



Excellence for All

SAFER RECRUITMENT AND DBS POLICY

Rationale

We are committed to safeguarding and promoting the welfare of all students and we believe we have a duty to ensure safe recruitment of school staff and volunteer helpers to this school.

We wish to appoint the most suitable person for each vacant position regardless of age or perceived age, marital status, sex, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation or disability. Also, we will take no account of an applicant's membership or non membership of a trade union.

We intend to deter prospective applicants and to identify and reject applicants who are unsuitable to work with students. Existing employees, employees on fixed or temporary contracts will be invited to apply.

We believe our recruitment and selection process is systematic, efficient, effective and equal. All applicants must declare spent and unspent convictions, cautions and bind-overs, including those regarded as spent and have an Enhanced Criminal Records Disclosure and Disqualification by Association declaration as all posts are exempt from the Rehabilitation of Offenders Act 1974.

We wish to work closely with the School Council and to hear their views and opinions as we acknowledge and support Article 12 of the United Nations Convention on the Rights of the Student that students should be encouraged to form and to express their views.

We as a school community have a commitment to promote equality. Therefore, an equality impact assessment has been undertaken and we believe this policy is in line with the Equality Act 2010.

Aims

- To ensure the practice of safe recruitment of school staff and volunteer helpers.
- To ensure that a fair and legal recruitment procedure is in place.
- To have in place clear procedures for DBS (Disclosure and Barring Service) checks for all school staff, volunteers and new appointments in order to ensure the safety and welfare of students and young people.
- To work with other schools to share good practice in order to improve this policy.

Responsibility for the Policy and Procedure

Role of the Governing Body

The Governing Body has:

- the responsibility of ensuring that the safe recruitment process complies with DfE guidance and legal requirements

- delegated certain powers and responsibilities to the Headteacher to oversee compliance with DfE guidance and legal requirements;
- delegated powers and responsibilities to the Headteacher to ensure all school staff and visitors to the school are aware of and comply with this policy;
- responsibility for ensuring that the school complies with all equalities legislation; adopted the Local Authority DBS Policy;
- responsibility for ensuring funding is in place to support this policy;
- responsibility for ensuring this policy and all policies are maintained and updated regularly;
- responsibility for ensuring all policies are made available to parents;
- nominated a link governor to visit the school regularly, to liaise with the Headteacher and the coordinator and to report back to the Governing Body;
- responsibility for the effective implementation, monitoring and evaluation of this policy

Role of the Headteacher

The Headteacher will:

- implement this policy;
- promote the safeguarding and welfare of students;
- ensure the school operates safe recruitment procedures;
- organise safe recruitment training for school staff involved in recruitment;
- all appointment panels to include one person who has successfully passed safe recruitment training;
- ensure all appropriate pre-employment checks are completed on school staff and volunteer helpers;
- ensure contractors and agencies comply with this policy;
- participate as necessary in the appointment of school staff ensure all school staff, students and parents are aware of and comply with this policy;
- provide leadership and vision in respect of equality;
- provide guidance, support and training to all staff;
- monitor the effectiveness of this policy;

Role of School Staff

School staff will:

- comply with all aspects of this policy;
- ensure they provide all the necessary documentation for the disclosure process;
- implement the school's equalities policy and schemes;
- report and deal with all incidents of discrimination;
- attend appropriate training sessions on equality;
- report any concerns they have on any aspect of the school community

Role of Parents/Carers

Parents/carers will be made aware of this policy.

Safe Recruitment Procedure

When a post becomes vacant or is created then the following procedure takes place:

Recruitment Request Form

The recruiting manager must complete the Recruitment Proposal Form identifying the need for the post and setting out the business case as to why it is business critical. The form should be approved by the relevant senior leader before being forwarded to the Head of HR for completion of the costing section. The Strategic Leadership Team (SLT) will consider all Recruitment Request Forms and recruitment may not commence without SLT approval.

Job and Person Specification

- For every vacancy a job and person specification will be written. For new posts the Head of HR will arrange job evaluation by the local authority (RBWM) job evaluation team to help inform the grade of the post as appropriate

Job advertisement

- Unless it is agreed that a post will be advertised internally only (for example to encourage internal development and promotion) all posts will usually be advertised on the school website and some in the local and national press. Social media such as LinkedIn may be used to advertise vacant posts.
- All advertisements for posts will state that the school is committed to safeguarding students and young people and all post holders are subject to a satisfactory enhanced DBS disclosure.

Short-listing and References

- Short-listing will be undertaken.
- Applicants will be short-listed for the post if they fully meet the person specification.
- Immediately after short-listing references will be sought.
- All referees will be asked if the candidate is suitable to work with students, has any disciplinary procedures relating to the safety and welfare of students, or any details of allegations/concerns/bad behaviour relating to the safety and welfare of students. For teachers, grades of teaching and learning observations over time will also be sought.
- Unsuccessful applicants will not be contacted.
- Short-listed candidates will be asked if they have a disability within the meaning of the Equality Act 2010 and if they require any particular adjustments to accommodate their particular needs.

