



# Safer Recruitment Policy

To be ratified by Governors 23<sup>rd</sup> May 2023

## **Policy statement:**

The safe recruitment of staff in schools and federations is the first step to safeguarding and promoting the welfare of the children in education. Cadmus Family of Schools 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. Cadmus Family of Schools recognises the value of, and seeks to achieve a diverse workforce which includes people from different backgrounds with different skills and abilities.

Cadmus Family of Schools 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 not to 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 federation's Equality Policy. All posts within the federation are exempt from the Rehabilitation of Offenders Act 1974 and therefore all applicants will be required to declare spent and unspent convictions, cautions and bind-overs, including those regarded as spent and have an Enhanced Criminal Records Disclosure. The federation 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.

Cadmus Family of Schools will:

1. Ensure that appropriate staff who undertake recruitment have received safe recruitment training .
2. Ensure every appointment panel includes one member who has received safe recruitment training.
3. 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.
4. Keep and maintain a single central record of recruitment and vetting checks in line with DCSF requirements.
5. 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.
6. Require staff who are convicted or cautioned for any offence during their employment with the federation to notify the federation, in writing of the offence and the penalty.

The following procedure will be applied in all situations where it is alleged that a person who works with children has:

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child;
- behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children; or

- behaved or may have behaved in a way that indicates they may not be suitable to work with children.

The allegations may relate to the persons behaviour at work, at home or in another setting.

**\*\* All allegations should be notified to the Local Authority Designated Officer (LADO) within one working day.\*\* (call 01922 654040 or 07432 422205)**

A senior member of the Human Resources section for the agency must also be consulted.

The LADO will discuss the matter with the Named Headteacher/principle to determine what steps should be taken and where necessary obtain further details of the allegation and the circumstances in which it was made. The discussion should also consider whether there is evidence/information that establishes that the allegation is false or unfounded, whether a referral to the Children's Social Care Services is required and/or whether disciplinary action is appropriate.

Most allegations will require immediate referral to the Children's Social Care Services and the Police, but common sense and judgement will be applied in reaching a decision about what action to take.

If the allegation is not patently false and there is cause to suspect that a child is suffering or is likely to suffer Significant Harm, the LADO will immediately refer the matter to the Children's Social Care Services and ask for a Strategy Discussion/Meeting to be convened straight away.

Where the safety of other children is in question as a result of the allegation, consideration should be given to invoking the Complex (Organised or Multiple) Abuse Procedure (this can be found on the Walsall Safeguarding Partnership website <https://go.walsall.gov.uk/walsall-safeguarding-partnership/> ).

Some allegations may be less serious and at first sight might not seem to warrant consideration of a police investigation or enquiries by Children's Social Care Services. However, it is important to ensure that even apparently less serious allegations are followed up and examined objectively by someone independent of the organisation. Consequently the LADO will be informed of all allegations that come to the employer's attention and appear to come within the scope of this procedure so that he or she can consult Police and social care colleagues as appropriate.

Where a referral is made directly to Children's Social Care Services, they will consult with the Local Authority Designated Officer (LADO), the Police and the Named Senior Officer/Manager in the relevant agency or organisation.

Where such allegations are made, consideration must be given to the following three strands:

1. The police investigation of a possible criminal offence

2. Enquiries and assessment by Children's Social Care Services as to whether the child is in need of protection or in need of services
3. Consideration by an employer of disciplinary action in respect of the individual

In addition, such allegations may give rise to complaints of poor practice, which will be considered in line with the agencies complaints or disciplinary procedures.

More information and the full Walsall Safeguarding Partnership Child Protection Procedures can be found at <https://go.walsall.gov.uk/walsall-safeguarding-partnership/>

The following pre-employment checks will be undertaken:

- Receipt of at least two satisfactory references, one of which will be from the former or most recent employer (if appropriate)
- Verification of the candidate's identity in line with the requirements of The Immigration, Asylum and Nationality Act 2006
- An ISA check.
- A satisfactory CRB clearance
- Verification of the candidate's medical fitness
- 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 Cadmus Governing Board to:

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

It is the responsibility of the COO, Senior Leaders and other managers involved in recruitment to:

- Ensure that the federation operates safe recruitment procedures and makes sure all appropriate checks are carried out on all staff and volunteers who work at the federation.
- 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.

It is the responsibility of the federation's HR provider to deal with the administration of the disclosure system for the federation. In accordance with the School Staffing Regulations, the governing body has delegated responsibility to the COO to lead in all appointments to the federation. (School leaders will continue to lead in all appointments to their respective schools.)

## **The Recruitment Procedure:**

### **Advertising**

To ensure equality of opportunity, the federation will advertise all vacant posts initially within the federation and will then advertise externally if no appropriate internal candidate is appointed there will be an external advertisement.

### **Applications**

The form – The federation uses a standard application form. CVs will not be accepted. The federation 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 (eg: General Teaching Council for England).

### **References**

References for shortlisted candidates will be sent for immediately after shortlisting. 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 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.

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
- Performance history and conduct
- 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

References will be compared to the application form to ensure that the information provided is consistent. Any discrepancies will be taken up with the applicant at interview. 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 federation'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 / COO, prior to the interview. The chair of the panel /COO will discuss relevant, positive declarations confidentially with the applicant at interview. The disclosure of convictions, cautions or pending cases will not necessarily prevent employment but will be considered in the same way as positive CRB disclosures.

### **Interviews**

The selection process will always include a face to face professional interview including a question related to safeguarding children (in line with NCSL Safer Recruitment Training)

### **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 certificate, or a letter of confirmation from the awarding body / institution. If the original documents are not available, the school will require sight of a properly certified copy. Where candidates have obtained qualifications abroad, a certified

comparability check by NARIC will also be required. Proof of identity and other documentation will be verified by the chair of the panel/ Headteacher.

### **Commencement of Employment prior to CRB check being received**

Employment will not commence until an appropriate CRB Check has been made.

### **Employment Offer**

It may be possible to negotiate a provisional start date with the preferred candidate, however, with the exception of CRB disclosures, the checks detailed above must all be completed BEFORE a person's appointment is confirmed. In the case of CRB 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 federation 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 federation 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**

The federation 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
- Proof of registration with General Teaching Council (for teaching staff)
- Certificate of Good Conduct (where applicable)
- Evidence of medical clearance from Occupational Health (where applicable)
- Evidence of the CRB clearance (ie: the notification form from EPM or the CRB certificate reference number, NOT the actual CRB form or certificate)

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

In line with DCSF requirements, the federation will keep and maintain a single central record of recruitment and vetting checks. The central list will record all staff who are employed directly by Cadmus if they are not also employed by a school in the federation, in which event the records will be held at the relevant school and subject to the usual scrutiny by Governors.

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

- Identity checks
- Qualification checks for any qualifications legally required for the job
- Additionally for those applying for teaching posts, registration check with the GTC where appropriate
- Checks of right to work in the United Kingdom
- List 99 checks
- CRB Enhanced Disclosure
- Further overseas records where appropriate

It shall also indicate who undertook the check and the date on which the check was completed or the relevant certificate obtained.

### **Probation periods**