



Rainbow Education Multi Academy Trust

Policy number: 53

Safer Recruitment Policy and Procedures



Introduction

The purpose of this policy and procedures is to set out our school's commitment to fair, safe and effective recruitment and selection of new and existing employees.

Our school is an equal opportunities employer and will not discriminate unlawfully against anyone, but will select the best person for the job in terms of qualifications and abilities.

Guiding Principles

- All recruitment and selection procedures must comply with all current legislation and specifically the guidance set out in part 3 of Keeping Children Safe in Education (DfE 2021).
- A job description and person specification must accompany each vacancy.
- All members of the recruitment panel should be familiar with this policy and the accompanying selection and recruitment procedures.
- At least one person on each appointment panel should have undertaken full Safer Recruitment Training in keeping with the requirements of the Safer Recruitment Consortium and Keeping Children Safe in Education (DfE). This should be noted on their personnel file induction checklist.
- Refreshing this training at regular intervals and following significant changes in statutory guidance should support practice to remain effective.
- The school's Safer Recruitment Procedures set out further guidance for appointments of those working with children. For example:
 - a curriculum vitae will not be accepted in lieu of an application form
 - shortlisted applicants will be required to declare any cautions and convictions, etc. that are not protected [amendments to the Exceptions Order 1975 (2013 and 2020)] prior to interview
 - references will be sought on all shortlisted candidates and scrutinised before interview
 - open references will not be relied upon and will be subject to confirmation from the referee
 - all references must include a statement about someone's suitability to work with children
- Equality monitoring is at the heart of our equal opportunities policy. Monitoring information in relation to job applicants will be to assist us in equality monitoring. The recruitment panel will not have access to job applicant's monitoring information.
- All suitably qualified disabled applicants who meet the essential requirements of a post will be invited for interview where practical. Appropriate adjustments will be made to the interview arrangements where necessary.
- Every applicant must be assessed consistently against the criteria identified on the person specification. The selection panel must look for relevant objective evidence on which to make a decision.
- Questions asked of applicants must relate to the requirements of the post and should not be discriminatory, offensive or in any way off-putting to any person or group.
- Safer Recruitment training provides further guidance as to how to ask further questions to test out someone's suitability to work with children and relevant to their application form and personal statement.
- The Equality Act 2010 (Section 60) prevents employers from asking applicants about their health or attendance before making an offer of appointment. Questions relating to the applicant's health or sickness absence history must not be asked at the interview stage. Only appropriate information should be sought to enable the candidate to participate in the interview process.
- At the end of the interviews, each panel member should have recorded evidence of how each candidate has met each of the selection criteria. Systematic analysis and assessment against the school's scoring system is important so that fair and justified decisions are made and so that constructive feedback can be given to candidates.
- The panel should then reach agreement on which candidate is to be appointed.
- Short summative verbal feedback should be offered to unsuccessful shortlisted candidates.
- All posts are subject to a fully completed application form, satisfactory employment references, medical clearance, evidence of the applicant's right to work in the UK and evidence of the required



qualifications and any further relevant pre-employment checks set out in Keeping Children Safe in Education, including an Enhanced DBS check, a Barred List check for those working in Regulated Activity, a prohibition check for those in teaching positions, overseas criminal checks including overseas teacher sanctions, etc.

- The verbal offer of employment and the initial offer letter must be conditional on all the required checks being completed. Candidates should be advised not to resign until their post is confirmed and all relevant checks must have been completed.
- The school will keep a record of the pre-employment checks carried out on the successful candidate and these will be included within the school's Single Central Record. Evidence of the checks undertaken (where appropriate to do so) will be kept in the individual's personnel file.
- The school's safer recruitment procedures will be quality assured following each round of appointments by the Headteacher. This will include scrutiny of the school's Single Central Record and personnel files.
- All new employees will receive a mandatory safeguarding induction in keeping with the DfE guidance Keeping Children Safe in Education and evidence of this will be retained in the individual's personnel file.
- Any complaints made in relation to the recruitment and selection process should be dealt with under the grievance procedures for internal candidates and school's complaints policy for external applicants.

