



# Bowden House & Bowden Primary Schools

## Safer Recruitment & Selection Policy

Draft to Resources Committee: 21 November 2023

To Full Governing Body on 30 January 2024

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## Statement of intent

Bowden House School has the overall management for Bowden Primary School and as such, is responsible for the recruitment and selection process of all staff members. Bowden House School has implemented this policy to assist with recruitment and selection outlining the school's recruitment procedure and how it ensures safer recruitment is considered at all levels of the recruitment process.

The safety and protection of our students/pupils is always at the forefront of the school's concerns, which is why this policy aims to embed a robust safeguarding culture into the recruitment practices of the school.

Signed by:

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*Wendy Phillips*

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Chair of Governors

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To Governing Body meeting : 21 November 2023

Review date : November 2024

## 1. Legal framework

1.1. This policy has due regard to all relevant legislation including but not limited to, the following:

- Children Act 1989
- Children Act 2004
- Safeguarding Vulnerable Groups Act 2006
- The Education (School Teachers' Appraisal) (England) Regulations 2012 (as amended)
- Sexual Offences Act 2003
- The School Staffing (England) Regulations 2009
- Rehabilitation of Offenders Act 1974
- Education and Skills Act 2008
- Data Protection Act 2018
- The General Data Protection Regulation (GDPR)
- Education Act 2002
- Equality Act 2010

1.2. This policy has due regard to guidance including but not limited to, the following:

- DfE (2023) 'Keeping children safe in education'
- DfE (2018) 'Staffing and employment advice for schools'
- DfE (2020) 'Governance handbook'
- DfE (2020) 'Guidance for full opening: schools'
- DfE (2020) 'Changes to checks for EU sanctions on EEA teachers from 1 January 2021'

1.3. This policy operates in conjunction with the following school policies:

- [Safeguarding & the Protection of Children Policy](#)
- [Policy Statement on the Recruitment of Ex-Offenders](#)
- [Storage of DBS Service](#)
- [Safeguarding Code of Conduct](#)
- [Privacy & Confidentiality Policy](#)
- [GDPR Policies](#)
- [Equal Information & Objectives](#)
- [Equality & Diversity \(Selection & Recruitment\)](#)
- [ICT Acceptable Use Policy](#)

## 2. Definitions

Our selection and recruitment policies, practices and procedures comply with all relevant, statutory guidance on safer recruitment and act in accordance with the provisions of Part Three of the DfE Guidance on 'Keeping Children Safe in Education, September 2023' specifically the guidance for all staff considered to be in 'regulated activity'. The staff of Bowden House School and Bowden Primary

School, are considered to be in regulated activity as a result of their work, as they: **will be responsible, on a regular basis in school for teaching, training, instructing, caring for or supervising children'** (Keeping Children Safe in Education, September 2023). We are also compliant with Working Together to Safeguard Children, 2018 to minimise the risk of unsuitable persons being employed. The school complies with the relevant legislation as set out in the NMS, 2022.

The Governing Body will ensure that people are treated solely on the basis of their abilities and potential, regardless of race, colour, nationality, ethnic origin, religious or political belief or affiliation, trade union membership, age, gender reassignment, marital status, sexual orientation, disability, socio-economic background or any other distinction.

The School Business Manager, on behalf of the school's Governing Body, will conduct the appropriate pre-employment checks for all prospective employees, including internal candidates and candidates who have lived or worked outside the UK.

The school complies with the requirements of Keeping Children Safe in Education, September 2023, with regard to Enhanced DBS checks and other pre-employment checks and this Policy should be read in conjunction with this Guidance and the Safeguarding & Protection of Children Policy, 2023/24.

The intention of this Policy is to ensure that all stages of the recruitment process contain measures to deter, identify, prevent and reject unsuitable applicants from gaining access to the students/pupils in our schools. The Policy and implementation of the recruitment process aims to meet all legislative requirements detailed above.

