

## ‘Every opportunity to educate everyone forever’

### Intent

1.1 This procedure is recommended to governing bodies for adoption by schools and should be applied thoroughly whenever someone is recruited to work in a school.

1.2 The City Council will not accept liability for any actions, claims, costs or expenses arising out of a school’s decision not to follow this recommended policy or guidance, or where it is found that the school’s governing body has been negligent or has acted in an unfair or discriminatory manner.

#### 2. Policy Statement

2.1 The Federation of Mellers Primary School and Nottingham Nursery is committed to safeguarding and promoting the welfare of children and young people in its recruitment practice and expects all school-based employees and volunteers to share this commitment.

2.2 Good practice and equality of opportunity are integral to the school’s recruitment and selection processes, which will be approached in a fair, equitable, transparent and effective manner.

2.3 The principles of this policy apply to all recruitment processes undertaken at the school, whether external or internal, with the aims of:

- protecting the children and young people at the school and ensuring all possible precautions are taken to prevent unsuitable people from being employed here;
- selecting the best people to work in the school, with the right combinations of knowledge, competencies and personal attributes;
- ensuring that processes are fair and transparent and do not discriminate against any groups or individuals.

2.4 The governing body and headteachers will ensure that the following statement (or similar) will be included at all opportunities during the recruitment process (e.g. advertisement, application pack, invitation to interview etc): "This school is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment."

2.5 In cases of redundancy and redeployment, the school may apply flexible internal recruitment practices in order to avoid potential redundancies wherever possible; however,

the underlying principles in 2.3 will prevail.

## Responsibilities

3.1 The governing body of the Federation of Mellers Primary School and Nottingham Nursery is responsible for the management and implementation of this policy and will ensure that all involved in the recruitment process in the school are aware of their responsibilities and have received the necessary training.

3.2 In most cases the governing body will delegate, to the headteachers, the recruitment process for staff appointments outside the leadership group (i.e., other than headteachers, and deputy headteacher). The governing body will delegate these functions unless there are good grounds not to do so, guidance on which is contained in 1.10 of Staffing and employment advice for schools<sup>1</sup>, which provides guidance in relation to the School Staffing (England) Regulations 2009.

3.3 The governing body and headteachers (as appropriate) will ensure that every recruitment panel includes a minimum of one person who has completed a recognised Safer Recruitment in Education training course (the City Council's Safeguarding team can provide details of approved courses).

3.4 In line with the provisions of the School Staffing (England) Regulations 2009, the governing body will keep the City Council informed of any leadership group vacancies. The local authority has a statutory entitlement to send a representative to the selection processes for leadership group vacancies (and any other teaching post) in order to offer advice. If the local authority decides to send a representative, the governing body must consider the advice given when reaching a decision. The governing body may choose to invite a representative of the City Council to provide advice on the recruitment process for any teaching or leadership post within the school, where the authority has not requested participation; however, the representative will not participate in the final selection decision.

3.5 The governing body will undertake equality monitoring of its recruitment and selection decisions and will regularly review the composition of its workforce. (The HR Advisory service can provide support with this activity.)

## Legislation

4.1 The governing body will ensure that the school is compliant with relevant legislation, including:

- Statutory guidance from the DfE entitled Keeping Children Safe in Education<sup>2</sup> (KCSIE) issued under Section 175 of the Education Act 2002. This details that governing bodies are required to ensure that their functions are carried out with a view to safeguarding and

promoting the welfare of children and sets out the legal duties with which schools and colleges must comply. Schools must adopt recruitment and selection procedures that help deter, reject or identify people who might abuse children or are otherwise unsuited to work with them. The document states that governing bodies should ensure that all staff read at least Part One of the guidance, entitled Safeguarding information for all staff. Part Three, entitled Safer Recruitment details the provisions that schools are expected to take to ensure they do all they can to protect children during the recruitment process, including pre-employment checks.

