



A FAMILY, A FOUNDATION, A FUTURE

# Whitminster Endowed C of E Primary School

## Safer Recruitment

Agreed by Governors: Autumn 24  
Review Date: Autumn 26

### Our School Ethos

Our school aims to serve its community by providing an education of the highest quality within the context of Christian belief and practice. It encourages an understanding of the meaning and significance of faith and promotes Christian values through the experience it offers to all its pupils. Each child is recognised as an individual and encouraged to develop his or her varying talents, interests and potential. We aim to provide an ethos in which pupils can learn and be happy, providing them with a firm and lasting foundation of knowledge and values to serve them as they grow up and take their place in society.

### Aim and Purpose

The safe recruitment of staff in schools is the first step to safeguarding and promoting the welfare of the children in education. Whitminster Endowed C of E Primary School is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. It is recognised that this can only be achieved through sound procedures, good inter-agency cooperation and the recruitment and retention of competent, motivated employees who are suited to, and fulfilled in the roles they undertake.

This school recognises the value of, and seeks to achieve a diverse workforce which includes people from different backgrounds with different skills and abilities. The school is committed to ensuring that the recruitment and selection of all who work within the school is conducted in a manner that is systematic, efficient, effective and promotes equality of opportunity. The school will uphold its obligations under law and national collective agreements to not discriminate against applicants for employment on the grounds of age, sex, sexual orientation, marital status, disability, race, colour, nationality, ethnic origin, religion or creed.

This document provides a good practice framework to comply with the principles set down in the school's Single Equality Scheme.

Governing bodies must act reasonably in making decisions about the suitability of the prospective employee based on checks and evidence including: criminal record checks (DBS checks), barred list checks and prohibition checks together with references and interview information. The school is committed to ensuring people who have been convicted are treated fairly and given every opportunity to establish their suitability for positions. Having a criminal record will not necessarily be a bar to obtaining a position.

### Safer Recruitment Training

The school will:

- ensure that appropriate staff who undertake recruitment have received safe recruitment training.
- ensure every appointment panel to include at least one member who has received safer recruitment training
- implement robust recruitment procedures and checks for appointing staff and volunteers to ensure that reasonable steps are taken not to appoint a person who is unsuitable to work with children, or who is disqualified from working with children, or does not have the suitable skills and experience for the intended role.
- ensure that the Prevent Strategy is taken into due consideration and staff all have an understanding of the implications involved
- keep and maintain a single central record of recruitment and vetting checks in line with DfE requirements
- ensure that the terms of any contract with a contractor or agency requires them to adopt and implement measures described in this procedure. The school will monitor the compliance with these measures.
- require staff who are convicted or cautioned for any criminal offence during their employment with the school to notify the school, in writing of the offence and the penalty.

### The following pre-employment checks will be undertaken:

- Receipt of at least two satisfactory references, one of which will be from the most recent employer and the most recent educational setting.
- Verification of the candidate's identity in line with the requirements of The Immigration, Asylum and Nationality Act 2006
- A satisfactory DBS clearance and prohibition check
- Verification of the candidate's medical fitness (clearance from Occupational Health where applicable)

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- Verification of qualifications
- Verification of professional registration as required by law for teachers
- Verification of successful completion of induction period (for those who obtained QTS after 7 May 1999)

## **Roles and responsibilities**

### **It is the responsibility of the governing body to:**

- Ensure the school has effective policies and procedures in place for the recruitment of all staff and volunteers in accordance with DfE and GSP guidance and legal requirements
- Monitor the school's compliance with them

### **It is the responsibility of the Headteacher and other staff involved in recruitment to:**

- Ensure that the school operates safe recruitment procedures and makes sure all appropriate checks are carried out on all staff and volunteers who work at the school
- To monitor contractors' and agencies' compliance with this document
- Promote welfare of children and young people at every stage of the procedure

**It is the responsibility of all potential and existing workers, including volunteers to comply with this document.**

**It is the responsibility of all contractors and agencies to comply with safe recruitment pre-employment checks.**

## **The Procedure**

### **Advertising**

To ensure equality of opportunity, the school will advertise all vacant posts to encourage as wide a field of candidates as possible, normally this will entail an external advertisement.

