Safer Recruitment and Selection Policy for Education Providers in Solihull

Updated in line with KCSIE 2023

This policy sets out the terms reached by those participating in the Council's Consultation and Negotiation Framework. The only agreed modifications that can be made to it are to include the school's name and remove reference to Solihull MBC where applicable.

. The school must undertake negotiation and consultation with the relevant Trade Union/Staff Association Representatives before this policy is adopted by the School Governing Body. Advice is available from the HR provider on how to undertake this, if required.

This policy has been produced by SMBC human resources and SMBC education improvement service.

SAFER RECRUITMENT & SELECTION POLICY

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Prepared by: Deana Leonard – HR Manager, Schools & Childrens Services

Approved by: SMBC's Consultation and Negotiating Framework

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Document revision dates

Revision	Date	Revision description
2.0	March 2019	Updated to reflect latest Keeping Children Safe in Education document.
2.1	May 2019	Updates on Layout
2.2	November 2019	Updates based on reference to KCSIE 2019
2.3	November 2020	Updates based on reference to KCSIE 2020
2.4	November 2021	Updates based on reference to KCSIE 2021
2.5	September 2022	Updates based on reference to KCSIE 2022
3.0	September 2023	Updates based on reference to KCSIE 2023

Safer Recruitment & Selection Policy What does this Policy cover?

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This Safer Recruitment and Selection Policy provides a framework for schools to adopt and should be read in conjunction with the separate Safer Recruitment and Selection Guidance and Code of Practice. The guidance documents are referenced throughout the policy.

1. Policy Statement

Prosper Together and Windy Arbor Primary School are Equal Opportunities employers. The purpose of the Safer Recruitment and Selection Policy is to ensure that the School selects the most suitable person for the job based on merit, regardless of gender, race, sexuality, marital status, pregnancy or maternity, disability, age or religious belief.

Prosper Together and Windy Arbor Primary School has a responsibility for and is committed to safeguarding and promoting the welfare of children, young people and vulnerable groups. All employees and volunteers are expected to share this commitment and to obtain the appropriate level of Disclosure and Barring Service check (DBS) and where relevant workforce checks and safeguarding checks as appropriate.

2. Promoting Equality of Opportunity

Prosper Together and Windy Arbor Primary School are inclusive employers, who value the contributions of their employees and strive to be Employers of Choice. The world is constantly changing – it is more diverse and people now draw their sense of identity from a range of sources. Being aware of this changing demographic and the importance of identity for staff, customers and service users can make a real difference to competitiveness and the ability to deliver services.

At any point in the recruitment process Prosper Together and Windy Arbor Primary School could be accused of discriminatory practice for which there is no limit on the damages payable. Statutory equality duties, however, require the Council to go further than preventing discrimination in the recruitment and selection process. They include the promotion of equality of opportunity and good relations/positive attitudes. It is essential therefore that action is taken to address instances of under- representation in the school's employee profile by, for instance, encouraging job applications from suitably qualified people who are members of those under-represented communities.

Mere compliance with legislation, though, is not enough. Emphasis must be placed on appreciating the benefits to the school's recruitment and selection approach that attracts the best talent from the widest possible pool.

3. Data Protection

The School processes information about an individual's criminal convictions in accordance with its data protection policy. Data collected during recruitment is held securely and accessed by and disclosed to individuals, only for the purposes of completing the recruitment process. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the Council/school's data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the disciplinary procedure.

Once an individual is recruited, information about his/her criminal record gathered during the vetting process will not be transferred to his/her personnel file.

4. The Purpose

This Safer Recruitment and Selection Policy provides a framework and best practice guide that will help to ensure that the school attracts, selects' and retains the most suitable candidate for a post, using appropriate, fair, open, effective and robust methods.

It is the responsibility of everyone involved in the recruitment and selection of employees to ensure that all applicants and potential applicants are treated

fairly and that all decisions made within the process are objective and based on the requirements for the job.

5. Key Principles

Before commencing recruitment, all those involved must ensure that they have a clear understanding of this policy and associated Code of Practice and guidance.

All recruitment must be planned, in advance. This includes identifying who should be involved, allocating roles and responsibilities, agreeing the timescale's and seeking approvals where required regarding finance/Governors.

