



SAFER RECRUITMENT POLICY

INTRODUCTION

The R.Y.A.N Education Academy's Safer Recruitment Policy is written within the Guidelines of advice for School Staffing (*England*) Regulations 2009 for maintained schools and for independent schools and the Education (*Independent School Standards*) Regulations 2014.

The Statutory Guidance '*Working Together to safeguard Children (DfE 2018)*' declares that schools and further education establishment, including and independent schools, should have a number of measures in place as a part of their duty

The R.Y.A.N. Education Academy believes that the appointment of any employee affects the quality of the service that person will help to provide. Appointment procedures are therefore one of the most important functions exercised by the R.Y.A.N Education Academy and its Governing body.

The R.Y.A.N. Education Academy endorses that careful planning and preparation will help to achieve the best result and also ensure compliance with legal requirements. The safeguarding of children is a priority for the R.Y.A.N. Education Academy and the school's recruitment procedures must embody this principle at every stage.

The Governing Body is therefore committed to the welfare of children and young people in its care. It recognises that the legal requirements for recruiting and employing people to work in the R.Y.A.N. Education Academy include provisions specifically to protect children from harm and that following these provisions is an essential part of its duty of care. It also recognises that the legal requirements for checking prospective employees' right to work in the United Kingdom protect those responsible for recruitment from fines for infringing the law. The Governing body and all staff have access to CRONER Human Resource Services where professional and legal advice can be obtained where necessary.

The Governing Body is also dedicated to its legal duties and responsibilities in respect of equality in employment (for guidance see)

http://www.teachernet.gov.uk/_doc/11059/Equality_legislation___guide_for_schools_V2__2__1.pdf

The Governing body will ensure recruitment procedures are reviewed regularly; hence, satisfying themselves that the functions are being addressed and the right people are fulfilling these roles on its behalf.

The R.Y.A.N Education Academy is aware of their responsibilities set out in the Equality Act 2010 '*Protected Characteristics*' (including race, sex or disability); in that they will not discriminate against any prospective employee. This can be found in the '**Equality Act Guidance.**' '**Keeping Children Safe in Education (KCSIE)**' guidance will be adhered to as this document sets out the legal duties with which the R.Y.A.N Education Academy must comply. This is to be read alongside the '**Working Together to Safeguard Children.**'

STATEMENT OF INTENT

The R.Y.A.N. Education Academy is committed to safeguarding and promoting the welfare of children and pupils' in its care thus expects all staff and volunteers to endorse this commitment.

The school commits to ensuring that the above statement will be included in:

- Publicity materials
- Recruitment websites
- Advertisements
- Candidate Information Pack
- Person Specifications
- Job Descriptions
- Competency frameworks
- Induction training

THE AIM

The aim of this policy is to outline the R.Y.A.N. Education Academy's recruitment procedures for all staff, both paid and voluntary, in line with recommended best practice to safeguard all pupil's who attend the school and or those who visit.

The policy will also be included as part of the R.Y.A.N. Education Academy's application pack for any position, and as such, is given to applicants along with a detailed job description, person specification, application form, equal opportunities policy and equal opportunities monitoring form.

The policy sets out the minimum requirements of our recruitment process that aims to:

- (a) Attract the best possible applicants to vacancies;
- (b) Deter prospective applicants who are unsuitable for work with children and young people;

- (c) Identify and eliminate applicants who are unsuitable for work with children and young people.

APPLICATION FORM

The Application form used for jobs will be that designed by the R.Y.A.N. Education Academy.

All prospective applicants must complete, in full, the application form which will ask for the following information:

- Full personal details, including any former names by which the person has been known in the past
- A full history of employment, both paid and voluntary, since leaving school, including any periods of further education or training. This should include start and end dates explanations for leaving and gaps in employment, education or training.
- Details of any relevant academic and/or vocational qualifications
- A declaration that the person has no convictions, cautions, including those regarded as spent. This is likely to include referral to or inclusion on any government list or regulatory body restricting or preventing them from working with children, young people or vulnerable adults.

Note: A Curriculum vitae presented by the by the applicant (s) in place of an application form will **not** be acceptable because this will only contain the information the applicant (s) wishes to disclose and may omit relevant details.