However, where there is a reasonable expectation that there are sufficient qualified internal candidates or where staff are at risk of redundancy, an internal advertisement may be considered appropriate.

An advert, and the details it contains, could be regarded as part of the contract of employment for the appointed candidate. Statements made to attract the best field must also be adhered to at later stages in the appointment process.

Advertisements should contain the following:

- School name and address.
- Job title.
- Salary, grade and benefits.
- If the post is permanent or fixed term\*. If fixed term the end date should be included.
- Hours of work.
- Key elements of the job and special conditions.
- Procedure for applying for the job.
- Contact for further information.
- Confirmation that CVs will not be accepted.
- Closing date.
- How an application pack can be obtained/ how to apply for the post.

All adverts will contain this information regarding safeguarding:

*This school is committed to safeguarding and promoting the welfare of children and young people, and expects all staff, and volunteers, to share the same commitment. This position is subject to an enhanced DBS check.*

### **Applications**

The form – The school uses a standard GCC application form. CVs will not be accepted.

The school requires candidates to account for any gaps or discrepancies in employment history on this application form.

Where an applicant is shortlisted, these gaps will be discussed at interview.

Applicants should be aware that providing false information is an offence 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.

### **References**

References for shortlisted candidates will be sent for immediately after shortlisting and BEFORE interview. The only exception to this is where candidates have indicated on their application forms 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 offer of employment being made. One reference will always be sought prior to interview wherever possible. References must be in writing and be specific to the job for which the candidate has applied - open references or testimonials are not acceptable. The school will not accept references from relatives or people writing solely in the capacity as a friend. Only references from a trusted authoritative source will be acceptable. If there is an internal candidate, references are requested prior to interview (where possible) and that references received are from someone with authority and not a colleague.

#### **Reference requests will specifically ask:**

- About the referee's relationship with the candidate
- Whether the referee is completely satisfied that the candidate is suitable to work with children and, if not, for specific details of the concerns and the reasons why the referee believes that the person might be unsuitable.

Referees will also be asked to confirm details of:

- The applicant's current post, salary and attendance record (where appropriate)
- Performance history and conduct (if known)
- Any disciplinary procedures in which the sanction is current
- Any disciplinary procedures involving issues related to the safety and welfare of children, including any in which the sanction has expired and the outcome of those
- Details of any allegations or concerns that have been raised that relate to the safety and welfare of children or behaviour towards children and the outcome of these concerns
- The school uses a standardised Reference Request Form (See Appendix A for a standardised form) to ensure the details outline above are included. References will be compared to the information provided is consistent. Any discrepancies will be taken up with the applicant at interview. References received are checked to ensure that they from legitimate sources.

Any information about past disciplinary action or allegations will be considered in the circumstances of the individual case. Cases in which an issue was satisfactorily resolved some time ago, or an allegation was determined to be unfounded or did not require formal disciplinary sanctions, and which no further issues have been raised, are not likely to cause concern. More serious or recent concerns or issues are more likely to cause concern. A history of repeated concerns or allegations over time is also likely to give cause for concern.

#### **Self-declaration of convictions by job applicants**

The school's policy requires shortlisted applicants for all posts (including volunteers) to declare all criminal convictions whether "spent" or "unspent" and include any cautions and pending prosecution.

Such declarations will be made on an appropriate form and should be submitted in a sealed envelope, marked strictly private and confidential to the chair of the selection panel Headteacher, prior to the interview. The chair of the panel /Headteacher will discuss relevant, positive declarations confidentially with the applicant at interview. This will be sent out with the offer of interview letter.

The disclosure of convictions, cautions or pending cases will not necessarily prevent employment but will be considered in the same way as positive DBS disclosures.

#### **Policy Statement on the Recruitment of Ex-Offenders**

##### **Exemption from the Rehabilitation of Offenders Act 1974**

Ex-offenders have to disclose information about spent, as well as unspent convictions if the job for which they are applying is exempted from the Rehabilitation of Offenders Act 1974.

