

Ormiston Forge Academy

# Safer Recruitment Policy

April 2017



Approved by the Principal under powers delegated by the Governing Body: **April 2017**

Review period: April: **April 2019**

## **INTRODUCTION**

The safe recruitment of staff in schools is the first step to safeguarding and promoting the welfare of children in education. Ormiston Forge Academy is committed to safeguarding and promoting the welfare of all pupils in its care. As an employer, the academy expects all staff and volunteers to share this commitment.

In line with recent legislation including the Children Act 2004, Safeguarding Children and Safer Recruitment in Education Guidance DfES/04217/2006, The Independent Schools Standards Regulations 2009 (Standards 4, 4A, 4B, 4C) and the Safeguarding Vulnerable Groups Act 2006, the School takes very seriously its duty of care for all pupils. In order to help safeguard and promote the welfare of all its pupils, the academy is committed to a thorough and consistent Safer Recruitment Policy.

## **AIMS AND OBJECTIVES**

Ormiston Forge Academy is committed to the welfare of children and young people in its care. The academy recognises that the legal requirements for recruiting and employing people to work in the academy include provisions specifically to protect children from harm and that following these provisions is an essential part of its duty of care.

The academy has a principle of open competition in its approach to recruitment and will seek to recruit the best applicant for the job. The recruitment and selection process should ensure the identification of the person best suited to the job at the academy based on the applicant's abilities, qualification, experience and merit as measured against the job description and person specification.

The recruitment and selection of staff will be conducted in a professional, timely and responsive manner and in compliance with current employment legislation.

If a member of staff involved in the recruitment process has a close personal or familial relationship with an applicant they 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.

The objective of this policy is to operate procedures consistently and thoroughly while obtaining, collating, analysing and evaluating information from and about applicants applying for job vacancies at the academy.

## **ROLES AND RESPONSIBILITIES**

It is the responsibility of the governing body to:

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

It is the responsibility of the Principal, Finance Director and other Managers involved in recruitment to:

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

- 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 governing body has delegated responsibility to the Principal to lead in all appointments. Governors may be involved in senior staff appointments but the final decision will rest with the Principal.

## **RECRUITMENT AND SELECTION PROCEDURE**

### **Advertising**

To ensure equality of opportunity, the academy will advertise all vacant posts to encourage as wide a field of applicant as possible.

Any advertisement will make clear the academy 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**

Ormiston Forge Academy uses its own application form and all applicants for employment will be required to complete an application form containing 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, and will make it clear that the post is exempt from the provisions of the Rehabilitation of Offenders Act 1974. Curriculum Vitae (CV's) will not be accepted.

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.

### **Job Descriptions and Person Specifications**

A job description is a key document in the recruitment process, and must be finalised prior to taking any other steps in the recruitment process. It will clearly and accurately set out the duties and responsibilities of the job role and will include a statement that the employee is responsible for promoting and safeguarding the welfare of children for whom he or she is responsible or comes into contact with.

The person specification is of equal importance and informs the selection decision. It details the skills, experience, abilities and expertise that are required to do the job.

### **Interviews**

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 (in line with the Safer Recruitment Training).

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.

#### **OFFER OF APPOINTMENT AND NEW EMPLOYEE PROCESS**

The appointment of all new employees is subject to the receipt of a satisfactory DBS Certificate, references, and medical checks, copies of qualification and proof of identity. These checks are administered and externally verified by Education Personnel Management (EPM) through an annual Service Level Agreement and coordinated by the Human Resources Coordinator at the academy.

A checklist will be used to track and audit paperwork obtained.

Once all clearances have been received, a start date will be confirmed with the successful candidate.

#### **References**

All post are offered conditionally subject to the receipt of satisfactory references.

Two professional references must 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.

One of the references must be from the most recent/current employer.

The academy does not accept open references, testimonials or references from relatives.

#### **The Rehabilitation of Offenders Act 1974**

The Rehabilitation of Offenders Act 1974 does not apply to positions which involve working with, or having access to pupils. Therefore, any convictions and cautions that would normally be considered 'SPENT' must be declared when applying for any position at the academy.

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

All staff at the academy are required to have an enhanced DBS Certificate and therefore a DBS Certificate must be obtained before the commencement of employment of any new employee.

It is the academy's policy to ask staff to complete an annual declaration of disclosure, these documents will be stored in line with data protection. Staff with a break in service of more than 3 months or whose role and responsibilities change substantially e.g. TA to Teacher will be required to reapply.

Members of staff at the academy are aware of their obligation to inform the HR Department of any cautions or convictions that arise between these checks taking place.

The Governing body permits the commencement of employment before an Enhanced Disclosure and Barring Service certificate has been obtained only in justifiable circumstances approved by the Principal. In such circumstances a risk assessment will be carried out. Exceptions will never be made in the case of the Barred List and Teacher Prohibition checks.

### **Portability of DBS Certificates Checks**

The DBS code of Practice and OFSTED does not facilitate portability of DBS Certificate checks unless the applicant has registered to the DBS Update Service.

For clarity portability refers to the re-use of a DBS Certificate obtained for a position in one organisation and later used for another position in another organisation.

Ormiston Forge Academy is committed to adhering to these Codes of Practice and does not accept DBS Certificates carried out by another organisation unless they are registered with the DBS Update Service.

