

**Our Lady and St Joseph**

**Safer Recruitment, Retention and the Single Central Record**

<b>Date</b>	<b>Review Date</b>	<b>Designated Teacher</b>	<b>Nominated Governor</b>
<b>Jan 28<sup>th</sup> 2020</b>	<b>Jan 28<sup>th</sup> 2021</b>	<b>Sean Flood (Head)</b>	<b>Derek Vitali</b>

<b>Safeguarding Contacts</b>	<b>Name</b>	<b>Mobile No.</b>	<b>Home Tel. No.</b>
<b>Designated Safeguarding Lead</b>	Sean Flood	07968537234	02072547353
<b>Deputy Designated Safeguarding Lead</b>	Aoife O'Grady		02072547353
<b>Second Deputy Designated Safeguarding Lead</b>	Theresa Garnett		02072547353
<b>Nominated Governor for Safeguarding</b>	Derek Vitali		02072547353
<b>Local Authority Designated Officer (LADO)</b>	Liezel Le Roux		0208 356 4569
<b>Social Services Referrals</b>			0208 3565500
<b>Out of Hours Social Services</b>			0208 3562710
<b>Police</b>			101 or 999
<b>Chair of Governors: Person to contact regarding concerns about the Headteacher</b>	Derek Vitali		
<b>NSPCC Whistle-blowing Helpline</b>	0800 028 0285		

We believe this policy should be a working document that is fit for purpose, represents the school ethos, enables consistency and quality across the school and is related to the following legislation:

- Rehabilitation of Offenders Act 1974
- School Teachers' Pay and Conditions Act 1991
- School Standards and Framework Act 1998
- Education (Teachers' Qualifications and Health Standards) Regulations 1999
- Employment Relations Act 1999
- Sex Discrimination (Gender Reassignment) Regulations 1999
- Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000
- Education Act 2002
- Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002
- Education Act 2005
- Employment Equality (Age) Regulations 2006
- Work and Families Act 2006
- Safeguarding Vulnerable Groups Act 2006
- Education and Inspections Act 2006
- Employment Act 2008
- School Staffing (England) Regulations 2009

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- Equality Act 2010
- Independent School Standards Regulations 2010
- Protection of Freedoms Act 2012
- School Staffing (England) (Amendment) Regulations 2012
- Education (School Teachers) (Qualifications and Specified Work) (Miscellaneous Amendments) (England) Regulations 2012
- Data Protection 2018

The following documentation is also related to this policy:

- Conditions of Service for School Teachers in England and Wales (Burgundy Book) (Council for Local Education Authorities)
- Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges (DfE)
- Working Together to Safeguard Children: A Guide to Inter-agency Working to Safeguard and Promote the Welfare of Children (2018)
- National Agreement on Pay and Conditions of Service (Green Book) (National Joint Council for Local Government Services)
- School Teachers' Pay and Conditions Document and Guidance on School Teachers' Pay and Conditions (DfE)
- Equality Act 2010: Advice for Schools (DfE)
- Race Disparity Audit - Summary Findings from the Ethnicity Facts and Figures Website (Cabinet Office)
- Data Protection: a toolkit for schools (DfE)
- Preparing for the General Data Protection Regulation (GDPR) - Information Commissioner's Office

We believe this policy should be viewed in **conjunction** with the following policies:

- Safeguarding Part 1 of 4
- Safeguarding Part 2 of 4 : Roles and Responsibilities
- Safeguarding Part 3 of 4: Recognising the Signs of Abuse
- Safeguarding Part 4 of 4: Safeguarding Procedures

We are aware that 'Governing bodies and proprietors should ensure there are appropriate policies and procedures in place in order for appropriate action to be taken in a timely manner to safeguard and promote children's welfare.' (Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges (DfE 2019))

We are committed to safeguarding children and promoting the welfare of children and young people and we expect all school personnel and volunteers to share in this commitment.

We believe that by creating a culture of safe recruitment by undertaking robust and rigorous processes we will deter, reject or identify people who might abuse children from gaining positions within the school and thereby ensure that the workforce is fully committed to the safe welfare of children.

We ensure that at least one member of the school personnel who conducts an interview has completed safer recruitment training. All decisions about the suitability of a prospective employee are based on checks and evidence, including criminal record checks (Disclosure and

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Barring Service (DBS) checks), barred list checks and prohibition checks, together with references and interview information.

