



Our Lady's Preparatory School and Day Nursery

Safer Recruiting Policy 4.2

Background to the Policy: the School's Commitment

The safe recruitment of staff in schools is the first step to safeguarding and promoting the welfare of children in education. Our Lady's Preparatory School and Nursery is committed to safeguarding and promoting the welfare of all pupils in its care.

In order to help safeguard and promote the welfare of all its pupils, the School is committed to a thorough and consistent Safer Recruitment Policy.

As an employer, the School expects all staff and volunteers to share this commitment. The school will ensure that no job applicant is treated unfairly by reason of a protected characteristic as defined in the Equality Act 2010 and under the School's Equal Opportunities Policy.

The School will maintain a Single Central Record (SCR) of all staff and volunteer appointments, which will include details of checks and clearances required under law and as set out in this policy. The School considers any work that comes into contact with children as a "Regulated Activity", as this is considered to be regular work for schools that comes into contact with children (except if the work is by supervised volunteers or temporary contractors that does not involve personal care (volunteers) or personal care or teaching (contractors)).

Regular unsupervised teaching, training, instructing, caring for or supervising children, provision of personal care or healthcare are all considered Regulated Activity. Please refer to the Personal Care Policy in this regard.

Context

This policy has been prepared with due regard to:

- Keeping Children Safe in Education 2018.
- Children Act 2006.

- Safeguarding Children and Safer Recruitment in Education Guidance DfES/04217/2006.
- The Independent Schools Standards Regulations 2009 (Standards 4, 4A, 4B, 4C).
- Safeguarding Vulnerable Groups Act 2006.

Policy Aims

The aims of the Safer Recruiting Policy are to ensure the following.

- There is a principle of open competition in the approach to recruitment and that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position, as measured against the job description and person specification.
- All job applications are considered equally and consistently and that no job applicant is treated unfairly on any grounds, including race, colour, nationality, ethnic or national origin, religion or religious beliefs, sex or sexual orientation, marital or civil partnership status, disability or age.
- The school meets its commitment to safeguarding and promoting the welfare of children by deterring, rejecting or identifying people who might abuse pupils or are otherwise unsuited to working with them by having appropriate procedures for appointing staff.
- All necessary pre-employment checks are completed.
- If a member of staff involved in the recruitment process has a close personal or familial relationship with an applicant, that member of staff must declare as soon as they are aware of the individual's application and avoid any involvement in the recruitment and selection decision-making process.
- A consistent and thorough recruitment process is applied while obtaining, collating, analysing and evaluating information from and about applicants applying for job vacancies at the school / nursery.

Scope

The Safer Recruiting policy applies to staff directly recruited and employed by the school. This classification of staff includes the following.

- Any person working at the school whether under a contract of employment, under a contract of services or otherwise than under a contract, including supply staff and volunteers.
- In the case of agency or contract workers, the school shall obtain written confirmation from the agency or company that it has carried out the appropriate checks.

Roles and Responsibilities

It is the responsibility of the Trustees to:

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

It is the responsibility of the Headteacher, Deputy Headteacher, Nursery Manager and other managers 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.

In accordance with the School Staffing Regulations, the Trustees have delegated responsibility to the Headteacher to lead in all appointments. Trustees may be involved in staff appointments but the final decision will rest with the Headteacher.

Recruitment and Selection Procedure

The school will make candidates aware that all posts in the school involve responsibility for the safeguarding of children, although the extent of that responsibility will vary according to the nature of the post. Candidates for employed posts will receive a job description and person specification for the role applied for.

Advertising

To ensure equality of opportunity, the School will advertise all 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.

All documentation relating to applicants will be treated confidentially in accordance with the Data Protection Act (DPA).

Application Forms

The school will only accept applications from candidates completing the relevant application form in full. CV's will not be accepted in substitution for completed application forms.

Our Lady's uses its own application form and all applicants for employment will be required to complete 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).

