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# OVERSTONE PARK SCHOOL

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## Safer Recruitment & Retention Policy



## Safer Recruitment

Date	Review Date	Coordinator
September 2024	August 2025	Mrs M Brown Mrs D York Mrs V Price Mrs K Gorton

We believe this policy relates to the following legislation:

- Rehabilitation of Offenders Act 1974
- School Teachers' Pay and Conditions Act 1991
- School Standards and Framework Act 1998
- Data Protection 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
- 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

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)

- **National Agreement on Pay and Conditions of Service (Green Book) (National Joint Council for Local Government Services)**
- **School Teachers' Pay and Conditions Document 2016 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)**

**A recent survey has shown that low pay, high workload and stress are the three main reasons why teachers are leaving the profession.**

**Therefore, 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.**

**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.**

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

**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 into 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 ensure that a fair and legal recruitment procedure is in place.**
- **To work with other schools to share good practice in order to improve this policy.**

## **Responsibility for the Policy and Procedure**

### **Role of the Proprietors**

**The Proprietors 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;**
- **delegated certain powers and responsibilities to the Principal to oversee compliance with current guidance and legal requirements;**
- **delegated powers and responsibilities to the Principal 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;**
- **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 the development, approval, implementation and review of this policy;**
- **responsibility for the effective implementation, monitoring and evaluation of this policy.**

## **Role of the Principal**

The Principal will:

- promote the safeguarding and welfare of children;
- 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;
- ensure all appropriate pre-employment checks are completed on school personnel and volunteer helpers;
- ensure contractors and agencies comply with this policy;
- undertake appointments of school personnel and volunteer helpers other than appointments to the leadership group;
- 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.
- 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;

## **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**

- 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).

The advert should include:

- The school's commitment to safeguarding and promoting the welfare of children and make clear that safeguarding checks will be undertaken.

### **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 Principal and Senior Management Team.
- 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 Governances 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.

## 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 Principal and a professional interview with two interviewers.
- 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 - Employment Checks for the Successful Candidate

Before taking up the post the following checks will be undertaken on the successful candidate:

- References (2)
- Proof of identity with current photographic ID and proof of address
- Provision of a Disclosure and Barring Service (DBS) disclosure (with a Barred List check) where the person will be engaging in regulated activity
- Proof that a candidate for a teaching vacancy is not subject to a prohibition order
- A barred list check if a DBS certificate is not available before an individual begins regulated activity
- Mental and physical fitness from Occupational Health
- Proof of qualifications
- Proof of a right to work in the UK
- Employment history references

**Safeguarding. Keeping Children Safe in Education (KCSIE) 2024 states that schools “should consider” carrying out an online search as part of due diligence on shortlisted candidates. Yes also inform shortlisted candidates that you may carry out online searches (see paragraph 226 of KCSIE, linked above).**

## Online searches framework

It should be made expressly clear that the reason for the online search is to identify any matters that might relate directly to the employer’s legal duty to meet the safeguarding duties set out in KCSIE. There is no other purpose for a search.

**The fact that such a search will be undertaken, its purpose and the form it will take should be communicated clearly in the materials sent to potential applicants.**

**Online checks should only do so for shortlisted candidates and not all applicants. Online checks should therefore not be used as part of the shortlisting process.**

**The form of the search should be consistent for all candidates to ensure that practice is fair and is not open to challenge on discrimination grounds. It would not be right to conduct a broader or deeper search for some candidates and not others without a clear and objective reason. Considerations should include:**

**Who will carry out the search?**

**Where possible, this should be the same designated member of staff each time to eliminate differing opinions on the results of the online searches. If practicable and feasible, depending on factors such as levels of resourcing, the search should be carried out by someone who is not involved in the decision-making process.**

**Individuals carrying out the searches should be fully versed in the purpose of the search and its parameters.**

**What limitations will be placed on the search? Will the search be limited to information gathered through a general search engine, e.g. Google, or should other databases and platforms be searched? If so, which ones and why?**

**A school must not base its decisions about staff appointments on any information gathered through an online search that does not relate to these specific duties. Searches must not be open-ended 'fishing' exercises.**

**The fact that a shortlisted candidate has a limited or no online footprint must not be used to form adverse judgements about them.**

