

Benjamin Britten School



Safer Recruitment Policy

Policy Statement Introduction

Benjamin Britten School is committed to providing the best possible care and education to its students and to safeguarding and promoting the welfare of children and young people. The school is committed to providing a supportive environment to all its employees. The school recognises that, in order to achieve these aims, it is of fundamental importance to attract, recruit and retain staff of the highest calibre, who share in this commitment and culture. The aims of the school's 'Safer Recruitment Policy' are as follows:

- To attract the best possible applicants to vacancies;
- To deter prospective applicants who are unsuitable for working with children or young people;
- To identify and reject applicants who are unsuitable for working with children and young people;
- To ensure compliance with all relevant recommendations and guidance, including the recommendations of the Department for Education (DfE) in "Keeping Children Safe in Education" and the code of practice published by the Disclosure and Barring Service (DBS);
- To ensure that the school meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks;
- That employees involved in the recruitment and selection of staff are responsible for familiarising themselves with and complying with the provisions of this policy. At least two people will be involved in each recruitment process; at least one will have successfully received accredited training in safer recruitment procedures.

Inviting applications

Advertisements for posts – whether in newspapers, journals or on-line – will include the statement: Benjamin Britten Academy is committed to safeguarding and promoting the welfare of children and any appointment will be subject to safeguarding & pre-employment checks, including enhanced DBS checks and successful references. Prospective applicants will, as a minimum, be supplied with the following:

- Job description and person specification if relevant;
- The School's Child Protection Policy
- An application form

Recruitment and selection procedure

All applicants for employment will be required to complete an application form containing questions about their academic and employment history and their suitability for the role.

Incomplete application forms will be returned to the applicant where the deadline for completed application forms has not passed.

A curriculum vitae will not be accepted in lieu of the completed application form.

Applicants will receive a job description and/or person specification for the role applied for. All shortlisted applicants will be subject to a search of their online presence.

The applicant may then be invited to attend a formal interview at which their relevant skills, experience and substantial reasons for leaving previous employments will be discussed in more detail.

If shortlisted, candidates will be asked to complete a “self-declaration of your criminal record” form. This form will be considered by the interview panel and any relevant questions asked at this stage. This form will be destroyed for any unsuccessful shortlisted candidates immediately after the interview stage.

If it is decided to make an offer of employment following the formal interview, any such offer will be conditional on the following:

- The agreement of a mutually acceptable start date and the issue of a contract incorporating the school’s standard terms and conditions of employment;
- The receipt of two references (one of which must be from the applicant's most recent employer) which the school considers acceptable (a third reference may be requested if the applicant has lived or worked abroad for 3 months or more over the last 10 years);
- All pre-employment checks have been completed (see section below), including the receipt of a satisfactory enhanced disclosure with barred list checks from the Disclosure and Barring Service.

If the above conditions are satisfied and the offer is accepted then the applicant will be issued with a contract of employment as confirmation of employment. All staff appointments are subject to a discretionary probationary period which will be set out in the initial offer letter, during which the notice period to terminate the employment for whatever reason, by either the employee or the school is one week. The school also reserves the right to extend this probationary period should it deem this necessary.

Pre-employment checks in accordance with the recommendations of the DfE in ‘Keeping Children Safe in Education’

The school carries out a number of pre-employment checks in respect of all prospective employees:

Verification of identity and address- All applicants who are invited to an interview will be required to provide the following evidence of identity, address and qualifications:

- Valid passport or current driving licence
- Full birth certificate;
- A utility bill or bank statement (issued within the last 3 months), or council tax or mortgage statement (issued within the last 12 months) showing their name and home address;
- Documentation confirming their National Insurance Number (P45, P60 or National Insurance Card);
- Documents confirming any educational and professional qualifications referred to in their application form and relevant to the role.

Where an applicant claims to have changed their name by deed poll or any other mechanism (e.g. marriage, adoption, statutory declaration) they will be required to provide documentary evidence of the change.

References

References will be taken up on short listed candidates prior to interview unless otherwise stated on the application form.

All offers of employment will be subject to the receipt of a minimum of two satisfactory references, one of which must be from the applicant's current or most recent employer. If the current/most recent employment does/did not involve work with children, then the second referee should be from the employer with whom the applicant most recently worked with children. If the current or last employer was a school, this reference should be confirmed or completed by the Headteacher at that school.

Neither referee should be a relative or someone known to the applicant solely as a friend.

All referees will be asked whether they believe the applicant is suitable for the job for which they have applied and whether they have any reason to believe that the applicant is unsuitable to work with children.

All referees will be sent a copy of the job description and/or person specification for the role which the applicant has applied for. If the referee is a current or previous employer, they will also be asked to confirm the following:

- The applicant's dates of employment, job title/duties, reason for leaving, performance and disciplinary record
- Whether the applicant has ever been the subject of disciplinary procedures involving issues related to the safety and welfare of children (including any in which the disciplinary sanction has expired)
- Whether any allegations or concerns have been raised about the applicant that relate to the safety and welfare of children or young people or behaviour towards children or young people
- The candidate's suitability for working with children and young people;
- The candidate's suitability for this post. The Trust will only accept references obtained directly from the referee.

It will not rely on references or testimonials provided by the applicant or on open references or testimonials. Checks are made to ensure that references are received from a genuine source. The school will compare and triangulate all references with any information given on the application form. Any discrepancies or inconsistencies in the information will be taken up with the applicant before any appointment is confirmed.

EU Settled Status check

This check will be carried out on EU nationals if applicable. The candidate will provide us with documentation which gives the school access to their status (similar to an update service check).