The application form will include the applicant's declaration regarding convictions and working with children. The Rehabilitation of Offenders Act 1974 does not apply to positions that involve working with, or having access to children. Therefore, any convictions and cautions that would normally be considered "spent" must still be

declared when applying for any position at Our Lady's Preparatory School and Nursery.

All applicants will be made 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 (eg: General Teaching Council for England).

Upfront disclosure of a criminal record may not debar a candidate from an appointment as the school shall consider the nature of the offence, how long ago that it was committed and any other relevant factors. Information should be submitted in confidence and will only be seen by the Headteacher.

Breaks in Employment

If there are any periods of time that have not been accounted for in an application, for instance extended travel or periods spent raising a family, details must be given on the application form. The information provided must provide a complete chronology for the applicant.

Interviews

Applicants will be shortlisted according to the relevance and applicability of their professional attributes and personal qualities to the role, based on the job description and person specification.

There will be a face-to-face interview wherever possible, 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 have been identified in order to satisfy themselves that the chosen applicant can meet the safeguarding criteria.

Any information in regard to past disciplinary action or allegations, cautions or convictions will be discussed and considered in the circumstance of the individual case during the interview process.

At least one member of any interviewing panel will have undertaken safer recruitment training or refresher training as applicable.

All applicants who are invited to an interview will be required to bring evidence of their identity, address and qualifications. Acceptable forms of identification and proof of address are as follows:

- A current driving licence including a photograph
- A passport
- A full birth certificate
- Where the candidate is not a citizen of a country within the European Economic Area or Switzerland, proof of entitlement to work and reside in the UK.
- A utility bill or financial statement issued within the last three months showing the candidates name and address (acceptable for proof of address).

Original document will only be accepted, as photocopies or certified copies are not sufficient for these purposes. Photocopies will be taken of these documents and those for unsuccessful applicant will be destroyed following the end of the recruitment programme.

Candidates with a disability who are invited to interview should inform the school of any necessary reasonable adjustments or arrangements to assist them in attending the interview.

Conditional Offer of Appointment: Pre-employment Checks

Any offer to a successful candidate will be conditional upon:

- Receipt of references considered satisfactory by OLPS at their discretion (see below)
- Verification of identity and qualifications, including, where appropriate, evidence of the right to work in the UK (see below).
- Verification of address (a copy of a utility bill, bank statement or similar document)
- A satisfactory enhanced Disclosure and Barring Service (DBS) check, and if appropriate, a check of the Barred List maintained by the DBS (see below).
- A check that the candidate is not subject to a prohibition order issued by the Secretary of State (for teaching posts using the Employer On-line Service)
- Verification of successful completion of statutory induction period (for teaching posts).
- Overseas checks – where the successful candidate has worked or been resident overseas such checks and confirmations as the school may consider appropriate so that any relevant events that occurred outside of the UK can be considered.
- Satisfactory medical fitness (see below)

A personal file checklist will be used to track and audit paperwork obtained in accordance with Safer Recruiting. The checklist will be retained on personal files.

References

References for successful applicants will be sent for immediately after a position is offered unless this has already been done in advance of such a point. 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 the offer is formally made.

Two professional/character references must also 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. The school does **not** accept open references, testimonials or references from relatives for this purpose.

If the candidate is currently working with children, in either a paid or voluntary basis, the school will ask their current employer about disciplinary offences, including disciplinary offences relating to children (whether the disciplinary sanction is current or expired) and whether the candidate has been the subject of any child protection allegations or concerns and if so the outcome of any enquiry or disciplinary.

If the candidate is not currently working with children but has done so in her past, the school will ask the previous employer about those issues. Where neither the current nor previous employment has involved children, the school will ask the current employer about the candidates suitability to work with children. Where the candidate has no previous employment history, the school will request character references that will include references from the candidate's school or university.

Disclosure and Barring Service (DBS) Certificate (formerly known as CRB Disclosure)

All staff at Our Lady's require an enhanced DBS Certificate to be held on file by the school and such a certificate will be obtained in a timely fashion upon the employment of any new employee.

