

MIHSG
SAFER RECRUITMENT POLICY
(Recruitment, selection and pre-employment vetting)
Reviewed September 2018

1. INTRODUCTION

- 1.1 This policy has been developed to embed safer recruitment practices and procedures throughout MIHSG and to support the creation of a safer culture by reinforcing the safeguarding and well-being of children and young people in our care.
This policy complies with guidance outlined in ***'Keeping children safe in education September 2018'***
- 1.2 This policy reinforces the conduct outlined in the Government Office North West *'Guidance for Safer Working Practice for Adults who Work with Children and Young People'* as well as the school's whistle blowing policy all staff are expected to be familiar with.
All successful candidates for paid or volunteer employment will be made aware of these documents.
- 1.3 This policy is an essential element in creating and maintaining a safe and supportive environment for all pupils, staff and others within the school community and aims to ensure both safe and fair recruitment and selection of all staff and volunteers by:
- attracting the best possible candidates/volunteers to vacancies based on their merits abilities and suitability to the position and are considered equitably and consistently
 - deterring prospective candidates/volunteers who are unsuitable from applying for vacancies
 - identifying and rejecting those candidates/volunteers who are unsuitable to work with children and young people
- 1.4 The level of DBS check required, and whether a prohibition check is required, will depend on the role and duties of an applicant to work in the school, as outlined in this guidance.
- 1.5 For most appointments, an enhanced DBS check with barred list information will be appropriate as the majority of staff will be engaging in regulated activity.
In summary, a person will be considered to be engaging in regulated activity if as a result of their work they:
- will be responsible, on a regular basis in the school, for teaching, training instructing, caring for or supervising pupils; or
 - will carry out paid, or unsupervised unpaid, work regularly in the school where that work provides an opportunity for contact with pupils or
 - engage in intimate or personal care or overnight activity, even if this happens only once.
- See more details on Regulated Activities in Appendix 1**
- 1.6 For all other staff who have an opportunity for regular contact with pupils who are not engaging in regulated activity, an enhanced DBS certificate, which does not include a barred list check, will be appropriate. This would include contractors that would have the opportunity for contact with pupils and who work under a temporary or occasional contract.

- 1.7 In the school, a **supervised** volunteer who regularly teaches or looks after pupils is not in regulated activity. The Department for Education (DfE) has published separate statutory guidance on supervision and regulated activity which schools should have regard to when considering which checks should be undertaken on volunteers.
- 1.8 In addition to obtaining the DBS certificate described, anyone who is appointed to carry out teaching work will require an additional check to ensure they are not prohibited from teaching.

2. ROLES and RESPONSIBILITIES

- 2.1 The Trustees of the school will:
- ensure the school has effective policies and procedures in place for the safe and fair recruitment and selection of staff and volunteers in accordance with Department for Education guidance and legal requirements monitor the school's compliance with them
 - ensure that appropriate staff and Trustees have completed safer recruitment training
- 2.2 The Head Teacher will:
- ensure that the school operates safe and fair recruitment and selection procedures which are regularly reviewed and up-dated to reflect any changes to legislation and statutory guidance
 - ensure that all appropriate checks have been carried out on staff and volunteers in the school
 - monitor any contractors and agencies compliance with this document
 - promote the safety and well-being of children and young people at every stage of this process

3. INVITING APPLICATIONS

- 3.1 All advertisements for posts of regulated activity, paid or unpaid, will include the following statement;

"MIHSG is committed to safeguarding children and young people. All post holders are subject to appropriate vetting procedures and a satisfactory Disclosure and Barring Service Enhanced check".

- 3.2. All applicants will receive information containing the following when applying for a post:
- A statement of the school's commitment to ensuring the safety and well-being of the pupils (can be found on the school advertisement for the post)
 - Job description and person specification
 - The school's Safeguarding Policy (please access the school website www.mihsg.co.uk).
 - The school's Safer Recruitment Policy
 - An application form
 - Equal Opportunities monitoring form
- 3.3 Prospective applicants must complete, in full, and return a signed application form. Incomplete application forms will be returned to the applicant where the deadline for completed forms has not passed.
- 3.4. Candidates submitting an application form completed on line will be asked to sign the form if called for interview.

3.5 A curriculum vitae will not be accepted in place of a completed application form.

4. IDENTIFICATION OF THE RECRUITMENT PANEL

4.1 At least one member of the Selection and Recruitment Panel will have successfully completed training in safer recruitment.