**An online search should be undertaken only once and as a 'snapshot' of the applicant. The employer should not seek to monitor candidates' online or social media activities on an ongoing basis.**

**The employer should not ask shortlisted candidates for access to password-protected online materials about them. The employer should not attempt to 'friend' a shortlisted candidate or 'add' them to their social media channels as a way of eliciting information.**

**Details of the search, including the names of sites and platforms viewed, and when they were viewed, should be recorded.**

**The school must be able to demonstrate satisfactorily how their collection, use and retention of search data and information is consistent with their data protection policies, the provisions of the UK GDPR and relevant guidance from the Information Commissioners' Office.**

**We aim to:-**



**Be proportionate:** target searches as far as possible to ensure that only information that is relevant to the applicant's suitability for the role.

**Be consistent:** apply a consistent approach to all applicants. This does not necessarily mean that you need a blanket approach, but, for example, that the triggers for conducting a search are applied fairly and consistently.

**Give the applicant an opportunity to respond:** if the information found online will be taken into account, give the applicant an opportunity to comment on it, so you have the full picture before making a decision. Remember that the information may be inaccurate, incomplete or misleading.

**Consider data protection / privacy issues:** you should hold and process the data in accordance with your data protection policy and set out what you do in your privacy notice. In addition to this, as above, put the applicant on specific notice of your approach. While consent is generally unsuitable as a basis for processing in an employment or recruitment context, it may be a valid and practical consideration when undertaking background checks.

**Evaluate your risk assessment approach:** use a consistent and fair risk assessment approach when considering the information found online as part of your recruitment decision, and have guidelines and training to help ensure that irrelevant information is not taken into account and discriminatory decisions avoided.

**Record-keeping:** keep a good record of the search undertaken, results and what was done with it and decisions made.

**Consider using third parties:** engaging a third-party processor on suitable terms where proportionality and lawfulness is assured may mean the employer need not see everything that is collected or viewed: they would simply get a report as to suitability, or perhaps red flags only. AI and algorithms can know what to search for in terms of keywords without any person "reading" or recording the impactful data itself. While it is legally vital that it is a human and not a machine making the key decisions, automation and use of reputable third parties can actually assist in the proportionality of the process and the minimisation of data collected by the employer.

Any information gathered through an online search that gives rise to legitimate areas of concern is to be raised with the candidate directly in the interview. It would not be appropriate or fair not to appoint a candidate on the basis of information gathered through an online search that they did not have a reasonable opportunity to contest or explain.

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

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:

<ul style="list-style-type: none"> <li>▪ all teaching staff</li> <li>▪ support staff</li> <li>▪ supply teachers</li> <li>▪ volunteer parent helpers</li> </ul>	<ul style="list-style-type: none"> <li>▪ Governances who work as volunteers</li> <li>▪ LA tutors</li> <li>▪ After school club leaders</li> <li>▪ Breakfast club leaders</li> </ul>
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The information recorded will be checks on:

Checks	Date when checked
▪ Identity check	
▪ Barred list check	
▪ Enhanced DBS check	
▪ Prohibition from teaching check	
▪ A section 128 check (for management positions)	
▪ Checks on individuals living or working outside the UK	

▪ Professional qualifications check	
▪ Right to work in the UK check	

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

- School Handbook/Prospectus;
- School website;
- Staff Handbook;
- Meetings with parents such as introductory, transition, parent-teacher consultations and periodic curriculum workshops;
- School events;
- Meetings with school personnel;
- Written communications with home such as weekly newsletters and of end of half term newsletters;
- Annual report to parents;
- Headteacher reports to the Governing Body;
- Information displays in the main school entrance;
- Text messages
- Email
- Social media:
  - Facebook
  - Twitter
  - Virtual pin boards
  - School blog

### **Training**

#### **Interviewers**

Adhering to strict safer recruitment processes is an essential component of safeguarding children. Safer recruitment helps to ensure that the people you hire to work in your educational setting are suitable for the role and match up with your expectations, attitudes, and values.