It is the School's policy to re-check employee's DBS Certificates for any employee who takes leave for more than three months (e.g. for maternity leave or a career break etc.). The re-check must occur in advance of any return to work.

DBS – 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 Rehabilitation of Offenders Act 1974 and also:

- 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

The applicant will attend a formal face-to-face with the Headteacher to establish the facts and circumstances of any past convictions and to address the considerations set out above. A decision will be made following this meeting.

Disqualification under the Childcare Act 2006

The DfE issued guidance in August 2018 clarifying that the childcare regulations outlining who is disqualified from providing childcare do apply to childcare provided in a school setting.

<https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006>

The school understands that:

- A person who is disqualified from working with children or vulnerable adults will be breaking the law if they work or volunteer, or try to work or volunteer

with those groups, as they are not permitted to lawfully undertake such work.

- Any organisation which knowingly employs someone who is barred to work with those groups will also be breaking the law.
- If a member of staff is dismissed or a volunteer is dismissed because they have harmed a child or young person, or we would have done so if they had not left, the school must inform the DBS.
- If, despite best efforts and checks having been made, the school finds a person to be disqualified or there is doubt over the issue, then the school will remove them from the work from which they are / may be disqualified from and may suspend them at the school's discretion, pending further investigation into the matter.

The school is fully aware of the obligations this places on them and this policy aims to inform staff, volunteers and parents of this legislation and the procedures the school will undertake in this regard.

The Childcare Act 2006 and the childcare (disqualification) regulations 2018 place separate and additional requirements on schools at the point that an individual is convicted of, or cautioned for, a criminal offence of a specified type or category, or where they meet other disqualification criteria set out in the regulations.

The act and regulations disqualify staff from:

- providing early years childcare or later years childcare to children who have not attained the age of eight; or
- if they are directly concerned in the management of that childcare. In addition to inclusion on the children's barred list, the wider disqualification criteria include:
 - being cautioned for or convicted of certain violent and sexual criminal offences against children and adults;
 - grounds relating to the care of children (including where an order is made in respect of a child under the person's care);
 - having registration refused or cancelled in relation to childcare or children's homes or being disqualified from private fostering;

This is what the legislation specifies, but the school is not limiting this to early years, as the school safeguards all pupils, by making all staff employed at Our Lady's aware of the implications for schools, not just of DBS checks, but the wider implications of the pupil-safeguarding.

Where appropriate to do so, Our Lady's will take steps to gather sufficient and accurate information whether any member of staff in a relevant childcare setting is or has been disqualified, including cases of disqualification by association (see below). Appropriate records will be retained within the school office of staff employed and/or working in childcare at Our Lady's, which will include date(s) that disqualification checks were completed.

Our Lady's has a duty to refer details of a member of staff to the DBS who has been disciplined, is dismissed, is currently under investigation or has left the schools employment prior to the end of an investigation for causing emotional,

psychological, physical or sexual harm, neglect or risk of harm to children. This is also referred to in the Child Protection (Safeguarding) Policy.

All referrals will be made to the DBS immediately and without delay.

Waiver of disqualification

The disqualified staff member may apply to Ofsted for a waiver, but they must apply themselves and must not work in the school whilst the waiver is being considered.

All those in regulated positions are required to complete a Disclosure Form as part of the recruitment process. This template is also used to carry out an annual check on staff.

Please refer to Appendix 1.

Proof of identity, Right to Work in the UK

All applicants invited to attend an interview at the School will be required to bring their identification documentation such as passport, birth certificate, driving licence etc. with them as proof of identity/eligibility to work in UK in accordance with those set out in the Immigration, Asylum and Nationality Act 2006 and DBS Code of Practice Regulations.

Verification of Qualifications and/or professional status

Applicants must be able to demonstrate that they have actually obtained any academic or vocational qualification legally required for the position and claimed in their application form.

Medical Fitness

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 successful applicants are requested to complete a medical questionnaire and where appropriate a doctor's medical report may be required.