JOB DESCRIPTION

The job description will clearly set out the extent of the relationship with, and the degree of responsibility for, pupils' with whom the person will have contact.

PERSON SPECIFICATION

The person specification will explain:

- The qualifications and experience needed for the role.
- The competencies and qualities that the applicant should be able to demonstrate.
- How these will be tested and assessed during the selection process.

RECRUITMENT PROCESS

The safeguarding of children and pupils' is a priority for R.Y.A.N. Education Academy. and therefore school's recruitment procedures must embody this principle at every stage.

The recruitment processes consist of several stages:

- Defining the role
- Advertising
- Application
- Other checks before interview
- The Right to Work in the United Kingdom
- A prohibition check
- A barred list check (*with regards to 'regulated activity relating to children'*)
- Short-listing and References
- Interviews
- Offer of appointment to successful candidate
- Induction and supervision of newly appointed staff
- Section 128 checks for Senior Management, Leadership Team including Board of Governors
- Reviews

INVITING APPLICATIONS

- (a) **Advertisements** for posts – whether in newspapers, journals or on-line will include the statement:

“The R.Y.A.N. Education Academy is committed to safeguarding and promoting the welfare of children and pupils’ in its care thus expect all staff and volunteers to endorse this commitment. Therefore, all postholders are subject to a satisfactory enhanced ‘Disclosure and Barring Service check.’

- (b) Prospective applicants will be supplied with the following documentation:

- Application Form
- Job description and person specification;
- Information Pack to include:
 - The school’s safeguarding and child protection policy (to be forward via e-mail where appropriate ;)
 - The school’s recruitment policy (this document ;)
 - The selection procedure for the post;

THE SELECTION PROCESS

- (a) Selection techniques will be determined by the nature and duties of the vacant post, but all vacancies will require an interview of short-listed candidates.

Candidates will always be required:

- To explain satisfactorily any gaps in employment;
- To explain satisfactorily any anomalies or discrepancies in the information available to recruiters;
- To declare any information that is likely to appear on a DBS disclosure;
- To demonstrate their capacity to safeguard and protect the welfare of children and young people.

The Head Teacher will ensure that checks on the right to work in the United Kingdom comply with the requirements of the Immigration, Asylum and Nationality Act 2006 is carried out.

SHORT-LISTING AND REFERENCES

- (a) Short-listing of candidates will be selected against the person specification for the post using the grading matrix.
- (b) **Checks** will be made before the interview where a perspective applicant's qualification or any previous experience that is relevant to the post cannot be verified via the reference; this information will be sought by a telephone call to the relevant previous employer asking them for written confirmation of the facts.

Referees will always be asked to include specific questions about:

- Length of time the referee has known the applicant and in what capacity;
- Post held with dates , salary and reasons for leaving;
- Ability and suitability to work with children and young people;
- Skills, strengths and weaknesses and how these have been demonstrated;
- Any current disciplinary investigation and/or sanction;
- Any allegations and/or disciplinary investigations relating to the safety or welfare of children and young people and the outcome of these (including where any sanction has expired) and or behaviour towards children and young people.
- Details of any criminal convictions, cautions and sickness record;
- The applicants suitability for the post
- If the referee would re-employ the applicant and, if not details of why verification of the identity of the referee e.g. Letterhead; business stamp.

- Where necessary, referees will be contacted by telephone or e-mail in order to clarify any anomalies or discrepancies. A detailed written note will be kept of such exchanges.
- Where necessary, previous employers who have not been named as referees will be contacted in order to clarify any anomalies or discrepancies. A detailed written note will be kept of such exchanges.
- References should be sent wherever possible to business addresses, not a home address.
- Wherever possible references will be obtained prior to the interview so that any issues of concern raised by the reference can be explored further with the referee and taken up with the applicant during interview.

The R.Y.A.N Education Academy expects references to contain objective, verifiable information and in order to achieve this, a reference pro-forma with questions relating to the candidate's suitability to work with children will be provided.