Recruitment Procedure

1. Post approved by Headteacher / Trustees
2. Job description and person specification drawn up (reference to safeguarding children and appropriate behaviours should be included in all relevant posts).
3. Job description, person specification and salary range agreed by SLT and whether the post ought to be held for redeployment. Job description and person specification should include statements about the safeguarding responsibilities of the post as set out in paragraph 192: "the skills, abilities, experience, attitude, and behaviours required for the post; and the safeguarding requirements, i.e. to what extent will the role involve contact with children and will they be engaging in regulated activity relevant to children."
4. Appointments panel agreed with a minimum of two members. (Panel members should remain the same for each stage of the process). Selection methods agreed. Closing date, short-listing date and interview dates agreed.
5. Advert drawn up and agreed by HT in line with the detail set out in paragraphs 192 and 193 of Keeping Children Safe in Education. For posts working with children this should include the agreed statement 'Our school is committed to safeguarding children and promoting children's welfare. This post is subject to all the relevant pre-employment checks set out in Keeping Children Safe in Education, including an enhanced DBS certificate with a barred-list check.' Include information within the advert about the post being exempt from the [Rehabilitation of Offenders Act 1974](#), and candidates must disclose any relevant criminal history unless it is regarded as 'spent' and are protected (amendment in 2013 and 2020).
6. Application pack prepared to include: an application form (which includes all points set out in paragraph 196) with guidance notes, job description and person specification and details of any probationary period, information about the organisation and recruitment of ex-offenders and terms and conditions relating to the post. Applicants from overseas should be advised to obtain an overseas criminal check and for teachers, a letter of professional standing from the professional regulating authority in which the applicant has worked before they apply for a visit as the post is the education sector. The candidates pack should also include the school's Child Protection policy, a Code of Conduct – Safer Working Practices Guidance and guidance that requires the disclosure of



non-protected cautions and convictions. Candidates should be signposted to the school website which contains further safeguarding policies. They should be advised that CVs will not be acceptable for these types of posts. In addition, references will always be required from their current employer and settings where they have worked with children.

7. The application form will need to request the following information:

- Details of the applicant including current and former names, current address and national insurance number and/or proof to work in the UK.
- A statement of any academic and/or vocational qualifications the applicant has obtained that are relevant to the position they are applying for with the details of the awarding body and date of award.
- A full educational, training and work history in chronological order since leaving secondary education with any gaps explained.
- Details of two referees. One referee must be the applicant's current or most recent employer and not family members.
- An explanation that the post is exempt from the [Rehabilitation of Offenders Act 1974](#) and that if the applicant is shortlisted all convictions, cautions, reprimands and final warnings, including those regarded as 'spent' must be declared prior to interview unless protected (amendment in 2013 and 2020)
- A declaration that the person has no convictions, cautions, final warnings or reprimands. Where these exist, details of the offence including dates to be should be provided by shortlisted candidates and will be discussed further at interview.
- Where the candidate needs to declare any convictions, cautions, reprimands or final warnings they should be advised that they will be asked to provide full details if they are invited for interview and this information will not be requested or considered until this point.
- A declaration that should they provide false information or omit any material fact they will be liable to dismissal if appointed and possible referral to the police.

8. Post advertised.

9. Shortlist applicants. The selection panel should identify those applicants who meet the criteria based upon their application form and personal statement. A scoring system should be used to assess each applicant against the criteria on the person specification. Provision should be made for disabled candidates to attend interview.

10. Short listed applicants should be asked to complete a self-declaration in relation to all relevant convictions, adult cautions or other matters which may affect their suitability to work with children, including those regarded as 'spent' unless they are protected. Short listed applicants should be signposted to the [Ministry of Justice website](#) for support in understanding what they are required to declare. Forms should be returned prior to interview.

11. References should be requested for all short-listed candidates whose posts will bring them into contact with children. All reference requests should ask:

- confirmation of details of the applicant's current/previous post (s) including salary, job title, dates of employment and reason for leaving
- about the referee's relationship with the candidate, how long they have known them and in what capacity (if the reference is from a current or previous employer it should be from an appropriately senior member of the relevant organisation / headteacher)
- specific verifiable and relevant comments about the applicant's performance history and conduct.



- whether the referee is satisfied that the candidate has the ability and is suitable to undertake the role in question
- whether the referee is completely satisfied that the candidate is suitable to work with children, and, if not, for specific details of the referee's concerns.
- details of any disciplinary procedures the applicant has been subject to in which the sanction is still current.
- details of any disciplinary procedures the applicant has been subject to which related to the safety and welfare of children, including any in which the disciplinary sanction has expired and the outcome of those.

References should be carefully checked against the application form for any discrepancies or anomalies. The references should be scrutinised before interview to consider any past behaviours, allegations and differences between the skills, responsibilities and experiences set out by the referee and candidate.

Any omissions and or vague statements should always be followed up with the referee. Notes should be taken of any conversation and added to the personnel file.

Further references may need to be taken up particularly if they are relevant to a post working with children.

12. The panel should agree a set of questions to ask all candidates that cover the key aspects of the role and specifically those characteristics in the person specification that need testing out at interview.
13. All candidates should be asked questions to include their attitude and motivation towards working with children and young people and their ability to support the organisation to safeguard and promote the welfare of children. Paragraphs 206 and 207 provide further detail. Paragraph 206 states that questions should include "finding out what attracted the candidate to the post being applied for and their motivation for working with children; exploring their skills and asking for examples of experience of working with children which are relevant to the role; and probing any gaps in employment or where the candidate has changed employment or location frequently, asking about the reasons for this." The panel should agree further questions to ask individual candidates based upon issues raised in their personal statement, references and application form including any gaps or discrepancies identified. Towards the end of the interview any cautions and convictions etc. declared by the candidate should be discussed.
14. The appointments panel should select the successful candidate using the agreed scoring system. Each panel member will have been provided with a grid setting out each question, possible positive and negative answers and the scoring system. All unsuccessful interviewed candidates should receive short summative verbal feedback agreed by the panel.
15. The successful candidate should receive a verbal offer, conditional to all the required checks being completed. They should be advised they will receive a conditional offer letter and that they shouldn't resign until they receive their confirmation letter with their start date, contract and particulars.
16. The personnel file should evidence that all the required checks have been completed. A recruitment checklist for the personnel file should be signed off before their start date. The confirmation letter with start date can be sent once all checks are completed.