Selection Day(s)

- On the selection day all candidates will need to provide proof of identity, proof of their qualifications and proof of eligibility to live and work in the UK.
- All candidates will be assessed for their suitability to the post and their capability to safeguard and protect the welfare of students and young people.

Job Offer

- The selection panel will identify the most suitable candidate.
- A job offer will be made by the Head of HR or Headteacher. It will be subject to references and a satisfactory DBS clearance as well as Disqualification by Association declaration and pre-employment medical check.

Safer Recruitment checks for the successful candidate

Before taking up the post the following checks will be undertaken on the successful candidate:

- References (2)
- Proof of identity
- DBS Enhanced Disclosure for both child and adult workforce which includes a List 99 check
- Disqualification by Association declaration
- Medical fitness from Occupational Health
- Proof of qualifications
- Proof of QTS for teaching staff
- Proof of a right to work in the UK
- In accordance with Keeping Children Safe in Education 2015 guidance, an additional check will be carried out for candidates who are to be employed as teachers. This is to ensure that the candidate is not subject to a prohibition order issued by the Secretary of State, using the Employer Access Online service. The school is registered with this service.

An appointment will not be confirmed until receipt of all of the above.

Induction

The induction programme for all newly appointed school staff will include an introduction to all school policies dealing with the safeguarding of students and young people including the DfE guidance on Keeping Children Safe in Education 2016.

Probationary Period

- All new employees will be subject to a probationary period of six months, during which their progress will be monitored by their line manager.
- Probation reviews will take place after three months and five months, after which a recommendation will be made to establish whether the employment should be confirmed or terminated, or whether the probation period should be extended. Probation reviews and records will be recorded in the appraisal module of the School Information Management System (SIMS).

Central Record of Recruitment Vetting Checks

We believe the safety and welfare of students and young people is paramount and we are fully committed to the procedures and arrangements of the Disclosure and Barring Service and Independent Safeguarding Authority.

We understand that this policy complies with the DfE document 'Keeping Children Safe in Education 2016', the School Staffing (England) (Amendment) Regulations 2012, the Education (Restriction of Employment) Regulations 2003, the Data Protection Act and the DBS Revised Code of Practice 2015.

We acknowledge the immense importance of the DBS in providing access to Disclosure checks for school staff, volunteer helpers and for new appointments to this school.

We will keep a single central record of recruitment and record checks of:

<ul style="list-style-type: none">▪ all teaching staff▪ support staff	<ul style="list-style-type: none">▪ Governors who work as volunteers▪ Local Authority and private tutors
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<ul style="list-style-type: none"> ▪ supply teachers ▪ volunteer parent helpers 	
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DBS disclosures will not be applied to the following as it is felt that they will have very little, if any, contact with students, they will be escorted whilst on the school premises or that they will work under the supervision of a teacher:

- Secondary students on work experience
- Representatives from educational firms
- Contractors (the company responsible for contractors will be required to confirm that DBS checks have been carried out)
- Occasional school event volunteers
- Contractors who are on site when students are not present

No new employee will commence their appointment without an enhanced DBS check.

We will consider any person with a criminal record equally with others applying for any vacant post at this school unless their DBS disclosure check indicates that they present a risk to students.

Employment agencies supplying agency workers to the school will be required to provide written confirmation (by email) that the necessary safer recruitment checks have been carried out for their staff prior to any work at the school commencing.

Department for Education (DfE) guidance states that existing staff whose checks were under the old police check/list 99 system prior to the introduction of CRB (now DBS) disclosure remain current as long as:

- there are no concerns
- no change to existing role/responsibility from non-regulated activity to regulated activity
- no break of service of 3 months

By law, all school staff newly-employed since 12 May 2006 must have an Enhanced DBS check, unless they have continuous employment with less than three months break and no increase in their contact with children. There is no requirement to recheck staff once employed unless the criteria above are met. Staff contracts of employment and the Staff Handbook require staff to disclose any new occurrences that may impact on their DBS status or suitability to work with children (the criminal justice system is likely to notify the school or the Local Authority Designated Safeguarding Officer in such circumstances).

Security of Information

- In compliance with the DBS Code of Practice and the Data Protection Act all disclosure information and records of all school staff will be safely handled, securely stored, retained and disposed of in a secure manner.
- We have in place the Single Central Record which records the receipt of all satisfactory DBS disclosures.

Reference requests for those leaving school employment

A professional reference is understood to be one which is provided to comment on one's conduct in the workplace, whether positive, neutral or negative, and/or suitability for the role held, and/or applied for, and/or recommendation of the person for the post/role/project applied for and any opinion cast over the person as a member of the organisation.