Teaching Prohibition/sanctions check – required for all teaching staff, prohibition/sanctions orders prevent a person from carrying out teaching work in schools, sixth form colleges, and 16 to 19 academies in England. The school will carry out a prohibition check on all teaching staff prior to appointment. The check of prohibition/sanctions will be carried out using The

Teaching Regulation Agency portal; teachers & others prohibited from the profession & GTCE sanctions.

Section 128 barring direction

Such a direction prohibits or restricts a person from taking part in the management of any independent school (including academies and free schools) and under the terms of the direction, from holding or continuing to hold office as a governor in a maintained school. Management in these circumstances includes a management position as an employee; a trustee of an academy or free school trust; a governor or member of a proprietor body for an independent school; or a governor or any governing body in an independent school, academy or free school that retains or has been delegated any management responsibilities.

The school will carry out a Section 128 barring direction check for all governor, management, leadership and positions attracting enhanced responsibility, using The Teaching Regulation Agency – Section 128 barring direction online portal.

Overseas check

For employees who have lived or worked abroad for 3 months or more in the last 10 years, an overseas check is required. The School will expect the candidate to provide evidence in the form of a good conduct certificate from the country/countries they resided in. Where available, the Trust will carry out criminal records checks for applicants who have lived/worked overseas and/or may obtain a letter of professional standing from the professional regulating authority in the country in which the applicant has worked.

Where the above is not possible, and/or where appropriate, we may also obtain a reference from the education organisation that Teachers worked for in the country they resided in. This would take place, regardless, if that was the last employer but this could also take place if they were a less recent employer, for example, where necessary, obtaining an overseas reference as the second reference.

The selection process

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. Interviews will always be face-to-face. Telephone interviews may be used at the short-listing stage but will not be a substitute for a face-to-face interview (which may be via visual electronic link). 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 provide substantive reasons for leaving previous employments;
- To demonstrate their capacity to safeguard and protect the welfare of children and young people.

Employment checks

All successful applicants are required:

- To provide proof of identity;
- To complete a DBS disclosure application and receive satisfactory clearance;
- To provide actual certificates of qualifications;
- To provide proof of eligibility to live and work in the UK; and
- To complete a medical fit for work application.

Induction

All staff who are new to the Trust will receive induction training that will include the school's safeguarding and code of conduct policies and guidance on safe working practices.

Disclosure & Barring Service

Due to the nature of our work, the school applies for Disclosure and Barring certificates from the Disclosure and Barring Service (DBS) in respect of all prospective staff members, governors and volunteers.

The school will always request an 'Enhanced Disclosure' as described below. Standard and Enhanced DBS certificates will include details of convictions and cautions (excluding youth cautions, reprimands and warnings) recorded on the Police National Computer (PNC). PNC records relating to protected cautions and convictions will not automatically appear on the certificate.

The rules regarding the automatic disclosure of convictions or cautions are set out in legislation. This states that a certificate must include the following:

Disposal	Age given/sentenced	when	How long ago
Caution for specified offence	18 or over		Any time
Caution for non-specified offence	18 or over		Less than 6 years
Conviction for specified offence	Any age		Any time
Conviction resulting in custodial sentence	Any age		Any time
Conviction for non-specified offence	18 or over		Less than 11 years
Conviction for non-specified offence	Under 18		Less than 5 and half years

A 'specified offence' is one which is on the list of specified offences agreed by Parliament which will always be disclosed on a Standard or Enhanced DBS certificate, regardless of how long ago it was given. This includes where a specified offence receives a caution (but not youth cautions, reprimands or warnings).

The list includes a range of offences which are serious, relate to sexual or violent offending or are relevant in the context of safeguarding.

The specified offences list covers those committed in England and Wales, however, the legislation also covers equivalent offences committed in other jurisdictions, including overseas, when they are recorded on the PNC.

It is not possible to stipulate a definitive list of all equivalent offences under the law of all other jurisdictions. Where an individual is aware that they have committed an offence outside England and Wales which may be equivalent to an offence on the list, they should seek independent expert or legal advice to ensure that they provide information that is truthful and accurate. In addition to records from the PNC, Enhanced certificates may also include information taken from police records that a chief officer of a police force considers relevant to the application and ought to be disclosed, or details of whether an individual is included on one or both of our two lists barring people from working with children and/or other vulnerable groups.

The disclosure of information taken from police records is subject to statutory guidance to which the police must have regard.

In considering this guidance, the police may, in principle, disclose information about offences that have been subject to filtering if they believe the information is relevant to the workforce or position applied for and ought to be disclosed.

If the individual is applying for a position working with children or young adults, it will also reveal whether he/she is barred from working with children or vulnerable adults by virtue of their inclusion on the lists of those considered unsuitable to work with children or vulnerable adults, maintained by the DfE and the Department of Health.

Applicants with recent periods of overseas residence and those with little or no previous UK residence may also be asked to apply for the equivalent of a disclosure, if one is available, in the relevant jurisdiction(s).

Where school use staff from supply agencies, contractors etc, then the school expects those agencies to have registered these staff with the DBS following their own policy or their own comparable policy. Proof of registration will be required before the school will commission services from any such organisation.

Retention and security of disclosure information

The school collects the information detailed in this policy under the legal basis of 'public task', within the General Data Protection Regulation and UK Data Protection Act 2018. The School's policy is to observe the guidance issued or supported by the DBS on the use of disclosure information.

Once a recruitment (or other relevant) decision has been made, we do not keep certificate information for any longer than is necessary. This retention will allow for the consideration and

resolution of any disputes or complaints, or be for the purpose of completing safeguarding audits.

Throughout this time, the usual conditions regarding the safe storage and strictly controlled access of this data will prevail.

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 be securely destroyed after six months.

Queries

If an applicant has any queries on how to complete the application form or any other matter they should contact the school directly.