We understand that there are three types of DBS checks:

- **Standard:** this provides information about convictions, cautions, reprimands and warnings held on the Police National Computer (PNC), regardless or not of whether they are spent under the Rehabilitation of Offenders Act 1974. The law allows for certain old and minor matters to be filtered out;
- **Enhanced:** this provides the same information as a standard check, plus any approved information held by the police which a chief officer reasonably believes to be relevant and considers ought to be disclosed; and
- **Enhanced with barred list check:** where people are working or seeking to work in regulated activity with children, this allows an additional check to be made as to whether the person appears on the children's barred list.

We are aware that we must maintain a single central record (either in paper or electronic form) of pre-appointment checks (single central record) and covers:

- all school personnel, including teacher trainees on salaried routes, agency and third party supply staff who work at the school;
- for independent schools, all members of the proprietor body;
- for academies and free schools, this means the members and trustees of the academy trust

We realise that the majority of school appointments is for personnel who will be responsible for the care and supervision of children on a regular basis such as teaching, training, instructing, caring for or supervising children; or carrying out paid or unsupervised unpaid work but in contact with children; or engaging in intimate or personal care or overnight activity is known as regulated activity and as part of the process of safe recruitment all prospective employees will need to have an enhanced DBS check with barred list information.

Under no circumstances will we allow any individual to carry out any form of regulated activity if it comes to our attention that they have been barred.

Also, we are aware that we have 'a legal duty to refer to the DBS anyone who has harmed, or poses a risk of harm, to a child, or if there is reason to believe the member of staff has committed one of a number of listed offences, and who has been removed from working (paid or unpaid) in regulated activity, or would have been removed had they not left.' (Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges (DfE))

We have a duty to ensure that all volunteers in regulated activity must have an enhanced DBS certificate with barred list check. We will not allow any volunteer to work unsupervised with children or work in regulated activity without the necessary checks.

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However, a supervised volunteer 'who regularly teaches looked after children is not in regulated activity.'

We wish to appoint the most suitable person for each vacant position regardless of age or perceived age, marital status, sex, racial or ethnic background, 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 children. Existing employees, employees on fixed or temporary contracts will be invited to apply.

We expect all applicants to declare whether they are in a close relationship with any employee, worker, volunteer, governor or anyone else connected with this school as we wish to encourage and promote an open and transparent recruitment process.

We believe our recruitment and selection process is systematic, efficient, effective and equal.

We are aware that schools are finding it difficult to recruit and retain teaching staff, support staff and school leaders. We recognise that recruiting and retaining the right staff is at the centre of providing a quality learning experience for pupils.

We understand that besides low pay, high workload and stress teachers' also decide to leave the profession because of other factors such as teaching performance resulting in the involvement of the senior leadership team (SLT), feeling undervalued or a behavioural incident involving pupils and parents/carers.

We aim to retain and further develop high quality teaching and support staff to ensure quality learning experiences for pupils by reducing unproductive or unnecessary teacher workload associated with marking, planning or tracking pupil progress that does not contribute to the raising of pupil standards. Also, we need to ensure that we deal with all other issues in order to retain school personnel.

We recognise the importance of ensuring all school personnel enjoy a reasonable balance between their working life and their out of school commitments and interests. It is not in the interests of either the school or the individual for any employee to work excessively without complementary rest or recreation. We are committed to ensuring that positive steps are taken to promote a healthy work-life balance for all school personnel.

We recognise the importance of promoting and supporting the health and well-being of all school personnel as we wish to improve moral, job enrichment, the quality of work life and the continuous improvement of educational achievement.

We aim to promote from within whenever possible in order to give staff a clear path of advancement. In exceptional circumstances such as a job offer from another school, we will consider providing incentives to retain the right staff.

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We work hard to create and maintain a skilled, balanced, conscientious, diverse and committed staff that reflects the diversity of the local community.

We are aware that the General Data Protection Regulations (GDPR) will entirely replace the current Data Protection Act (DPA) by making radical changes to many existing data protection rules and regulations that schools, academies and other educational establishments adhere to under the DPA. The principal aim of the GDPR is to strengthen and unify the safety and security of all data held within an organisation.

We acknowledge the new guidance given to all schools in the 'Data protection: a toolkit for schools' (DfE April 2018) regarding the appropriate use of personal data.

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 Child that children 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.

We all have a responsibility to ensure equality permeates in to all aspects of school life and that everyone is treated equally irrespective of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. We want everyone connected with this school to feel safe, secure, valued and of equal worth.