Reference requests relate to the following:

- Staff member requesting a professional reference
- Staff member requesting a personal/character reference
- Staff member being asked to provide a professional reference
- Staff member being asked to provide a personal/character reference

This guidance applies to the following groups of people:

- All staff employed directly by the school as paid employees in the past, currently or in the future
- All staff employed directly by the school or associated with the school as unpaid (voluntary) employees in the past, currently or in the future (*with the exception of Governors* - see below*)
- All students - past, current and future
- All parents/carers/family members of family friends of the students (past, current, future)
- Any other person, in any way associated with the school, as an organisation

This guidance applies to:

- Manor Green School under its past, current and any future registration (residential, day school, RBWM maintained or independent academy)
- Manor Green School under its past, current and any future name (Holyport Manor School, Manor Green School, or any other it may be known as in the future)
- All parts of the organisation (school, residential unit/Residence, school business support) - in the past, now and in the future

Any requests for professional references must be directed to the Headteacher at the school, either in writing or by email. The Headteacher may ask Head of HR or another senior member of staff to provide information for the reference.

No other person in the school may provide any reference referring to the individual's professional conduct, qualities or potential. Any such reference will be treated as a professional reference, whether or not provided on school headed paper, or sent from the work email address. Staff, other than the Headteacher, providing any such reference will be seen as operating in breach of this policy and are likely to be subjected to a disciplinary action.

A personal/character reference is understood to be one, which is provided to comment on a person's personality, character and qualities.

At Manor Green School, any request for a personal/character reference is permitted, as long as:

- It does not refer to the person's conduct at work, professional qualities or potential
- It is not sought or issued with any reference to the school
- It is not issued on a school's headed paper, using the school's address (postal or email) and/or referring to the job titles/roles held within the school (applicable equally to referee and applicant)
- It does not, knowingly, provide a personal reference for a person, who was disciplined and dismissed from their job at Manor Green School (past, current, future rule applies).** (*see explanation below*)

* *Governors - reference request from/for past, current Governors must be addressed to:*

*Governor Services
Royal Borough of Windsor and Maidenhead*

Town Hall
St Ives Road
Maidenhead SL61RF

*** If a staff member is approached by a colleague who is known to have been dismissed from their job at Manor Green School (see section above regarding definition), any reference will be deemed as "of safeguarding concern", should it be provided without mention of the dismissal. Staff are advised to contact the Headteacher, who will advise regarding the potential personal risks and the legal implications of providing a personal reference for someone whose HR/other records may contain significant information which may not be fully known (i.e. DBS information, disciplinary, dismissal, etc). Whilst the Headteacher may only be able to share some, but not all details, their advice will be highlighting the risks which will need to be considered before providing a personal reference.*

If a staff member chooses to provide a personal reference to a person they know was dismissed from their job at the school, the school will not be able to provide support in any legal proceedings taken by third parties.

Raising Awareness of this Policy

We will raise awareness of this policy via:

- the Staff Handbook
- the school website/Intranet
- Headteacher's reports.

Equality Impact Assessment

Under the Equality Act 2010 we have a duty not to discriminate against people on the basis of their age, disability, gender reassignment, marriage and civil partnership, pregnancy or maternity, race, religion or belief, sex and sexual orientation.

This policy has been equality impact assessed and we believe that it is in line with the Equality Act 2010 as it is fair, it does not prioritise or disadvantage any student and it helps to promote equality at this school.

Monitoring the Effectiveness of the Policy

Review of Policy

This policy shall be subject to review every two years and may be changed from time to time.

Management of policy

The Governors and Headteacher have overall responsibility for the maintenance and operation of this policy. They will maintain a record of concerns raised and the outcomes.

The Governing Body ratified this policy on date: 5th December 2016



Signed:



Chair of Governors



Signed:

Headteacher

Initial Equality Impact Assessment

Safer Recruitment and DBS---- Policy

Existing policy (✓)	New/Proposed Policy (✓)	Updated Policy (✓)
	✓	

This policy affects or is likely to affect the following members of the school community (✓)	Students	School Staff	Parents/carers	Governors	School Volunteers	School Visitors	Wider School Community
		✓					

Question	Equality Groups																		Conclusion																						
	Age			Disability			Gender reassignment			Sex			Pregnancy or maternity			Race			Religion or belief			Sexual orientation			Marriage and civil partnership			Yes	No												
Does or could this policy have a negative impact on any of the following?	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS											
		✓			✓			✓			✓			✓			✓			✓			✓			✓			✓			✓									
Does or could this policy help promote equality for any of the following?	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS					
	✓			✓			✓			✓			✓			✓			✓			✓			✓			✓			✓			✓							
Does data collected from the equality groups have a positive impact on this policy?	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS		
	✓			✓			✓			✓			✓			✓			✓			✓			✓			✓			✓			✓							

Conclusion	We have come to the conclusion that after undertaking an initial equality impact assessment that a full assessment is not required.																	
Preliminary EIA completed by	Date	Preliminary EIA approved by	Date															
Ania Hildrey		SBS Committee																