5. SHORT LISTING AND REFERENCES

5.1 Candidates will be short listed against the person specification for the post.

5.2 Two references, one of which must be from the applicant's current/most recent employer, will be taken up before the selection stage so that any discrepancies may be probed during this stage of the procedure.

5.3 References will be sought directly from the referee, and where necessary, will be contacted to clarify any anomalies or discrepancies. Detailed written records will be kept of such exchanges.

5.4 Where necessary, previous employers who have not been named as referees may be contacted in order to clarify any such anomalies or discrepancies. Detailed written records will be kept of such exchanges.

5.5 Referees will be asked specific questions about the following:

- The candidate's suitability to work with children and young people
- Any disciplinary warnings, including time-expired warnings, relating to the safeguarding of children and young people
- The candidate's suitability for the post

5.6 Reference requests will include the following:

- Applicants current post and salary
- Sickness record
- Attendance record
- Disciplinary record

5.7 All appointments are subject to satisfactory references, vetting procedures and DBS clearance. In addition, staff who are appointed to carry out teaching work will be subject to an additional check to ensure they are not prohibited from teaching.

6. INVITATION TO INTERVIEW

6.1 Candidates called to interview will receive:

- A letter confirming the interview and any other selection techniques
- Details of the interview day including details of the panel members
- Further copy of the person specification
- Details of any tasks to be undertaken as part of the interview process
- The opportunity to discuss the process prior to the interview

7. THE SELECTION PROCESS

7.1 Selection techniques will be determined by the nature and duties of the post but all vacancies will require an interview of short-listed candidates.

7.2 Interviews will always be face-to-face.

7.3 Candidates will be required to:

- Explain any gaps in employment
- Explain satisfactorily any anomalies or discrepancies in the information available to the panel
- Declare any information that is likely to appear on the DBS disclosure
- Demonstrate their ability to safeguard and protect the welfare of children and young people.

8. PRE-APPOINTMENT CHECKS

8.1 An offer of appointment to a successful candidate, including one who has lived or worked abroad, must be conditional upon satisfactory completion of pre-employment checks

8.2 When appointing new staff, the schools will:

- verify a candidate's identity, preferably from current photographic ID and proof of address except where, for exceptional reasons, none is available;
- Obtain a certificate for an enhanced DBS check with a barred list information where the person will be engaging in regulated activity;
- Obtain a separate barred list check if an individual will start work in regulated activity before the DBS certificate is available;
- Verify the candidate's mental and physical fitness to carry out their work responsibilities. The job applicant will be asking relevant questions about disability and health in order to establish whether they have the physical and mental capacity for the specific role
- Verify professional qualifications for all types of candidates, as appropriate.
- Verify the person's right to work in the UK. If there is uncertainty about whether an individual needs permission to work in the UK, then prospective employers, or volunteer managers, should follow advice on the GOV.UK website
- If the person has lived or worked outside the UK, the school will make further checks where it consider appropriate.

8.3 A DBS certificate must be obtained from the candidate before or as soon as practicable after appointment. Alternatively, if the applicant has subscribed to it and gives permission, the school will undertake an online update check through the DBS Update Service. Individuals can join the DBS Update Service when applying for a new DBS check; this will allow them to re-use this check when applying for similar jobs. With the individual's consent, the school can go online and carry out an instant check to see if a new certificate is required

- 8.4 The school should ensure that a candidate to be employed as a teacher is not subject to a prohibition order issued by the Secretary of State, using the [Employer Access Online](#) service.

See flowchart of Disclosure and Barring Service criminal record checks and barred list checks Appendix 2

9. POLICY ON RECRUITMENT OF EX-OFFENDERS

- 9.1 The School will not unfairly discriminate against any applicant for employment on the basis of conviction or other details revealed.
- 9.2 In view of the fact that all positions within the School will amount to "regulated positions" within the meaning of the Protection of Children Act 1999 (as amended by the Criminal Justice and Courts Services Act 2000), all applicants for employment must declare all previous convictions (including those which would normally be considered "spent" under the Rehabilitation of Offenders Act 1974). A failure to disclose a previous conviction may lead to an application being rejected or, if the failure is discovered after employment has started, may lead to summary dismissal on the grounds of gross misconduct. A failure to disclose a previous conviction may also amount to a criminal offence.
- 9.3 Under the relevant legislation, it is unlawful for the School to employ anyone who is included on the lists maintained by the DfE and the Department of Health of individuals who are considered unsuitable to work with children. In addition, it will also be unlawful for the School to employ anyone who is the subject of a disqualifying order made on being convicted or charged with the following offences against children: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence.
- 9.4 The school considers it to be a high risk to employ anyone who has a conviction for serious class A drug related offences, robbery, burglary, theft, deception or fraud, or, if the post involves some driving responsibility, anyone who has been convicted of drunk driving within the last ten years.