##### **How this affects school based jobs**

All school based jobs are exempt from the Rehabilitation of Offenders Act as the work brings employees into contact with children who are regarded by the Act as a vulnerable group. **Applicants for school based jobs must, therefore, disclose all spent and unspent convictions.**

All applicants who are offered employment in a school will be subject to a criminal record check from the Disclosure and Barring Service before an appointment is confirmed. This will include details of cautions, reprimands and warnings as well as spent and unspent convictions. An enhanced DBS (check) may also contain non-conviction information from local police records which a chief police officer thinks may be relevant.

Having a criminal record will not necessarily bar someone from working in a school.

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Criminal records will be taken into account for recruitment purposes only when the conviction is relevant.

Any DBS that contains information (caution, reprimand, conviction, soft information) will be referred to Gloucestershire County Council DBS Panel for consideration.

Schools undertake not to discriminate unfairly against any subject of a Disclosure on the basis of conviction or other information revealed.

When reaching a recruitment decision GCC DBS Panel will take the following factors into account:

- Whether the conviction or other matter revealed is relevant to the position in question
- The seriousness of any offence or other matter revealed
- The length of time since the offence or other matter occurred
- Whether the applicant has a pattern of offending behaviour or other relevant matters
- Whether the applicant's circumstances have changed since the offending behaviour or the other relevant matters, and
- The circumstances surrounding the offence and the explanation(s) offered of the offending person.

There are, however, particular offences that would automatically prevent an offer of employment in a school being confirmed. These include:

- Rape
- Incest
- Unlawful sexual intercourse
- Indecent assault
- Gross indecency
- Taking or distributing indecent photographs

Other offences which make it unlikely (although not automatic) for an offer of employment in a school to be confirmed include the following:

- Violent behaviour towards children or young people
- A sexual, or otherwise inappropriate relationship with a pupil (regardless of whether the pupil is over the legal age of consent)
- A sexual offence against someone over the age of 16
- Any offence involving serious violence
- Drug trafficking and other drug related offences
- Stealing school property or monies
- Deception in relation to employment as a teacher or at a school, for example false claims about qualifications, or failure to disclose past convictions
- Any conviction which results in a sentence of more than 12 months' imprisonment
- Repeated misconduct or multiple convictions unless of a very minor nature.

If appropriate, applicants will be invited to discuss disclosure information before a final recruitment decision is made.

It may be necessary at times to update the records of existing employees. Existing employees who are found to have criminal records will not be dismissed as a matter of course. Each case will be considered on its merits, and an assessment of risk and relevance will be involved.

### **Interviews**

The selection process will include the following:

- Face to face professional interview including a question related to safeguarding children
- Questions raised from references or application form

### **Proof of Identity and Right to Work in the UK & Verification of Qualifications and/or Professional Status.**

Shortlisted applicants for all posts will be required to provide proof of identity by producing documents on the day of interview in line with those set out in The Immigration, Asylum and Nationality Act 2006. Similar information is also required to undertake a Criminal Records Bureau check on the preferred candidate.

Short-listed candidates will also be required to provide proof of their qualifications and professional status by producing documentation on the day of interview. The school will verify that candidates have actually obtained any qualifications legally required or deemed essential for the job and claimed in their application by asking to see the relevant original certificate.

These will be requested in the offer of an interview letter.

### **Employment Offer**

It may be possible to negotiate a provisional start date with the preferred candidate, however, with the exception of DBS disclosures, the checks detailed above must all be completed BEFORE a person's appointment is confirmed. In the case of DBS disclosures, the certificate must be obtained before or as soon as practicable after appointment.

Once all pre-employment checks have been satisfactorily completed / received, an offer of employment will be made and the contract of employment issued. The contract will be issued as soon as possible but in all circumstances within 8 weeks of employment commencing.