All school personnel:

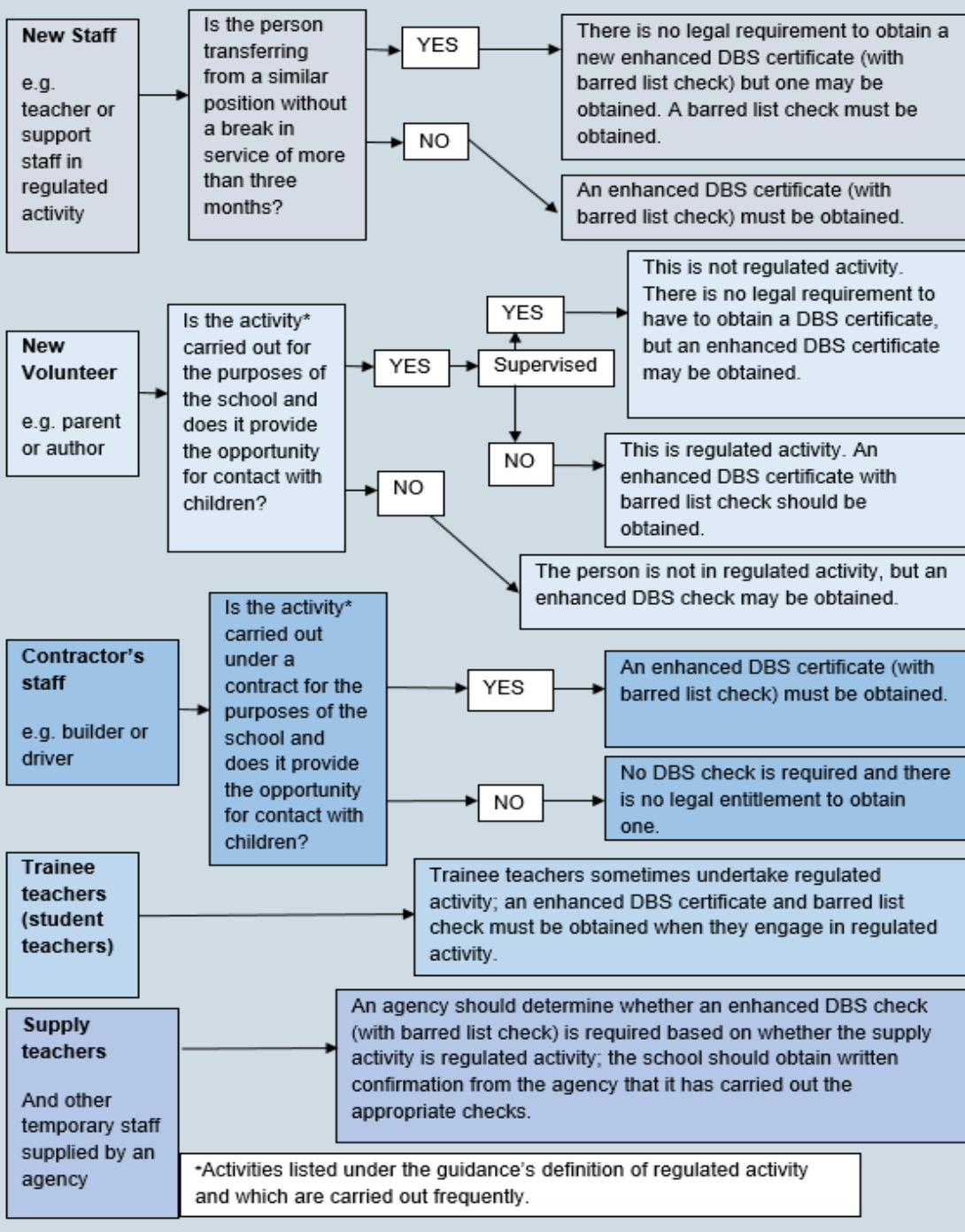
- have equal chances of training, career development and promotion
- receive training on this policy on induction
- receive periodic training so that they are kept up to date with new information
- receive equal opportunities training on induction

### **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.**

# **FLOWCHART OF DISCLOSURE AND BARRING SERVICE CRIMINAL RECORD CHECKS AND BARRED LIST CHECKS**



<b>Principal:</b>	<b>Mrs M Brown</b>	<b>Date:</b>	<b>September 2024</b>
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