- If appropriate, references will be taken up before the selection stage, in order that any discrepancies can be discussed during the selection process.
- References will be sought directly from the referee. References or testimonials provided by the candidate will **not** be accepted as these can be falsified.

The prospective employees at R.Y.A.N Education Academy are entitled to see and receive, if requested, copies of their employment references.

When sharing any information the R.Y.A.N Education Academy will ensure that they act in accordance with the Data Protection Act 2018 and data protection principles; ensuring that the information is provided fairly and lawfully to prospective employers.

The application form should request both professional and character references, one of which should be from the applicant's current or most recent employer. Additional references may be asked for where appropriate. For example, where the applicant is not currently working with children, but has done so in the past, a reference from that employer should be asked for in addition to that from the current or most recent employer if this is different.

INTERVIEW PANEL

Safer Recruitment Training

The Governing Body will follow the requirement in the School Staffing Regulations 2009; that at least one member of selection panels for head teachers and deputies and any other interviewing panel including governors has completed the required training in safer recruitment and that if selection has been delegated to the head teacher both the head teacher and any other employee assisting the head teacher with the interviews have completed the required training in safer recruitment.

INTERVIEWS

- Interviews will always be face-to-face.
- All interviews are conducted with at least two key personnel who have had safer recruitment training.
- Depending upon the job position, there may be a range of selection tools such as interaction with others i.e. role play or group discussion, written exercise and where appropriate presentations will be used as well as an interview.
- The questions in the interview are structured with previously agreed criteria designed to ascertain the candidate's ability to meet the requirements of the post as per the job description and person specification.
- During the interview questions will be asked which probe attitudes towards children safeguarding and child protection and, where appropriate motives for working with children.
- Frequent changes in employment will also be ascertained.

Areas of potential concern – Interview

The following are areas that may come out in the interview which would give rise to potential concerns about a person's suitability for the position;

- a) No understanding of young people's needs or expectations
- b) Inappropriate language when talking about young people
- c) Unclear boundaries when working with young people
- d) Vagueness about experiences thus unable to give suitable answers to support the question (s) asked.

SUCCESSFUL APPLICANTS

All successful applicants are required:

- to provide proof of identity
- to complete a DBS disclosure application and receive satisfactory clearance

- to provide evidence of certificates of qualifications
- to complete a confidential medical health questionnaire
- to provide proof of eligibility to live and work in the UK

Note: Under Section 60 of the Equality Act the R.Y.A.N Education Academy is not allowed to ask questions beforehand concerning medical health. This should be restricted to asking about reasonable adjustments at interview and certain health questions if these are of key importance to the job only.

GOOD PRACTICE GUIDELINES

DBS Checks

Anyone working directly with children, young people (under 18) and vulnerable adults and those who have access to personal/sensitive information about them need a Disclosure Barring Service (DBS) Enhanced check.

The Head Teacher will consider the specific disclosure in relation to the post applied for. For example:

- The type of offence and sentence given
- The position applied for
- When the offence(s) occurred
- Any mitigating circumstances
- Your attitude
- Whether applicant declared the offence(s)/conviction(s) on the Declaration of Disclosure Barring Services' form.

Only when the R.Y.A.N. Education Academy is entirely satisfied that a person's identity, qualification checks, DBS checks and references are satisfactory will an appointment be confirmed.

R.Y.A.N. Education Academy requires that DBS checks are renewed every 3 years.

Records of sensitive nature concerning children, young people or vulnerable adults must be maintained in a **confidential** and **secure place** with **access** on the basis of need to know only.

Note:

- Even when safeguarding checks are deemed satisfactory, volunteers are not allowed to be alone with children, young people or vulnerable adults; they are to be supervised by an appointed Teacher unless they are DBS checked.