- 2.1. **Enhanced DBS with barred list check** – this check is required when people are working or seeking to work in regulated activity with children. This check allows for additional checks to be made as to whether the person appears on the children's barred list. All Bowden House and Bowden Primary employees are subject to the Enhanced DBS with barred list check
- 2.2. **Children's barred list** – the DBS maintains a 'barred list' of individuals who are unsuitable to work with children and vulnerable adults. In addition, where an enhanced DBS including a barred list check is obtained, the certificate will also detail whether the applicant is subject to a direction under section 128 of the Education and Skills Act 2008 or section 167A of the Education Act 2002

### **3. Roles and responsibilities**

3.1. The Governing Body is responsible for:

- agreeing and monitoring effective policies to ensure recruitment at the school is in accordance with the legislation outlined in [section 1](#)

- delegating responsibility to the Headteacher and the School Business Manager who will:
- ensure that staff recruitment is as safe as possible, as well as fair and compliant with the relevant legislation
- ensure appropriate checks have been carried out on all staff working in both schools
- appoint an appropriate Recruitment Panel
- ensure that at least one member of the Recruitment Panel has undergone safer recruitment training
- ensure that all members of the Recruitment Panel understand their role, on decision making
- monitor the advertising of vacancies, assessing how they are being advertised and whether the adverts are maximising all of the opportunities to attract the appropriate candidates
- ensure a member of the Governing Body is on the Recruitment Panel for a new Headteacher
- ensure that all members of the Recruitment Panel are familiar with their obligations with regards to safer recruitment, as set out in KCSIE
- monitor the school's SCR to ensure that the necessary vetting checks for employees are carried out
- ensure that equal opportunities are established and implemented throughout the recruitment process
- ensure that the salary of the successful candidate is determined
- accommodate the needs of new employees and making reasonable adjustments when necessary

3.2. The Headteacher, Bowden House School and the Head of School, Bowden Primary School and the School Business Manager are responsible for:

- creating the advert and ensuring it meets all the necessary requirements
- shortlisting the potential candidates with the aim of reducing the application field and identifying those with the potential to effectively undertake the role
- ensuring that the interview addresses leadership ability, team working skills, reasons for interest in joining the school, integrity, understanding of the school's ethos and vision and why the candidate believes they would be a good fit for the school.
- ensuring that the interview addresses safeguarding practices

3.3. The School Business Manager is responsible for:

- ensuring that appropriate checks have been carried out on prospective staff

3.4. during the recruitment process, the Recruitment Panel will be watchful of candidates displaying the following characteristics:

- no understanding or appreciation of children's needs
- expressing that they want the role to meet their needs at the expense of children

- using inappropriate language in relation to children
- expressing extreme views or views that do not support safeguarding practices
- displaying unclear boundaries with children
- providing vague answers when asked about their experience and being unable to explain gaps in their employment

#### **4. Equal Opportunities**

- 4.1. when recruiting, Bowden House and Bowden Primary Schools will adhere to the Equality Information & Objectives Policy
- 4.2. it will not discriminate against any protected characteristics, such as disability or gender and will always promote difference and inclusion throughout both schools
- 4.3. it will, where necessary, make reasonable adjustments to ensure the interview is accessible to all candidates. Candidates should inform the school of any reasonable adjustments that they need when they receive the invitation for an interview
- 4.4. the Governing Body will review recruitment procedures annually to ensure they are accessible and do not directly or indirectly discriminate against candidates
- 4.5. candidates will not be asked about their health or any disabilities before a job offer is made, unless one of the following exemptions applies:
  - questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments), e.g. Advanced Team Teach training
  - questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment
  - positive action to recruit people with disabilities
  - equal opportunities monitoring (which will not form part of the decision-making process)

#### **5. Planning, advertising and shortlisting**

- 5.1. once a vacancy has been identified, an appropriate amount of time will be given for planning and structuring the recruitment process
- 5.2. The Headteacher and the School Business Manager will:
  - decide on the recruitment timeframe
  - decide who will be involved in the process and what their roles will be, e.g. who forms the Recruitment Panel and who will lead the interview
  - prepare the documents that will be provided to applicants, including the job description, person specification and application form – ensuring that these documents contain a clear message about safeguarding, the checks that will be carried out and that references will be sought
  - ensure that application packs, where relevant, state that applicants must be willing to sign the staff disqualification declaration