Induction Programme

All new employees will be given an induction programme which will clearly identify the School policies and procedures, including the Child Protection (Safeguarding) Policy, and make clear the expectation and codes of conduct which will govern how staff carry out their roles and responsibilities.

Centralised Register of Members of Staff

In addition to the various staff records kept in school and on individual personnel files, a single centralised record of recruitment and vetting checks is kept in accordance with the DfE requirements. This is kept up-to-date and retained by the Headteacher. The Centralised Register will contain details of the following:

- All employees who are employed to work at the School;

- All employees who are employed as supply staff to the School whether employed directly or through an agency;
- All others who have been chosen by the School to work in regular contact with children. This will cover volunteers, governors, peripatetic staff and people brought into the School to provide additional teaching or instruction for pupils but who are not staff members e.g. sports coaches etc.

Record Retention / Data Protection

Our Lady's will retain all interview notes on all applicants for a period of 6 months, after which time the notes will be destroyed (by shredding). The 6 month retention period is in accordance with the Data Protection Act 1998 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.

All information retained on employees is kept centrally in the School Office in a secure cabinet. This document is known as the Single Central Record (SCR).

Ongoing Employment

Our Lady's 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 ongoing training and support for all staff, as identified through the Annual Review/appraisal procedure.

Leaving Employment at Our Lady's

Despite the best efforts to recruit safely there will be occasions when allegations of abuse against children and young people are raised. In cases relating to the behaviour of an employee within the context of four categories of abuse (i.e. physical, sexual and emotional and neglect) the School's Disciplinary Policy will apply.

In cases of dismissal (or resignation) due to the above behaviour, Our Lady's will inform the DfES, Ofsted and the Local Authority of the circumstances why the employee is leaving Our Lady's employment.

Monitoring & review

The School will review this Policy every year and any guidance or advice published by the DfE, ISI and / or any other relevant bodies will be monitored on an ongoing basis, in the event that ad-hoc amendments or revisions are appropriate outside of this timeframe.

Reviewed: September 2018

Signed:

A handwritten signature in cursive script that reads "Helene Robinson". The signature is written in black ink on a white background.

**Helene Robinson
Headteacher**

To be reviewed: 12 months from "Reviewed " date.

Appendix 1

OUR LADY'S PREPARATORY SCHOOL AND NURSERY STAFF SUITABILITY DECLARATION

This form is to be completed by all new staff before commencement of employment and all volunteers and completed by all staff and volunteers on an annual basis at the commencement of the autumn term.

Full Name: _____

Please answer the questions and sign the declaration below to demonstrate that you are safe to work with children. If there are any aspects of the declaration that you are not able to meet, you should disclose this immediately to the headteacher.

Please circle yes or no against each bullet point below.

Questions relating to you:

Are you disqualified for caring for children? For example:

1. Have you been cautioned or convicted of any offences against a child? YES / NO
2. Have you been cautioned or convicted of any violent or sexual offences against an adult? YES / NO
3. Have you been barred from working with children by the Disclosure and Barring Service (DBS)? YES / NO
4. Have your children been taken into care? YES / NO
5. Have or are your children the subject of a child protection order? YES / NO
6. Has a court order been made in respect of a child under your care? YES / NO
7. Have you been refused registration or had registration cancelled in relation to childcare or a children's home or have you been disqualified from private fostering? YES / NO

I understand my responsibility to safeguard children and am aware that I must notify the Headteacher of anything that may affect my suitability.

I will ensure I notify the Headteacher immediately of any changes to my situation.

I am aware that if I am taking medication on a regular basis I must notify the Headteacher, and must keep the medication in a safe place, out of the reach of children.

I will ensure that I notify the Headteacher if I experience any health concerns which could impact upon my ability to work with children.

I give permission for you to contact any previous settings, local authority staff, the police, the DBS, or any medical professionals, to share information about my suitability to care for children.

Signed.....

Date.....

(Name in block capitals).....

Headteacher (signature).....

Date.....

Headteacher – please record follow-on action taken, where relevant

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

Signed.....

Date action taken.....

Headteacher