We acknowledge the findings of the Race Disparity Audit that clearly shows how people of different ethnicities are treated across the public services of health, education, employment and the criminal justice system.

The educational section of the audit that covers: differences by region; attainment and economic disadvantage; exclusions and abuse; and destinations, has a significant importance for the strategic planning of this school.

We believe it is essential that this policy clearly identifies and outlines the roles and responsibilities of all those involved in the procedures and arrangements that is connected with this policy.

### **Aims**

- To ensure compliance with all current guidance from the Department of Education and other legal requirements.
- To ensure the practice of safe recruitment of school personnel and volunteer helpers.
- To recruit and retain the right school personnel in order to provide quality learning experiences for pupils.
- To have in place a single central record of pre-appointment checks (single central record).
- To ensure that a fair and legal recruitment procedure is in place.

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- To work with other schools and the local authority 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 all current guidance and legal requirements;
- the responsibility of considering the retention of staff;
- in place a single central record;
- delegated certain powers and responsibilities to the Headteacher to oversee compliance with current guidance and legal requirements;
- delegated powers and responsibilities to the Headteacher to ensure all school personnel and visitors to the school are aware of and comply with this policy;
- responsibility for ensuring that the school complies with all equalities legislation;
- nominated a designated Equalities governor to ensure that appropriate action will be taken to deal with all prejudice related incidents or incidents which are a breach of this 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;
- the responsibility of involving the School Council in:
  - ☐ determining this policy with the Governing Body;
  - ☐ discussing improvements to this policy during the school year;
  - ☐ organising surveys to gauge the thoughts of all pupils;
  - ☐ reviewing the effectiveness of this policy with the Governing Body
- nominated a link governor to:
  - ☐ visit the school regularly;
  - ☐ work closely with the Headteacher and the coordinator;
  - ☐ ensure this policy and other linked policies are up to date;
  - ☐ ensure that everyone connected with the school is aware of this policy;
  - ☐ attend training related to this policy;
  - ☐ report to the Governing Body every term;
  - ☐ annually report to the Governing Body on the success and development of this policy

- responsibility for the effective implementation, monitoring and evaluation of this policy

### **Role of the Headteacher**

The Headteacher will:

- promote the safeguarding and welfare of children;

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- ensure the school operates safe recruitment procedures;
- organise safe recruitment training for school personnel involved in recruitment;
- all appointment panels to include one person who has successfully passed safe recruitment training;
- maintain a single central record (either in paper or electronic form) and ensure all appropriate pre-employment checks are completed on school personnel and volunteer helpers;
- be aware of the three types of DBS checks namely:
  - ☐ **Standard:** this provides information about convictions, cautions, reprimands and warnings held on the Police National Computer (PNC), regardless or not of whether they are spent under the Rehabilitation of Offenders Act 1974. The law allows for certain old and minor matters to be filtered out;
  - ☐ **Enhanced:** this provides the same information as a standard check, plus any approved information held by the police which a chief officer reasonably believes to be relevant and considers ought to be disclosed; and
  - ☐ **Enhanced with barred list check:** where people are working or seeking to work in regulated activity with children, this allows an additional check to be made as to whether the person appears on the children's barred list.
- be aware of the teacher prohibition orders that prevent a person from carrying out teaching work;
- ensure contractors and agencies comply with this policy;
- undertake appointments of school personnel and volunteer helpers other than appointments to the leadership group;
- ask the Governing Body to consider a case for retaining any member of staff regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation;
- look at ways with the SLT to retain valued school personnel by considering the following:
  - ☐ Reducing workload as much as possible by ensuring that workload is regularly reviewed and discussed with all school personnel.
  - ☐ Improving in-school support for teachers by reducing feelings of pressure in terms of scrutiny, accountability and workload from the SLT.
  - ☐ Looking at ways to ensure greater progression opportunities.
  - ☐ Improving worklife balance and working conditions by considering introducing flexible working and part-time contracts.
  - ☐ Allowing teachers more freedom to mark and plan.
- work in conjunction with the SLT to ensure all school personnel, pupils 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 by speaking with pupils, school personnel, parents and governors;
- annually report to the Governing Body on the success and development of this policy

## Role of the Data Protection Officer

The Data Protection Officer will:

- have expert knowledge of data protection law and practices;
- inform the school and school personnel about their obligations to comply with the GDPR and other data protection laws;
- ensure data management is strengthened and unified;
- monitor compliance with the GDPR and other data protection laws;
- manage internal data protection activities;
- ensure risk and impact assessments are conducted in accordance with ICO guidance;
- report data breaches within 72 hours;
- ensure individuals have greater control over their personal data;
- ensure that prior to the processing of an individual's data that:
  - ☐ the process is in line with ICO guidance;
  - ☐ the process is transparent;
  - ☐ the individual will be notified;
  - ☐ the notification is written in a form that is understandable to children;
  - ☐ when sharing an individual's data to a third party outside of school that details for the sharing are clearly defined within the notifications
- share an individual's data where it is a legal requirement to provide such information;
- process all written subject access requests from individuals within 40 days of receiving them;
- have in place a formal contract or service level agreement with a chosen data processor who is GDPR compliant;
- ensure the secure disposal of redundant data and IT hardware holding data in compliance with ICO guidance;
- train school personnel;
- conduct audits;
- be the first point of contact for supervisory authorities and for individuals whose data is processed;
- keep up to date documentation of all data protection activities;
- work closely with the Headteacher and nominated governor;
- periodically report to the Headteacher and to the Governing Body;
- annually report to the Governing Body on the success and development of this policy

## Safe Recruitment Procedure

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

- **Job and Person Specification**
  - ☐ For every vacancy a job and person specification will be written and approved by the Governing Body.
- **Job advertisement**



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- ☐ All posts will be advertised internally and externally in order to attract a wide field of candidates as possible.
- ☐ The vacancy will be advertised in the following ways:
  - internally
  - intranet
  - local press
  - national press such as TES
  - other teacher publications
- ☐ All advertisements for posts will state that the school is committed to safeguarding children and young people and all post holders are subject to a satisfactory Disclosure and barring Service (DBS) disclosure (with a Barred List check).
- ☐ We welcome any member/s of the present staff to apply.

#### **▪ School and Job Information Pack**

- ☐ All interested applicants will be provided with an application form, job description and person specification, school handbook, the most recent inspection report, and copies of the Safeguarding and Safe Recruitment Policies.
- ☐ All applications will be acknowledged within two weeks.

#### **▪ Short Listing and References**

- ☐ Short listing will be undertaken by the appropriate sub-committee.
- ☐ All applications will be looked at.
- ☐ Applicants will be short listed for the post if they suit the job description and person specification.
- ☐ Immediately after short listing references will be sent for those candidates short listed.
- ☐ All referees will be asked if the candidate is suitable to work with children, has any disciplinary procedures relating to the safety and welfare of children, or any details of allegations/concerns/bad behaviour relating to the safety and welfare of children.
- ☐ All references will be checked for consistent information.
- ☐ The candidate will be asked to clarify any highlighted discrepancies.
- ☐ The clerk to the governors will inform those shortlisted immediately after the short listing process has taken place. Unsuccessful applicants will also be informed.
- ☐ Shortlisted candidates will be sent:
  - detailed documentation of the interview process
  - directions to the place of interview
- ☐ Shortlisted 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.
- ☐ Also, they will be informed if they will have to undertake skill tests as part of the interview.
- ☐ All unsuccessful applicants will be notified shortly after the short listing has taken place and any documentation provided returned to them.

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### ▪ **The Interview**

- ☐ On the day of the interview all candidates will need to provide proof of identity, proof of their qualifications and proof of eligibility to live and work in the UK.
- ☐ The interview will consist of an activity, informal meetings with the Governing Body and representatives from the LA, a meeting with the School Council and a professional interview.
- ☐ All candidates will be assessed for their suitability to the post and their capability to safeguard and protect the welfare of children and young people.

### ▪ **Job Offer**

- ☐ The appropriate sub-committee will interview those shortlisted and will identify a suitable candidate.
- ☐ A job offer will be made subject to the following Pre - Employment Checks for the Successful Candidate.