### **Record Retention / Data Protection**

The school will retain all interview notes on all applicants for a 6-month period, after which time the notes will be destroyed (ie: shredded). The 6-month retention period will allow the school to deal with any data access requests, recruitment complaints or to respond to any complaints made to the Employment tribunal.

Under the Data Protection Act 1998, applicants have a right to request access to notes written about them during the recruitment process. Applicants who wish to access their interview notes must make a subject access request in writing to the chair of the panel / Headteacher within 6 months of the interview date.

### **Personal file records**

From January 2008, the school will retain the following information which will make up part of the personal file, for the successful candidate:

- Application form
- References
- Disclosure of convictions form
- Proof of identification
- Proof of academic qualifications
- Evidence of medical clearance from Occupational Health (where applicable)
- Evidence of the DBS clearance (ie: the notification form from SPS or the DBS certificate reference number and a copy of the certificate if permission is given by the candidate.)

### **Single Central Record of Recruitment Vetting Checks**

In line with DfE requirements, the school will keep and maintain a single central record of recruitment and vetting checks. The central list will record all staff who are employed at the school, including casual staff, supply agency staff whether employed directly or through an agency, volunteers, governors who also work as volunteers, and those who provide additional teaching or instruction for pupils but who are not staff members, eg: specialist sports coach or artist.

### **The central record will indicate whether or not the following have been completed:**

- Identity checks have been carried out, by whom and when (actually recording what evidence was seen, the date it was seen and the initials of who saw it. This would need to record "driving license" or "passport" etc.)  
NB: Copy of what has been seen to be kept on personnel file.
- DBS checks (include Barred list where relevant) have been done and risk assessed
- All staff in post since March 2002 and in regular contact with children have been DBS checked, evidence has been checked and the SCR record shows what was checked, by whom and when. (Staff in place prior to March 2002 should evidence the local police check in place at the time (ER100 or ER200) and if this cannot be evidenced, a DBS check should be obtained). All new posts should have been assessed under the DBS criteria.
- Supply teachers have been DBS checked, agency teachers and staff have been DBS checked, evidence of these checks from the relevant agency has been received, the evidence seen has been recorded, by whom and when and ID checks have been carried out by the school/setting. All new posts should have been assessed under the DBS criteria.
- Volunteers and School Governors have been DBS checked if their role within school falls under the new DBS definition of a Regulated Activity (Sep 2012) i.e. they have regular and unsupervised responsibility for children. If not, they are continually supervised and the decision not to DBS is recorded on the Single Central Record.  
NB: All proprietors of Independent Schools (including Academies and Free schools) must be DBS checked regardless of whether in a regulated activity.

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- Qualifications required for the post are listed, evidence has been seen (including what evidence), by whom and when. NB: Copy of what has been seen to be kept on personnel file.
- Prohibition Checks have been carried out on all teachers using the Employer Access Online Service and this can be evidenced. NB: This was a new requirement for 2014.
- Evidence of permission to work in the UK and suitability for those who are not Nationals of the European Economic Area (EEA) has been checked, by whom and when. NB: Copy of what has been seen to be kept on personnel file.
- If someone is an EU National but has lived/worked overseas, checks should be carried out for this period <https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>
- Staff from other schools/agencies who are regular visitors with unsupervised responsibility for children (Regulated Activity) should be included on the SCR

In order to record supply staff provided through an agency on the record, the school will require written confirmation from the supply agency that it has satisfactorily completed the checks described above. The school does not need to carry out checks itself except where there is information contained within the disclosure. However identity checks must be carried out by the school to check the person arriving is the person the agency intends to refer to them.

### **Induction**

- Newly appointed teachers who are new to the employment of the governing body will be subject to the school's probationary period.
- School staff will be given a copy of the DfE guidance on Safe Working Practice, KCSIE (part 1), School Handbook and other relevant policies (see induction folder – Purple Folder kept in school office) and asked to sign a declaration that they have read and understood the documents and will follow the guidelines required to maintain professional boundaries at all time.
- The school has a specific safeguarding related whistle blowing policy (Code of Conduct and confidential reporting procedure whistle-blowing) which has been disseminated to all staff and volunteers. (Can also be found in the staff room)
- The school adopts a culture of vigilance where all concerns are listened to and taken seriously.
- The school will follow DfE and Gloucestershire Safeguarding Children Partnership (GSCP) allegations procedures and refer any allegation for initial consultation with the Local Authority Designated Officer.