The academy requires all new staff to complete a new DBS application.

### **Dealing with convictions**

The academy 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 person concerned will be asked to write down the circumstances regarding the matter and provide supporting information for their continued employment.

A formal meeting will take place face-to-face to establish the facts with the Principal/Human Resources Manager. Following these discussions the academy will complete a risk assessment of the situation and it is the decision of the Principal as to whether to allow the person to work in the academy. The person will then be informed of the decision.

It is an offence to employ anyone on the barred list in schools.

### **Secretary of State Prohibition Orders**

Prohibition orders prevent a person from carrying out teaching work in schools, sixth form colleges, 16 to 19 academies, relevant youth accommodation and children's homes in England.

A person who is prohibited from teaching must not be appointed to work as a teacher in such a setting. A check of any prohibition will be carried out by the academy either by their HR provider or by using the Employer Access Online Service.

Prohibition orders are made by the Secretary of State following consideration by a professional conduct panel convened by DfE. Pending such consideration, the Secretary of State may issue an interim prohibition order if he considers that it is in the public interest to do so. These can only be lifted by re application to be removed even if they are time bound.

### **Proof of identity, Right to Work in the UK & Verification of Qualifications and/or professional status**

All applicants 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.

In addition, 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 applicants are requested to complete a brief medical questionnaire and where appropriate a doctor's medical report may be required.

### **Overseas checks**

All new employees where persons have lived outside the UK are subject to additional checks in accordance with Immigration, Asylum and Nationality Act 2006. The academy will request police checks from the specific country for staff that have lived outside the UK for more than 3 months in the last 5 years.

### **Induction Programme**

All new employees will be given an induction programme, which will clearly identify the academy policies and procedures, including the Child Protection Policy, and make clear the expectation and codes of conduct which will govern how staff carry out their roles and responsibilities. As part of the induction process the Principal will ensure that the Designated Safeguarding Person(s) are introduced to new staff during the employees first week at work.

### **Centralised Register of Members of Staff**

In addition to the various staff records kept in the academy 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 Human Resources Department.

The Centralised Register will contain details of the following in line with the current DfE guidance-

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

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

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

Ormiston Forge Academy will retain all interview notes on all applicants for a period of 6 months, after which time the notes will be destroyed (ie: shredded). The 6 month retention period is in accordance with the Data Protection Act 1998 and will also allow the academy 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 Human Resources Office in a locked and secure cabinet.

### **Ongoing Employment**

Ormiston Forge Academy 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 academy will therefore provide ongoing training and support for all staff, as identified through the Annual Review/appraisal procedure.

All staff are required to complete an Annual Staff Declaration form at the start of the academic year to confirm that they have no police cautions, convictions reprimands or final warnings for a criminal offence since their last DBS check. Cautions or convictions acquired whilst working for the Academy must be reported immediately to the Principal or HR Manager.

### **Contractors and agency staff**

Contractors engaged by the academy must complete the same checks for their employees that the academy is required to complete for its staff. The academy requires confirmation that these checks have been completed before employees of the Contractor can commence work at the academy.

Agencies who supply staff to the academy must also complete the pre-employment checks which the academy would otherwise complete for its staff. Again, the academy requires confirmation that these checks have been completed before an individual can commence work at the academy.

### **Visiting Speakers (and Prevent Duty)**

The Prevent Duty Guidance requires the academy to have clear protocols for ensuring that any visiting speakers, whether invited by staff or by pupils, are suitable and appropriately supervised.

The academy is not permitted to obtain a DBS disclosure or Children's Barred List information on any visiting speaker who does not engage in regulated activity at the academy or perform any other regular duties for or on behalf of the academy.

All visiting speakers will be subject to the academy's usual visitors signing in protocol. This will include signing in and out at Reception, the wearing of a visitors badge at all times and being escorted by a fully vetted member of staff between appointments.

The academy will also obtain such formal or informal background information about a visiting speaker as is reasonable in the circumstances to decide whether to invite and/or permit a speaker to attend the academy. In doing so the academy will always have regard to the Prevent Duty Guidance and the definition of "extremism" set out in KCSIE.

In fulfilling its Prevent Duty obligations the academy does not discriminate on the grounds of race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age.

### **Volunteers**

The academy will request an Enhanced DBS disclosure including the Children's Barred List information on all volunteers undertaking regulated activity with pupils.

Under no circumstances will the academy permit an unchecked volunteer to have unsupervised contact with pupils.

In addition the School will seek to obtain such further suitability information about a volunteer as it considers appropriate in the circumstances. This may include (but is not limited to the following):

- formal or informal information provided by staff, parents and other volunteers;
- character references from the volunteer's place of work or any other relevant source; and
- an informal safer recruitment interview.

### **Leaving Employment**

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 (these behaviours are within the context of four categories of abuse (ie: physical, sexual and emotional and neglect) the academy Disciplinary Policy will apply.

In cases of dismissal (or resignation) due to the above behaviour, Ormiston Forge Academy will inform the DfES and the Children's Safeguarding Unit of the circumstances why the employee is leaving their employment.

### **Monitoring and Evaluation**

The Principal and Human Resources Manager will be responsible for ensuring that this policy is monitored and evaluated throughout the academy.