- All vacancies must be advertised
- All non-teaching jobs must have been job evaluated.
- All jobs must have an up to date and appropriate job description and person specification.
- Where possible vacancies must be included on the Council's 'First Consideration' list before advertising.
- Applicants on 'First Consideration' must be interviewed if they meet the essential criteria for the post.
- Applicants with a disability who meet the essential criteria for a post must be offered an interview (Disability Confident Scheme).
- All interviews and short-listing must be carried out by at least two people.
- When shortlisting the following must be observed:

All applicants must be assessed against the criteria on the person specification/or the application questions not each other.

Personal information such as name, age, gender, ethnic background etc. must not be seen by those carrying out the shortlisting to ensure there is no unconscious bias taking place and monitoring information sheets need to be separated on receipt of the applications in school.

Applicants who do not satisfactorily demonstrate that they meet all the essential criteria identified as being measured from the application form cannot be interviewed.

Selection criteria cannot be changed, or new criteria introduced at this (or any other) point in the process.

Shortlisted candidates should be asked to complete a self-declaration of their criminal record or information that would make them unsuitable to work with children. Self-declaration is subject to Ministry of Justice guidance on the disclosure of criminal records, further information can be found on GOV.UK For example:

- if they have a criminal history
- if they are included on the children's barred list
- if they are prohibited from teaching
- if they are prohibited from taking part in the management of an independent school • information about any criminal offences committed in any country in line with the law as applicable in England and Wales, not the law in their country of origin or where they were convicted
- if they are known to the police and children's local authority social care
- if they have been disqualified from providing childcare (see paras 263-267), and,
- any relevant overseas information. (Safer Recruitment and Selection Guidance Document 21 for maintained schools and Document 22 for Academies)

This information should only be requested from applicants who have been shortlisted. **The information should not be requested in the application form to decide who should be shortlisted.**

Applicants should be asked to sign a declaration confirming the information they have provided is true. Where there is an electronic signature, the shortlisted candidate should physically sign a hard copy of the application at point of interview.

The purpose of a self-declaration is so that candidates will have the opportunity to share relevant information and allow this to be discussed and considered at interview before the DBS certificate is received

- All interviews and short-listing must be carried out by at least two people. Since 1st September 2014 **at least one member of the recruitment panel (ideally the Chair) must have undertaken "Safer Recruitment Training".** The trained panel member must brief any panel members on the safer recruitment process and the expectations upon everyone involved. All members of the panel should be familiar with KCSIE (Part three) and the Safer Recruitment and Selection Policy.

- Following a conditional employment offer being made, two employment references covering the last 3 years must be taken up. Schools should use the standard pro forma and one of the referees should be the applicant's current or last manager. Where an applicant has previously worked in a school, one of the referees should be the school's Head Teacher. As part of the appointment process for Head Teacher and teachers the governing body should ask previous employers for details about whether the individual has been subject to capability procedures in the previous two years.

- References must be scrutinised, and the information provided should be matched against the information provided on the application form and that

given during the interview. Any concerns or discrepancies must be satisfactorily resolved.

Where the successful candidate is an internal candidate then only one reference is required, this being from the current line manager. In circumstances where the employee's manager is newly appointed, the hiring manager may seek an additional reference

- Where qualifications have been listed in the Person Specification as essential (or desirable if the applicant has stated they have them on his/her application form) original certificates, must be obtained from the successful candidate and checked and verified by the recruiting manager. **Further information can be obtained from Schools Guidance on Giving/Receiving Employment References.**

- Proof of identity and eligibility to work in the UK must be obtained before an applicant starts work.

- Any documents associated with the recruitment activity, including written interview notes, must be retained, and stored securely for a period of six months from the appointment date.

- All documentation relating to applicants must be treated confidentially, in line with GDPR.

6. Responsibilities

The Head Teacher, Governors and School Leaders

Schools must appoint staff in accordance with employment law. Maintained schools must also follow the requirements set out in the School Staffing (England) Regulations and the Governing Body may delegate the responsibility for appointment to posts in line with this. Appointments in academies must be made in line with any relevant requirements set out in the Funding agreement.

Head teachers and Governors should ensure that safer recruitment procedures are also compliant with Keeping Children Safe in Education (Part 3) and Inspecting Safeguarding in Early Years, Education and Skills.

- Ensure the Recruitment and Selection Policy is always adhered to.
- When a vacancy occurs, assess the continuing need for the post in its current form.
- review and, where appropriate, revise the job description and person specification ensuring that the post is re-evaluated if significant changes are made.
- Identify what level of DBS check is required.
- Identify posts where the fluency duty applies.
- Gain approval from Finance where necessary to fill the vacancy.