- 5.3. the job information and associated documents will also be published online
- 5.4. the full requirements of the role will be clearly explained, including any employment vetting requirements such as an Enhanced DBS check
- 5.5. the School Business Manager will be responsible for the management of the recruitment process
- 5.6. the Recruitment Panel will be an odd number so majority votes can be cast
- 5.7. at least one member of the Recruitment Panel will have successfully completed up-to-date safer recruitment training
- 5.8. The School Business Manager will ensure the advertisement includes the following requirements:
  - information specific to the role on offer and the school as a whole
  - the benefits of the role are highlighted
  - the advertisement is relevant to the target audience
  - the advertisement is communicated clearly and concisely
  - applications can be submitted electronically
- 5.9. requests for further information from applicants will be replied to promptly
- 5.10. all applications will be replied to by letter or e-mail notifying candidates whether they have been shortlisted or not and interviews will be arranged for the shortlisted candidates
- 5.11. vacancies will be advertised through a range of internal and external media, ensuring that the advertisement reaches a wide range of groups, as appropriate
- 5.12. advertisements will contain a statement of commitment to ensuring equal rights
- 5.13. advertisements will include a job description, person specification and detail the closing date
- 5.14. the contact numbers of the School Business Manager and details of the application process will be clearly outlined
- 5.15. application forms will be accessible on the school's website
- 5.16. the school will never accept a CV alone, only completed application forms
- 5.17. when shortlisting candidates for an interview, all application forms will be considered
- 5.18. at least two members of the Recruitment Panel will be involved in the shortlisting process
- 5.19. candidates who are shortlisted will meet all the essential aspects of the person specification requirements



- 5.20. the school will ensure that the shortlisting process is as systematic as possible, and that the Recruitment Panel reads through all applications. Each member of the panel will create their own shortlist which will then be collated and discussed
- 5.21. applicants will be assessed against the same shortlisting criteria to ensure a fair process.

## **6. Invitation to interview**

- 6.1. once a shortlist has been confirmed, the applicants to be invited for interview will be contacted by the School Business Manager and suitable interview times will be decided. Short-listed candidates will be informed that their social media activity could be checked prior to interview
- 6.2. the School Business Manager will ensure that all shortlisted candidates receive information about the interview arrangements, how they will be conducted, the areas that will be explored and what documents they should bring, etc
- 6.3. upon inviting candidates to interview, the School Business Manager will state that the successful candidate's identity will be checked

## **7. Pre-interview checks**

- 7.1. the School Business Manager will complete the necessary pre-interview checks
- 7.2. pre-interview checks will include the following:
  - requesting three references from each shortlisted candidate directly from the referees – where possible, one reference will be obtained relating to the role in which the candidate worked with children
  - verifying that the candidate has qualifications or experience relevant to the post

## **8. The interview**

- 8.1. during the interview process, candidates will be asked relevant questions and their responses will be recorded for ease of comparison
- 8.2. any concerns raised through contact with referees will be discussed with the candidate at this stage
- 8.3. the Recruitment Panel will ask open questions to assess the candidate's experience and suitability for the post and to explore the candidate's motivation towards safeguarding and their suitability to work with children
- 8.4. the candidate will be given the opportunity to discuss any concerns or ask any questions
- 8.5. the interview will always comprise a face-to-face interview and for some roles there will be a presentation and in-tray exercise

## **9. After the interview**

- 9.1. after the interview has been completed, the Recruitment Panel will:
  - assess all candidates' performance using the same agreed criteria
  - ask the successful candidate to provide proof of identification and qualifications and to complete the DBS check as soon as possible
  - contact and provide feedback to the unsuccessful candidates – feedback will be verbal and based on evidence of their performance against the person specification for the role
- 9.2. interview notes and assessment materials will be held securely for an appropriate amount of time after the interviews, in case any aspect of the recruitment process is challenged
- 9.3. after choosing a successful candidate, the school will:
  - make a conditional offer of employment to the candidate
  - ask the successful candidate to provide identification and proof of qualifications, if this has not already been done
  - complete the relevant pre-appointment checks.
- 9.4. once an offer of employment has been made, the candidate's self-declaration form will be reviewed. If a conviction has been declared and it is spent or filtered, the offer of employment will not be retracted based on this; however, the school will undertake the relevant assessments to determine whether the candidate is suitable to work in the school.