Appendix A



WHITMINSTER ENDOWED C OF E PRIMARY SCHOOL  
A FAMILY, A FOUNDATION, A FUTURE

**Request Form**

**Confidential and for the attention of the addressee only**

Your name has been provided by the applicant as a person who is able to provide information on their skills, experience, and integrity. We have received consent from the applicant and hope that you will be able to help us make an assessment of the applicant, by providing a clear and unbiased reference. We would be grateful if you could answer the following questions, based on your knowledge of the applicant, and return the form as soon as possible. Please be aware that we may follow up this reference with a telephone call to confirm or clarify the information you have provided.

Referees have a responsibility to ensure that the reference is accurate and does not contain any material misstatement or omission. **Any relevant factual content of the reference may be discussed with the applicant.**

<b>Reference For: (Applicant Name)</b>	
<b>Post Applied For:</b>	
<b>Reference Provided by (Your Name):</b>	
<b>Your Post Title:</b>	
<b>Your Employer:</b>	
<b>Your Relationship to Applicant:</b>	
<b>How long have you known the Applicant:</b>	

**APPLICANT'S CURRENT/LAST EMPLOYMENT:**

<b>Start Date:</b>	<b>Leaving Date: (This is particularly important for posts which involve working with children/vulnerable adults)</b>	<b>Current Salary: (or leaving salary)</b>
<b>Job Title of current role:</b>		

<p><b>Main Duties and Responsibilities:</b></p> <ul style="list-style-type: none"> <li>•</li> </ul>
<p><b>Why did the applicant leave your employment?</b></p>

**PLEASE ASSESS THE FOLLOWING ELEMENTS IN RELATION TO THE APPLICANT:**

	Excellent	Good	Satisfactory	Poor
Quality of work				
Commitment to the job				
Relationships with colleagues				
Relationships with children / parents				
Time keeping				
Organisation skills				
Reliability				

	YES	NO
Did the applicant carry out the duties of their role to the required standard?		

	YES	NO
<p>Do you know of any reason why this candidate might be considered unsuitable to work with children or whether you have any concern about his or her suitability for such work? If you do know of any reason or concern, please give details.</p> <p>As a previous employer have you referred the applicant to Protection of Vulnerable children list or the Independent Safeguarding Authority on the grounds of misconduct which has harmed or caused risk of harm.</p>		

**CONDUCT**

	YES	NO
A. Are there any formal disciplinary/capability investigations/actions pending? (if yes, please provide us with details)?		
B. Please give details of any disciplinary/capability procedures the applicant has been subject to in which the disciplinary/capability sanction is current:		

C. Please give details of any disciplinary procedures the applicant has been subject to involving issues related to the safety and welfare of children or young people, including any which the disciplinary sanction has expired and the outcome of these:		
D. Please give details of any allegations or concerns that have been raised about the applicant that relate to the safety and welfare of children or young people and the outcome of those concerns e.g. whether the allegations or concerns were investigated, the conclusion reached and how the matter was resolved:		

**OTHER COMMENTS**

	YES	NO
In your opinion is the applicant honest and trustworthy? (if no, please state the reasons for your response).		
	YES	NO
Would you re-employ this applicant in a position commensurate with their previous one?		
Do you know of any reason why we should not employ this applicant? (If yes, please provide details below)		
You are invited to add any other comments that you feel may be helpful in relation to the applicant's suitability to take up employment with us.		

<b>Signed:</b>	<b>Date:</b>
Contact details if further information is needed: (please include telephone numbers as well as e-mail address).  Telephone: .....  E-mail: .....	

**Data Protection Act 1998,**

Under the Data Protection Act 1998, individuals have the right to request personal data. This includes references which have been provided and which may be required to be disclosed under the Act.