Keeping Children Safe in Education sets out the following pre-employment checks which must be carried by schools:



- Verify a candidate's identity. This includes being aware of the potential for individuals changing their name. Best practice is checking the name on their birth certificate, where this is available. Identification checking guidelines can be found on the [GOV.UK](#) website;
- Obtain (via the applicant) an enhanced DBS certificate (including barred list information, for those who will be engaging in regulated activity). Paragraph 232 gives further guidance when using the DBS update service as the original certificate will need to be obtained by school;
- Obtain a separate barred list check if an individual will start work in regulated activity before the DBS certificate is available. Paragraph 242 details how to obtain a separate barred list check;
- Verify the candidate's mental and physical fitness to carry out their work responsibilities. A job applicant can be asked relevant questions about disability and health in order to establish whether they have the physical and mental capacity for the specific role;
- Conduct checks on every Verify the person's right to work in the UK, including EU nationals, other overseas nationals and British citizens. Employers should not discriminate when conducting these right to work checks. If there is uncertainty about whether an individual needs permission to work in the UK, then prospective employers should follow advice on the [GOV.UK](#) website;
- If the person has lived or worked outside the UK, make any further checks the school or college consider appropriate (see paragraphs 262 -267 of Keeping Children Safe in Education). 'Individuals who have lived or worked outside the UK must undergo the same checks as all other staff (set out in paragraph 213)... ..In addition, schools and colleges must make any further checks they think appropriate so that any relevant events that occurred outside the UK can be considered'
- Where the individual has taught outside of the UK, confirm that there are no sanctions against them by obtaining a letter (via the applicant) from the professional regulating authority in the country (or countries) of professional standing from the regulating authority in the country in which the individual has worked confirming that they have not imposed any sanctions or restrictions, or that they are aware of any reason why they may be unsuitable to teach. Advice regarding regulatory or professional bodies is available from the [National Recognition Information Centre for the United Kingdom](#). Applicants can find contact details of regulatory bodies in the EU/EEA and Switzerland on the [Regulated Professions database](#). Applicants can also contact the [UK Centre for Professional Qualifications](#) who will signpost them to the appropriate EEA regulatory body.
- Ensure all appropriate checks are made when [recruiting people from outside the UK](#)
- Verify professional qualifications, as appropriate. The [Teacher Services'](#) system should be used to verify the award of qualified teacher status (QTS), and the completion of teacher induction or probation;
- Confirm that the individual (if employed to carry out teaching work) is not prohibited from teaching by the Secretary of State (paragraph 234), or any sanction or restriction imposed (that remains current) by the GTCE (paragraph 236) before its abolition in March 2012;
- Independent schools, including academies and free schools, check that a person taking up a management position as described at paragraph 237 is not subject to a Section 128 direction made by the Secretary of State
- Paragraph 238 describes that 'There is no exhaustive list of roles that might be regarded as 'management' for the purpose of determining what constitutes management in an independent school. The Department's view is that roles involving, or very likely to involve, management of a school include (but are not limited to) headteachers, principals, deputy/assistant headteachers, governors and trustees. It is important to note that the individual's job title is not the determining factor and whether other individuals such as teachers with additional responsibilities could be considered to be 'taking part in management' depends on the facts of the case.'
- Section 128 checks should also be made on all governors in maintained schools as the DfE state 'A person subject to a section 128 direction is also disqualified from holding or continuing to hold office as a governor of a maintained school.'



- Paragraphs 242 and 243 of KCSiE set out how 'Schools and colleges can use the TRA's Employer Access service to make prohibition, direction, restriction and children's barred list checks. The service is free to use and is available via the TRA's [web page](#). Users will require a DfE Sign-in account to log onto the service.'

The Childcare Act 2006 sets out that where applicable, a disqualification check may be required to ensure the individual is not disqualified under the Childcare (Disqualification) Regulations 2018. Further information can be found [here](#) and at paragraphs 245-249.

Once all the pre-employment checks are completed the candidate can receive an offer letter contract and start date. Some posts may be subject to a probationary period.

17. Appropriate induction activities should be provided for all new employees. All staff should read and understand key guidance including Keeping Children Safe in Education and Safer Working Practices guidance. The induction checklist should be completed and placed on their personnel file.