## **10. Pre-appointment checks**

- 10.1. all appointments will be conditional on satisfactory completion of the necessary pre-appointment checks
- 10.2. when appointing new staff, the school will complete the following checks:
  - verify the candidate's identity
  - obtain three references for the successful candidates to allow for any concerns to be explored with the referee and discussed with the candidate
  - one of the references will be from the candidate's most recent employer
  - where a candidate is not currently employed, verification of their most recent period of employment and reasons for leaving will be obtained from the employer
  - references will be from a senior member of staff and not a colleague
  - open testimonials will not be relied upon, nor will information that has been provided by the candidate without verifying the information

- electronic references will be vetted to ensure they originate from a credible source
- references from internal candidates will also always be scrutinised before interview
- permission will be sought from the candidates before the School Business Manager contacts referees.
- information about past disciplinary action or allegations that are disclosed will be considered carefully when assessing the applicant's suitability for the post
- the candidate's current employer will be asked for details of any capability history in the previous two years, including the reasoning.
- obtain an enhanced DBS certificate (via the applicant) and for candidates engaging in regulated activity, barred list information
- obtain a separate barred list check if an individual will start work in regulated activity before the DBS certificate is available
- verify a candidate's mental and physical fitness to carry out their role
- verify the person's right to work in the UK
- make further checks on any individual who has lived or worked outside the UK
- verify professional qualifications, as appropriate

10.3. the School Business Manager will ensure any candidate employed to carry out teaching work is not subject to a prohibition order or any sanction or restriction imposed (that remains current) by the GTCE before its abolition in March 2012

10.4. if the school has reason to believe that an individual is barred, it is an offence under section 9 of the Safeguarding Vulnerable Groups Act (SVGA) 2006 for the school to allow the individual to carry out any form of regulated activity

10.5. checks for all prohibitions, directions, sanctions and restrictions will be carried out by using the secure access portal on the DfE Teacher Services' [web page](#)

10.6. there is no requirement to obtain an enhanced DBS certificate or carry out checks for events that may have occurred outside the UK if, in the three months prior to their appointment, the applicant has worked:

- in a school in England in a post which brought them into regular contact with children or young persons; or
- in any post in a school since 12 May 2006 which did not bring the person into regular contact with children or young persons; or

## **Candidates who have lived outside the UK**

For candidates who have lived outside the UK, all mandatory checks outlined in this policy will be carried out along with additional checks where necessary

- 10.7. For candidates who have lived or worked outside the UK, the school will make further checks where necessary, including but not limited to:
- obtaining an enhanced DBS certificate with barred list information, including for candidates who have not been to the UK before
  - for teaching staff, obtaining proof of their past conduct as a teacher from the professional regulating authority in the country in which they worked, where available.

## **Existing staff**

- 10.8. if a member of staff moves from a post that was not regulated activity to one that is, the relevant checks will be carried out
- 10.9. the School Business Manager will carry out further checks where there is a concern about a member of staff's suitability to work with children
- 10.10. an investigation will be carried out to gather enough evidence to establish if an allegation has a foundation. The School Business Manager will ensure they have sufficient information to meet the referral duty criteria of this policy
- 10.11. the school will refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult where:
- the individual has received a caution or conviction for a relevant offence or if there is reason to believe that the individual has committed a listed relevant offence
  - the individual is deployed to another area of work not in regulated activity or where they have been suspended
- 10.12. referrals to the DBS will be made on conclusion of an investigation where an individual has been removed from regulated activity
- 10.13. referrals to the DBS will be made as soon as possible after the resignation, removal or redeployment of the staff member.