### **Pre-appointment checks for all new appointments**

We understand that any offer of appointment made to a successful candidate, including one who has lived or worked abroad, must be conditional on satisfactory completion of the following pre-employment checks:

- Verify a candidate's identity
- Obtain (via the applicant) an enhanced DBS certificate (including barred list information, for those who will be engaging in regulated activity)
- Obtain a separate barred list check if an individual will start work in regulated activity before the DBS certificate is available
- Verify the candidate's mental and physical fitness to carry out their work responsibilities by asking the applicant relevant questions about disability and health in order to establish whether they have the physical and mental capacity for the specific role
- Verify the person's right to work in the UK
- If the person has lived or worked outside the UK then further checks may be appropriate
- Verify professional qualifications, as appropriate by using the Teacher Services' system to verify any award of qualified teacher status (QTS), and the completion of teacher induction or probation
- Check whether the candidate is not subject to a prohibition order
- Independent schools, academies and free schools must check that a person taking up a management position is not subject to a section 128 direction made by the Secretary of State

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

### ▪ **Terms and Conditions of Employment.** The successful candidate will be sent:

- ☐ a letter offering them the job
- ☐ a statement of the terms and conditions of employment

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The successful candidate will sign and return a form accepting the job and its conditions.

- **Internal Promotions.** If the successful candidate is a present member of staff then they will be sent:

- ☐ a letter confirming the variation to his or her terms and conditions
- ☐ details of the planned induction programme
- ☐ the start date
- ☐ the name of the designated member of the SMT who will act as a mentor during the probationary period

- **Induction**

- ☐ The induction programme for all newly appointed school personnel will include all school policies dealing with the safeguarding of children and young people plus receive copies of the DCSF guidance on Safe Working Practice.

- **Probationary Period**

- ☐ All new employees will be subject to a satisfactory probationary period during which their progress will be monitored by their mentor.
- ☐ Probation interviews will take place in their first and second term after which a recommendation will be discussed to establish whether the employment should be confirmed, extended or terminated.

### Single Central Record

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

- All teaching staff
- Support staff
- Supply teachers
- Volunteer parent helpers
- Governors who work as volunteers
- LA tutors
- After school club leaders
- Breakfast club leaders

The information recorded will be checks on:

Checks	Date when checked	Checked by
▪ Identity check		
▪ Barred list check		
▪ Enhanced DBS check		
▪ Prohibition from teaching check		
▪ Checks on individuals living or working outside the UK		
▪ Professional qualifications check		
▪ Right to work in the UK check		

For agency and third party supply staff written confirmation must be included from the supply agency that confirms that relevant checks have been undertaken with the

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appropriate certificates obtained with confirmation dates plus any enhanced DBS certificate provided.

Other checks may be included such as:

- Childcare qualifications
- Safeguarding and safer recruitment training dates

### **Raising Awareness of this Policy**

We will raise awareness of this policy via:

- the School Handbook/Prospectus
- the Staff Handbook
- the school website
- reports such as the annual report to parents and Headteacher reports to the Governing Body

### **Training**

All school personnel:

- have equal chances of training, career development and promotion
- receive training on induction which specifically covers:
  - ☐ All aspects of this policy
  - ☐ Safeguarding and Child Protection
  - ☐ Safer Recruitment
  - ☐ Contract of Employment
  - ☐ Data Protection
  - ☐ Disclosure and Barring Service Checks
  - ☐ Equal opportunities
  - ☐ Inclusion
- receive periodic training so that they are kept up to date with new information
- receive equal opportunities training on induction in order to improve their understanding of the Equality Act 2010 and its implications

### **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, gender identity, pregnancy or maternity, race, religion or belief 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 pupil and it helps to promote equality at this school.

### **Monitoring the Implementation and Effectiveness of the Policy**

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The practical application of this policy will be reviewed annually or when the need arises by the coordinator, the Headteacher and the nominated governor.

A statement of the policy's effectiveness and the necessary recommendations for improvement will be presented to the Governing Body for further discussion and endorsement.

### Linked Policies

- Continuous Professional Development
- Contract of Employment
- Data Protection and the General Data Protection Regulation (GDPR)
- Disclosure and Barring Service Checks
- Equality
- Health and Well-being of School Personnel
- Inclusion
- Performance Management
- Reducing Unproductive or Unnecessary Teacher Workload
- Safeguarding and Child Protection
- Work-Life Balance

### See Appendices Documents section on Policies for Schools Website

- Frequency of Policy Monitoring
- Monitoring Implementation and Policy Effectiveness Action Plan
- Initial Equality Impact Assessment
- Policy Evaluation
- Policy Approval Form

<b>Headteacher:</b>	Sean Flood	<b>Date:</b>	January 28 <sup>th</sup> 2020
<b>Chair of Governing Body:</b>	Derek Vitali	<b>Date:</b>	January 28 <sup>th</sup> 2020