-listing stage to establish suitability for interview, but will not be a substitute for a face-to-face meeting as part of the final selection/interview process.

References will be requested for all short-listed candidates. If references do not arrive before the time of interview, any job offer will be subject to receipt of satisfactory references (as well as other checks – see section 3.6).

### **3.4 Interview**

The interview process will seek to assess each candidate in terms of fulfilling the requirements of the post and the questions and tasks will range to encompass knowledge, skills, competence and qualities needed for the particular post.

The Academy will ensure that at least one representative involved in the interview panel has undertaken Safer Recruitment training.

Candidates will always be required:

- to explain satisfactorily any gaps in employment;
- to explain satisfactorily any anomalies or discrepancies in the information available to interviewers;
- to declare any information that is likely to appear on a DBS disclosure;
- to demonstrate their capacity to safeguard and protect the welfare of children and young people.

### **The requirement for employees in schools to speak fluent English**

As part of the amendments to the Immigration Act 2016, there will be a new statutory duty for all public authorities to ensure that people who work in customer-facing roles speak fluent English

(English or Welsh in Wales). Members of the public will have the right to make a complaint if they feel a public sector worker has an insufficient proficiency in spoken English [code of practice english language requirement public sector workers.pdf](#)

This will apply to all staff including permanent and fixed term employees, apprentices, self-employed contractors and agency temps. It does not extend to workers employed by private or third sector provider of a public service at the moment, but it could be extended in the future. It applies to an employee who, as a regular and intrinsic part of their role, are required to speak to members of the public in English either face-to-face or by telephone, are considered as working in a customer-facing role. Members of the public include adults, children and young people.

Employees must have a command of spoken English which is sufficient to enable the effective performance of their role. The standard of fluency must be proportionate to the role in question.

### **Job descriptions and job advertisements**

It is advised that the Headteacher/Manager makes it clear in any job adverts and job descriptions that the necessary standard of spoken English is required for every role identified as customer-facing under this duty. They could add the following wording to the advert: *“This post is covered by Part 7 of the Immigration Act (2016) and therefore the ability to speak fluent spoken English is an essential requirement for the role”*.

### **English Fluency Assessment**

Fluency relates to language proficiency and ability to speak with confidence and accuracy, using accurate sentence structures and vocabulary. In the context of a customer-facing role an employee should be able to choose the right kind of vocabulary for the situation at hand without a great deal of hesitation. They can listen to their customer and understand their needs. They can tailor their approach to each conversation appropriate to their customer responding clearly with fine shades of meaning, even in complex situations

Where fluency is identified as an essential requirement for the role, then the Headteacher/Manager is advised to ensure there is an assessment process for this, examples of which could be:

- Proof of possessing a relevant Regulated Qualification Framework at level 2 or above taught in English by a recognised institution abroad or attained as part of an education in the UK.
- Proof of passing an English spoken language competency test.

However, as qualifications or tests are not proof of spoken language ability then it is recommended that the ability to speak fluent English is always assessed at interview. At interview, they should be able to competently answer interview questions in English.

### **3.5 References**

A minimum of two references, in writing, will be sought directly from the referee using forms that reflect the needs of the role and questions in relation to the safeguarding and welfare of children and young people.

References will always be sought from the current or most recent employer.

References or testimonials provided by the candidate are never accepted. Open references ‘To whom it may concern’ and so on will not be accepted if they fail to include date evidence or are without obvious authorisation.

References from recognisable public bodies will be accepted via email. Those being sought from non-public bodies will be sent via post.

In all cases of applicants being invited to interview, referees will be contacted by telephone or e-mail in order to clarify any anomalies or discrepancies. A detailed written note will be kept of such exchanges and retained on the personal file of the individual appointed.

In all cases of applicants being invited to interview, previous employers who have not been named as referees will be contacted in order to clarify any anomalies or discrepancies.

The Academy reserves the right to contact any previous employer to establish the candidate's suitability to work with children and young people.

In all cases, the references of the successful candidate will be contacted by telephone in order to verify they provided the reference.

### **3.6 Offer**

All offers of appointment will be made in writing and will be made subject to:

- a successful enhanced Disclosure and Barring Service (DBS) check,
- medical clearance
- qualification/prohibition checks (where appropriate)
- childcare disqualification clearance (where appropriate)
- proof of the Right to Work in the UK

### **3.7 Successful Candidate - Pre Employment Checks**

The candidate will be required to provide all of the following prior to taking up the post (if they have not done so already at the interview):

- receipt of at least two satisfactory references;
- verification of the candidate's identity;
- a Barred List check;
- a satisfactory enhanced DBS disclosure;
- verification of the candidate's medical fitness, subject to the Equality Act 2010 (via a confidential health questionnaire or medical test dependent upon post);
- verification of qualifications;
- verification of professional status where required e.g. QTS status (unless properly exempted);
- for teaching posts verification of successful completion of statutory induction period;
- the production of evidence of the right to work in the UK.
- verification that they meet childcare disqualification criteria, where appropriate
- certificate of good conduct, where the applicant has spent more than 3 consecutive months out of the UK
- section 128 check (where appropriate)
- prohibition check, where appropriate

### **3.8 Risk Assessments**

Where a candidate is unable to provide proof of all name changes, required for the completion of the DBS check, the Headteacher/CEO may complete and sign a risk assessment, available from the HR Department.