## **11. After the pre-appointment checks**

- 11.1. Once the pre-employment checks have been completed, the School Business Manager will:
- agree a start date with the Headteacher or Head of School and the candidate
  - submit contractual paperwork, including the completed DBS check, copies of identification, references, proof of qualifications, pre-employment medical enquiry form, P45, application/equal opportunities and emergency contacts

- add the required details of the checks carried out to the school's SCR.

## **12. Single Central Record (SCR)**

- 12.1. the school will maintain and regularly update the SCR
- 12.2. all new employees will be added to the record, which will include:
- all staff who work at the school.
  - all others who work in regular contact with children in the school
- 12.3. The bullet points below set out the minimum information that must be recorded in respect of staff member. The record will indicate whether the following checks have been carried out or certificates obtained and the date on which each check was completed/certificate obtained:
- an identity check
  - a barred list check
  - an Enhanced DBS check
  - a prohibition from teaching check
  - further checks on people living or working outside the UK, including checks for European Economic Area (EEA) teacher sanctions and restrictions
  - a check of professional qualifications
  - a check to establish the person's right to work in the UK

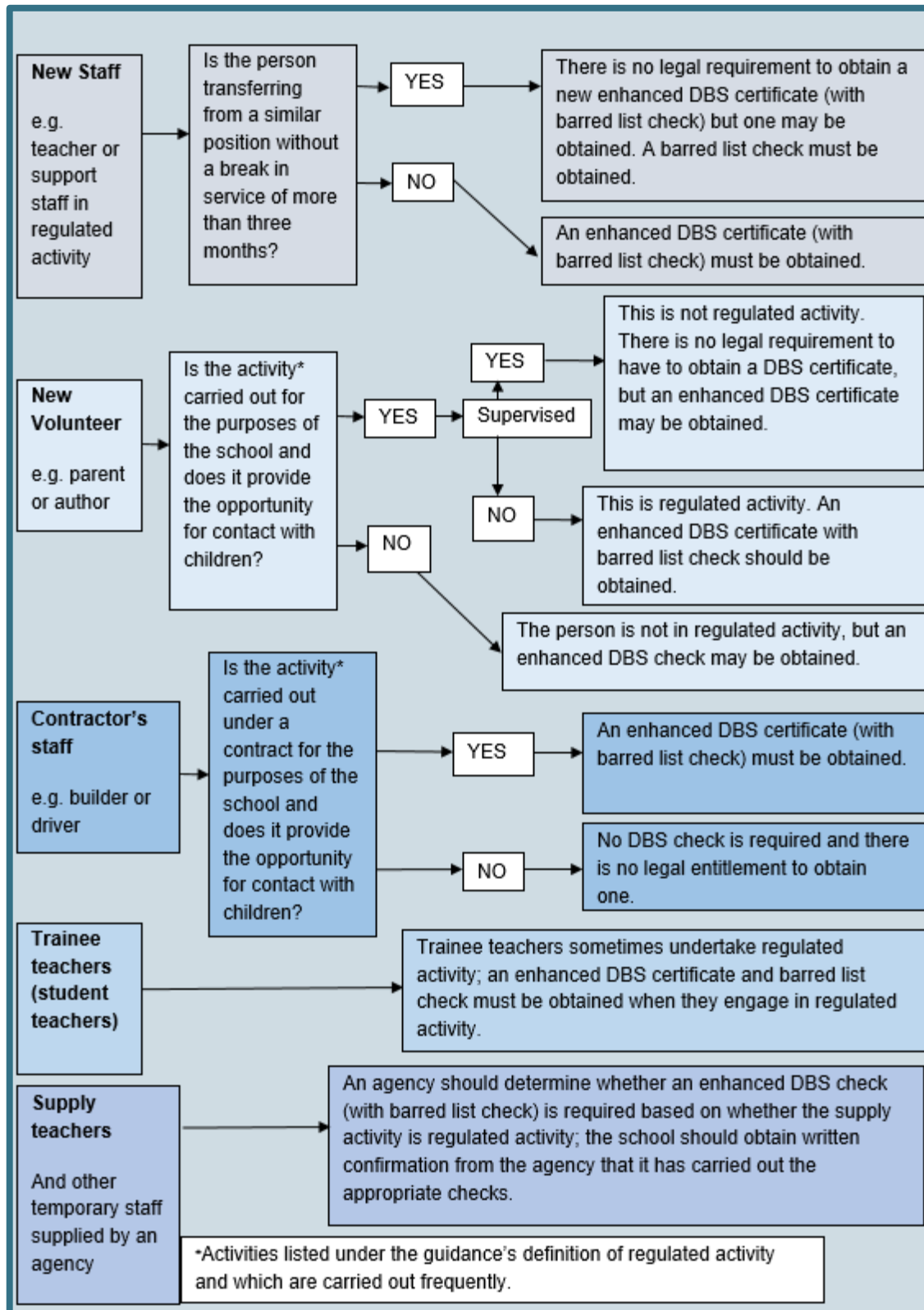
## **13. Safer Recruitment Training**

- 13.1. at least one member of the Recruitment Panel will have completed formal safer recruitment training
- 13.2. as a measure of good practice, the school will ensure that this training is renewed every five years.

## **14. Monitoring and review**

- 14.1. this policy is reviewed annually by the Governing Body and the Headteacher and Head of School
- 14.2. any changes made to this policy will be communicated to all members of staff
- 14.3. all members of staff are required to familiarise themselves with all processes and procedures outlined in this policy as part of their induction programme
- 14.4. the next scheduled review date for this policy is November 2024.

## Flowchart of Disclosure and Barring Service Criminal Record Checks and Barred List Checks



# Recruitment of Ex-offenders Policy

Ensuring that **Bowden House School** and **Bowden Primary School** treats applicants who have a criminal record fairly and does not discriminate because of a conviction or other information revealed through the Disclosure and Barring Service (DBS).

## Key points

- **Bowden House School & Bowden Primary School** complies fully with the DBS Code of Practice.