- Statutory provisions of the School Staffing (England) Regulations 2009, as covered in the Staffing and employment advice for schools (see 3.2 above)
- The requirements of other legislation intended to protect children such as the disqualification provisions of the Childcare Act 2006, and Working Together to Safeguard Children 2015 which puts the school's responsibility for safeguarding and promoting the welfare of pupils in the wider context in relation to other agencies and highlights the responsibilities of schools to ensure that they fulfil their role consistent with the statutory duties of the City Council;
- Employment legislation, particularly the provisions of the Equality Act 2010 and the right to work requirements of the Immigration, Asylum and Nationality Act 2006.

Further guidance can be obtained from the school's HR advisor.

## Checks and Records

5.1 The governing body and headteachers will ensure that all necessary checks have been carried out, and appropriately recorded, prior to staff commencing their roles in the school.

5.2 The specific checks required for each position will vary according to the role being recruited for and schools will need to assess which are appropriate in each case. The Part Three, entitled Safer recruitment, of the DfE's statutory guidance Keeping Children Safe in Education provides detailed information on pre-appointment checks (and the checks required for other people working at or visiting the school) and the recording of checks on the single central record.

For all shortlisted candidates:

- at least two satisfactory references, requested prior to interview (including last employer and at least one reference relevant to their work with children)
- a check of publicly accessible social media and online sources, for the school's legitimate interests in order to comply with statutory obligations for the employer's legitimate interests of selecting suitable employees, workers, or contractors (as required by KCSIE para 221) (N.B. this must not be used to eliminate candidates prior to the selection stage, but should be used to inform follow up discussions at interview)
- signed self-declaration of any convictions (spent or unspent) consistent with exemption from the Rehabilitation of Offenders Act 1974 (in addition to any declaration made at the application stage) and any other information relevant to safeguarding (as required by KCSIE para 216)

In addition, all staff recruited to work in a school must satisfactorily pass the following checks prior to commencing their role:

- proof of their right to work in the UK
- photo identification
- DBS check, in most cases enhanced (with or without barred list depending on whether they will be carrying out regulated activity)
- verification of medical fitness

Other post-specific checks may include:

- compliance with disqualification requirements under the Childcare Act 2006
- verification of relevant qualifications required by the job
- verification of professional status where required e.g., qualified teacher status using the Employer Access Online service
- verification of successful completion of the statutory induction period (applies to those who obtained QTS after 7 May 1999) using the Employer Access Online service (for teaching posts)
- checks on prohibition, sanctions and barring accessed via the Teaching Regulation Agency (generally teachers, but should also check for other employees including teaching assistant) – checks include: teachers and others prohibited from the profession; General Teaching Council for England (GTCE) sanctions; teachers who have failed induction or prohibition; teachers sanctioned in other EEA member states; and, Section 128 barring directions.

5.3 Whilst not usually the result of recruitment activities, the governing body and headteachers are also responsible for ensuring that checks are carried out, where appropriate, for any other people undertaking work (paid or voluntary) on the premises. They will make a decision on a case-by-case basis, depending on the role. For workers employed by agency and contractor organisations, the governing body and headteacher will ensure that the school obtains and records evidence of checks appropriate to their role having been completed satisfactorily, prior to work commencing. Part Three - Safer recruitment, of the DfE's statutory guidance Keeping Children Safe in Education provides detailed information on checks.

5.4 The governing body and headteacher will ensure that the school complies with statutory requirements for information on checks to be recorded and retained on the school's single central record. This also includes any checks necessary for those not directly employed by the school.

5.5 The governing body and headteacher will ensure that all application forms, shortlisting notes, interview notes and any other documentation from recruitment processes are securely retained by the school for 12 months from the end of the process. After this period, they should be destroyed in a confidential manner.

5.6 The governing body and headteacher will keep the City Council informed of any challenges to the outcome of recruitment and selection processes that have the potential to escalate and may have a material or reputational impact on the school or the Council.



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