It is a criminal offence for any person who is disqualified from working with children to attempt to apply for a position within the School. If:

- the School receives an application from a disqualified person;
- is provided with false information in, or in support of an applicant's application; or
- The School has serious concerns about an applicant's suitability to work with children; it will report the matter to the Police, DBS and/or the DfE Children's Safeguarding Operations Unit (formerly the Teacher's Misconduct Team).

11. SECTION 128 CHECKS

- Members of proprietary bodies, including Trustees, and Directors, as well as the Head Teacher will be checked.
- As the term 'management' is not defined in the legislation, the school will determine whether a post requires this check.

- The following positions may be considered as involved in the Management of the school:
 - Any teaching positions on the senior leadership team
 - Any teaching positions that carry a department headship
 - Any non-teaching staff who are part of the senior leadership team

10. AGENCY AND THIRD PARTY STAFF

The schools will obtain written notification from any agency, or third-party organisation, they use that the organisation has carried out the checks on an individual who will be working at the school. This would include, as necessary, a barred list check, prior to appointing that individual. Check will also carried out on that the person presenting themselves for work is the same person on whom the checks have been made.

11. TRAINEE/STUDENT TEACHERS

Where applicants for initial teacher training are salaried by the school, the school will ensure that all necessary checks are carried out. As trainee teachers can undertake regulated activity, sometimes unsupervised, an enhanced DBS certificate and barred list check must be obtained. Where trainee teachers are fee-funded It is the responsibility of the initial teacher training provider to carry out the necessary checks

12. EXISTING STAFF

If the school has concerns about an existing staff member's suitability to work with children, the school will carry out all relevant checks as if the person were a new member of staff. Similarly, if a person working at the school moves from a post that was not regulated activity, into work which is regulated activity, the relevant checks for the regulated activity will be carried out. Apart from these circumstances, the school is not required to request a DBS check or barred list check.

13. VOLUNTEERS

Under no circumstances should a volunteer in respect of whom no checks have been obtained be left unsupervised or allowed to work in regulated activity.

14. RETENTION OF RECORDS

If an applicant is appointed, the School will retain any relevant information provided on their application form (together with any attachments) on their personnel file. If the application is unsuccessful, all documentation relating to the application will normally be confidentially destroyed after six months under the Privacy Notice Policy, unless the applicant specifically requests the School to keep their details on file.

15. INDUCTION

15.1 All staff and volunteers who are new to the school will receive information on the school's safeguarding policy and procedures and guidance on safe working practices as part of their induction training.

15.2 All successful candidates will undergo a period of monitoring and will:

- Meet regularly with their induction tutor
- Meet regularly with their line manager

- Attend any appropriate training

16. SUPPLY STAFF

16.1 MIHSG will only use those agencies which operate a Safer Recruitment Policy and supply written confirmation that all relevant checks have been satisfactorily completed. Any information disclosed as part of the DBS check will be treated confidentially.

16.2. MIHSG will carry out identity checks when the individual arrives at school.

17. PERIPATETIC STAFF

MIHSG will require that all necessary checks and DBS requirements have been satisfactorily completed for peripatetic staff.

Related school policies

- Safeguarding
- Visitors
- Suitability of staff, supply staff and proprietors

Appendix 1

Regulated activity

The full legal definition of regulated activity is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012. HM Government have produced a factual note on Regulated Activity in relation to Children: scope.

Regulated activity includes:

- A) teaching, training, instructing, caring for (see (c) below) or supervising children if the person is unsupervised, or providing advice or guidance on well-being, or driving a vehicle only for children,

- B) work for a limited range of establishments (known as 'specified places', which include schools and colleges), with the opportunity for contact with children, but not including work done by supervised volunteers;

Work under (A) or (B) is regulated activity only if done regularly. Some activities are always regulated activities, regardless of their frequency or whether they supervised or not. **This includes:**

- ❖ relevant personal care, or health care provided by or provided under the supervision of a health care professional:
 - personal care includes helping a child, for reasons of age, illness or disability, with eating or drinking, or in connection with toileting, washing, bathing and dressing;
 - health care means care for children provided by, or under the direction or supervision of, a regulated health care professional