- Approve the advertisement and its placement given due consideration to the Council's "First Consideration" list.
- Determine the appropriate level of pay for new starters.
- Ensure the process from short-listing to assessment is carried out in a fair and transparent manner and is free from bias.
- Obtain satisfactory references for the preferred candidate as soon as possible after the conditional offer is made in line with the school's reference procedure.
- Complete all pre-employment checks for new starter (e.g., DBS, Child Workforce check (Barred list check), S128 barred from management check, verify qualifications, barred from teaching Check, eligibility to work in UK, proof of address) and medical clearance. Obtain two satisfactory references on a conditional offer being made except in the case of internal applicants please see **Schools Guidance on Giving/Receiving Employment References.**
- Original documents must be seen and verified copies retained in the school file.
- Ensure the completion of the 'Appointment Form - C288' for the new starter.
- Maintain contact with the new starter and ensure successful integration into the workplace (i.e. on-boarding)
- Ensure new starters receive an appropriate induction and complete any mandatory training.
- Ensure the probationary review process is followed (where appropriate).

The Chair of the recruitment panel has a responsibility to:

- Ensure all panel members are aware of their responsibilities within the recruitment and selection process.
- Ensure the Safer recruitment and selection guidelines are always adhered to.
- Ensure at least one member of the recruitment panel has undertaken Safer Recruitment training as required in Keeping Children Safe in Education.
- Ensure the process from short-listing to interview/assessment is conducted fairly and objectively and that the selection decision is based on the requirements of the job.
- Ensure all documents associated with the assessment/ interview process and proof of identity and eligibility to work are handled and stored securely and original certificates are checked photocopied and certified (certifying your copy as being a true copy of the original).
- Ensure the Schools Single Central Record (SCR) is fully completed.
- Ensure that all pre-employment checks are undertaken in line with the requirements set out in the Recruitment and Selection Guidance document.

HR Advisors and the Employee Service Teams have a responsibility to:

- Provide advice and guidance to Head teachers, Chair of Governors and employees to ensure that the Recruitment and Selection Policy is followed correctly.
- Evaluate or re-evaluate the banding of posts as appropriate.
- Verify that the post has been job evaluated where appropriate.
- Administer and provide feedback on psychometric tests, as required.

- Assist with the selection process where appropriate.
- Ensure that the first consideration process is followed.
- Facilitate relevant pre-employment checks are carried out (right to work in the UK, qualifications, DBS, Child Workforce Checks (barred List Checks), Section 128, Barred from teaching, Childcare disqualification check, medical clearance etc.);
- Issue new starter documentation as instructed by the school •
- Enrol all new starters on to payroll

7. Scope

This Policy covers all Schools vacancies whether permanent, temporary or fixed term.

We advise that the Headteacher and chair of governors audit your procedures including: -

School leaders: carry out the *operational task* of physically checking the SCR and making sure all the relevant boxes are complete and that the document as a whole is up to date.

- Monthly checks of the school's single central record to ensure it is up to date and appropriately maintained (including addition of any newly appointed staff and identifying leavers). Ensure a signed record of these checks is maintained.

- Regularly audit procedures for recruiting new staff using the safer recruitment checklist.

- Review decision making processes and risk assessments.

- Vetting of visitors, and auditing of the visitor book to check out the robustness of the SCR process.

Governors: are responsible for the *strategic task* of monitoring that school leaders are keeping up with their statutory duties. They do this by asking the right questions about how complete the record is, how frequently it's reviewed and how it's stored.

It may be reasonable for a governor to check the SCR personally where it's identified that safeguarding procedures are not being complied with For example, if:

- The board are concerned that the school isn't complying with safer recruitment requirements or monitoring the SCR closely enough, or

- The results of an Ofsted inspection or other internal audit identifies SCR compliance as an issue.

Further Reading

- Keeping Children Safe in Education September 2023 (Part three).
- The ACAS guide Equality and Discrimination

- Inspecting safeguarding in early years education and skills Settings - Ofsted September 2019
- Staffing and employment advice for schools, October 2018, Department for Education
- School Staffing Regulations 2009
- Guidance for safer working practice for adults who work with children and young people in education, May 2019
- The Childcare (Disqualification) Regulations 2018