CHECKS AND RECORDING

The Head Teacher is required to:

- (a) Ensure that all required pre-employment checks on new employees, including casual and short-term employees, are made and completed satisfactorily before a formal offer of employment is made in accordance with the Safeguarding Children and Safer Recruitment in Education – Department of Education (2018) guidelines and other legislative provisions and that these checks are recorded in the required register (known as the ‘single central record’).
- (b) Ensure that the required register (*known as the ‘Single Central Record’*) is kept of checks already undertaken on existing employees as set out in the Safeguarding Children and Safer Recruitment in Education – Department of Education (2018)
- (c) Ensure that self-employed people contracted directly by the R.Y.A.N Education Academy are subject to the same checks as would the case if they were employed by the school.
- (d) Ensure that the checks involve copying (*or electronic scanning*) each specified document as required, signing and dating the copy and placing the copy in a secure filing cabinet in accordance with Data Protection legislation.
- (e) Arrange for all volunteers to undertake an identity check and clearance from the Disclosure Barring Service (DBS.)
- (f) **The Governing Body** will ensure that these requirements are applied to the selection of a Head teacher or Deputy Head.
- (g) **The Governing Body** will ensure the R.Y.A.N Education Academy commits to working within legislative practices to make sure enhanced checks with the Disclosing and Barring Service (DBS) and all prospective employees must be subject to such checks as well as establish a procedure for re-checking employees every three years.

WORKING WITH OFFENDERS

The R.Y.A.N. Education Academy need to ensure that strategies to address risk (s) are identified, and plans developed are implemented and reviewed on a regular basis.

Offender - An accused defendant in a criminal case or one convicted of a crime

The term '*Schedule One offender*' should no longer be used for anyone convicted of a crime against a child. The focus should be on whether the individual poses a '*risk of harm*' to children.

Appointing people disclosing a conviction:

- Be objective
- Focus on the person's ability, skills and experience
- Two references will be taken up prior to appointment for new staff and volunteers and a medical reference may also be required.
- Consider the nature of the conviction, if known and its relevance to the position in question
- Identify the risks to young people, children and vulnerable people as well as school members including visitors
- Recognise that having a criminal record does not mean a person is unsuitable for the position
- In some cases, details of the offence and conviction will be needed to make an informed and fair decision.
- Disclosures can be sought through application forms, or contacting the applicant for a discussion or informal interview in the early stages.
- Consider risks to children, pupils', vulnerable adults (*including the applicant*) property and school credibility when deciding on the relevance of offences to particular appointment.

The objective is to identify and manage any risk hence reducing it which could mean offering different work to the potential appointee within the school which is outside of his / her conviction.

Note:

- Applicants are not required to disclose convictions that are 'spent' under the Rehabilitation of Offences Act 1974. The Head Teacher and any Designated Senior Person / school worker who plays any role in the appointment process should be aware of these guidelines as refusing to employ someone on the grounds of their 'spent' conviction could leave you liable for prosecution.

- Once a conviction is 'spent' the potential appointee does not have to reveal its existence and can answer 'No' to the question *"Do you have a criminal record?"*

INDUCTION

- The Head teacher will ensure that one of R.Y.A.N Education Academy's Designated Senior Person (s) will introduce himself or herself to each new member of staff during their first week of employment and for the subsequent induction to include suitable training in Safeguarding and Child Protection reference safe working practices.
- Regular meetings will be held during the first 3 months of employment between the new employee(s) and the appropriate Designated Senior Person (s).
- All staff will be given a copy of the R.Y.A.N Education Academy **'Employee Handbook.'**

CONCLUSION

It is fundamental that all recruiters go through each stage of the policy outlining key processes to ensure safe recruitment at the R.Y.A.N. Education Academy. All staff involved in recruitment will receive training and development on an annual basis.

GLOSSARY

On 1 December 2012 the Criminal Records Bureau and Independent Safeguarding Authority merged to become the Disclosure and Barring Service (DBS).

Suspension of Staff

Regulation 31 – School Staffing (England) Regulations 2009

- (1) The governing body or the head teacher may suspend any person employed or engaged otherwise than under a contract of employment to work at the school where, in the opinion of the governing body or (as the case may be) the head teacher, the person's suspension from the school is required.
- (2) The governing body or (as the case may be) head teacher must immediately inform the head teacher or (as the case may be) the governing body when a person is suspended under paragraph (1).
- (3) Only the governing body may end a suspension under paragraph (1).
- (4) On ending such a suspension, the governing body must inform the head teacher.
- (5) In this regulation "suspend" means suspend without loss of emoluments.