- All applicants for positions are treated fairly.
- **Bowden House School & Bowden Primary School** selects candidates for interview based on their skills, qualifications and experience.
- **Bowden House School & Bowden Primary School** will always request a DBS Disclosure
- **Bowden House School & Bowden Primary School** keeps all information private and confidential, in accordance with the Data Protection Act.
- **Bowden House School & Bowden Primary School** takes into careful consideration the relevance and circumstances of offences.

## 1. Introduction

1.1 As an organisation using the DBS Disclosure service to assess applicants' suitability for positions of trust, **Bowden House School & Bowden Primary School** comply fully with the DBS Code of Practice and undertakes to treat all applications for positions fairly. It undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of a conviction or other information revealed.

## 2. Principles

2.1 **Bowden House School & Bowden Primary School** are committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.

2.2 This policy is available to all applicants upon request.

2.3 **Bowden House School & Bowden Primary School** actively promote equality of opportunity for all with the right mix of talent, skills and potential and welcomes applications from a wide range of candidates. **Bowden House School & Bowden Primary School** selects all candidates for interview based on their skills, qualifications and experience.

## 3. Disclosures

3.1 A DBS Disclosure is only requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned.

The School Business Manager establish the true identity of all applicants by examining a range of documents.:

- Only accept **original documents** - do not accept photocopies
- Where an applicant has a passport and/or a valid UK driving licence they must provide these as evidence of their identity
- Information provided by the applicant must be cross checked with the identity documentation supplied
- All documents must be in the applicant's current name unless the documentation confirming there is a name change e.g., marriage licence or deed poll
- At least one document must confirm the applicant's current address
- At least one document must confirm the applicant's date of birth
- At least one document must confirm the applicant's current name
- Two documents from the same source, e.g. two bank statements from the same Bank cannot count as two of the total number of documents required.

<https://www.gov.uk/disclosure-barring-service-check/documents-the-applicant-must-provide->

Reviewed : November 2023