Where a candidate is unable to obtain a certificate of good conduct, the Headteacher/CEO may complete and sign a risk assessment, available from the HR Department.

In cases where it is imperative a new employee starts as soon as possible, where all references have been received and all other employment checks have been successfully carried out and if a DBS check is in progress, the HR Department may contact the Somerset County Council DBS team for a Barred List check. The Headteacher/CEO may complete and sign a risk assessment, available from the HR Department.

#### **4. Staff Induction**

All staff who are new to Stanchester Academy are required to undertake induction training, which will include safeguarding policies and specific induction in Child Protection.

Regular meetings will be held during the first twelve months of employment between the new staff and their appropriate line manager(s).

Support Staff will be subject to a 6 month probationary period, within which formal probationary reviews will take place.

#### **5. Leaving Employment of the Academy**

The Academy has a legal duty to refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or young person where:

- the harm test is satisfied in respect to that individual
- the individual has received a caution or conviction for a relevant offence, or if there is a reason to believe that the individual has committed a listed relevant offence, and
- the individual has been removed from working (paid or unpaid) in regulated activity, or would have been removed had they not left

In cases where a teacher is dismissed because of serious misconduct, or may have been dismissed had they not left first, the case should be referred to the Secretary of State via the Teacher Regulation Agency.

#### **6. Single Central Record of Recruitment and Vetting**

The Academy will maintain a single central record of recruitment and vetting checks, in line with the DfE requirements (see below). It will include:

- all staff who are employed to work at the Academy;
- all staff who are employed as supply staff to the Academy whether employed directly by the Academy or through an agency;
- all others who have been chosen by the Academy to work in regular contact with children. This will cover volunteers, Governors who also work as volunteers within the Academy and people brought into the Academy to provide additional teaching or instruction for students but who are not staff members, e.g. a specialist sports coach;
- All cleaning contractors.

#### **7. Rehabilitation of Offenders Disclosure**

All posts at Stanchester Academy are exempt from the Rehabilitation of Offenders Act 1974. Applicants will be required to declare spent and unspent convictions, cautions and bind-overs; including those regarded as spent and have an Enhanced DBS check. A previously issued DBS check will only be accepted in certain restricted circumstances. Such disclosures will not be considered as part of the short-listing process. They will become part of the interview process in

order to allow the candidate the opportunity to discuss the matter. Such information will not necessarily bar a candidate from employment. If the candidate is not successful, then the information will not be retained and destroyed after six months.

#### **8. Data Protection Issues**

Employees are entitled to see and receive, if requested, copies of their employment references. Further disclosed information will be treated in confidence and not used against applicants unfairly.

#### **9. Supply Staff**

For the purposes of creating the record of checks for supply staff provided through a supply Agency, the Academy will request written confirmation from the supply Agency that it has satisfactorily completed all relevant checks.

Access to the check is only required where there is information contained in the DBS Disclosure. Information disclosed as part of a DBS Disclosure will be treated as confidential.

Identity checks will be carried out by the Academy to confirm that the individual arriving at the Academy is the individual that the agency has referred.

#### **10. Peripatetic and Associate Staff**

For the purposes of creating the record of checks for peripatetic staff (for music, sports, etc.) the Academy will require all necessary checks and DBS requirements are fulfilled.

#### **11. Volunteers**

Where volunteers are likely to have regular, on-going and unsupervised access to students, the appropriate checks listed above (section 3.6) will be undertaken.

#### **12. Contractors**

The Academy will ensure that the terms of any contract with a contractor or agency requires them to adopt and implement measures described in this procedure.

#### **13. Additional Notes**

We will:

Require staff who are convicted or cautioned for any offence during their employment with the Academy to notify the Principal in writing of the offence and penalty;  
respond to changes in Legislation required to ensure the safeguarding of children and review policy and practice in the light of ISA (Independent Safeguarding Authority) Vetting and Barring;  
carry out an annual review of this Policy irrespective of legislation;  
in addition to the various staff records kept in Academy and in individual personnel files, a single central record of recruitment and vetting checks is kept. This is kept up-to-date and retained on the personnel file of the individual by Academy HR Department.