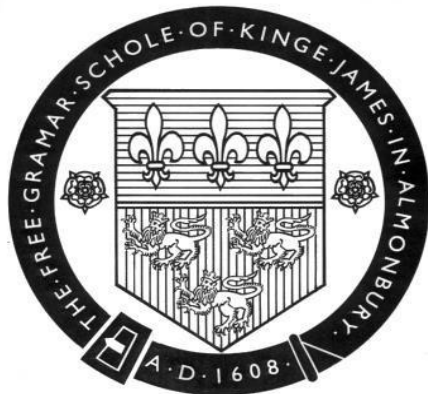




KING JAMES'S SCHOOL

A SPECIALIST SCIENCE COLLEGE



Safer Recruitment Policy





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Recruitment and Section Policy

Introduction

The aim of this policy is to ensure we recruit the best candidate for a role while deterring those people who may pose a risk to our students. At each stage of the recruitment process we will take all reasonable steps to ensure that our students are protected from harm.

Definitions

Regulated activity – includes:

- teaching, training, instructing, caring for or supervising children if the person is unsupervised, or providing advice or guidance on physical, emotional or educational wellbeing, or driving a vehicle only for children
- working for a limited range of establishments (known as 'specified places', which include schools and colleges), with the opportunity for contact with children, but not including work undertaken by supervised volunteers
- the above definitions are classified as regulated activity if they are undertaken regularly. Some activities are always regulated activities, regardless of frequency or whether they are supervised or not. This includes relevant personal care, or health care provided by, or under the supervision of, a health care professional. Personal care includes helping a child with eating or drinking for reasons of illness or disability, or in connection with toileting, washing, bathing and dressing for reasons of age, illness or disability. Health care means care for children provided by, or under the direction or supervision of, a regulated health care professional
- a supervised volunteer who regularly teaches or looks after children is **not** in regulated activity

Teaching role – refers to a role involving planning and preparing lessons and courses for students; delivering lessons to students; and assessing and reporting on the development, progress and attainment of students. These activities are **not teaching work** for the purposes of 'Keeping children safe in education' (KCSIE) if the person carrying out the activity does so (other than for the purposes of induction) subject to the direction and supervision of a qualified teacher or other person nominated by the Principal to provide such direction and supervision.

Standard DBS – this provides information about convictions, cautions, reprimands and warnings held on the Police National Computer, regardless of whether or not they are spent under the Rehabilitation of Offenders Act 1974.

Enhanced DBS – this provides the same information as the standard DBS, plus any additional information held by the police which a chief officer reasonably believes to be relevant and considers ought to be disclosed.

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.

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.

Section 128 check – this provides for the Secretary of State to direct that a person may be prohibited or restricted from participating in the management of an independent school (which includes academies and free schools). A person prohibited under section 128 is also disqualified from holding or continuing to hold office as a governor of a maintained school. We will carry out Section 128 checks for the following roles in our school:

- any role which involves direct line management of an individuals, including Heads of Faculty
- Senior Leadership positions
- Governors
- Members

Safer Recruitment – this is the safeguarding and protection of students during the recruitment and selection process. Its overall purpose is to help identify and deter or reject individuals who are deemed to be at risk of abusing children

Roles and Responsibilities

The Governing Body is responsible for:

- agreeing and monitoring effective policies to ensure recruitment is in accordance with legislation
- ensuring that staff recruitment is as safe as possible, as well as fair and compliant with the relevant legislation
- recruiting the Principal
- approving all other appointments at Senior Leadership level
- ensuring the school maintains the Single Central Record (SCR) and carries out the necessary vetting checks for employees
- ensuring that equal opportunities are established and implemented throughout the recruitment process

The Principal is responsible for:

- ensuring appropriate checks have been carried out on prospective staff, volunteers, contractors and agency workers working within the school
- ensuring that appropriate supervision of employees/volunteers is organised, and for promoting the safety and wellbeing of students generally and throughout the recruitment process
- appointing an appropriate recruitment panel
- monitoring 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
- ensuring appropriate checks have been carried out on staff, volunteers, contractors and agency workers working within the school
- ensuring that at least one member of the recruitment panel has undergone Safer Recruitment training
- ensuring that all members of the recruitment panel are familiar with their obligations with regards to Safer Recruitment, as set out in the current version of KCSIE



- ensuring that the salary of the successful candidate is determined
- accommodating the needs of all applicants and new employees by making reasonable adjustments when necessary

The HR Manager is responsible for:

- setting appropriate recruitment procedures
- creating the advert and ensuring it meets all the necessary requirements
- ensuring that any personal data collected during recruitment activities is processed in line with the Records Management Guidance and Job Applicant Privacy Notice

The recruitment panel is responsible for:

- 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 selection process addresses the key requirements of the role
- ensuring that the selection process addresses safeguarding practices

During the recruitment process, and especially during the initial stages, the recruitment panel and the Principal 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
- expressing extreme views or views that don't 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

Equal opportunities

When recruiting, we will adhere to our Equality Policy.

We will not discriminate against any protected characteristics, and will always promote difference and inclusion throughout the school. We will, where necessary, make reasonable adjustments to ensure the interview is accessible to all candidates. Candidates should inform us of any reasonable adjustments that they need when they receive the invitation for an interview.

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)
- questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment
- equal opportunities monitoring (which will not form part of the decision-making process)



Safer Recruitment training

At least one member of the recruitment panel will have completed formal Safer Recruitment training. As a measure of good practice, we will ensure that this training is renewed in line with the advice of the training provider. Please refer to the Child Protection and Safeguarding Policy for details of those people who have completed Safer Recruitment training.

As a measure of good practice, the school will ensure that this training is renewed **every two years**. Staff and governors involved in the recruitment process will have an awareness of information regarding the following:

- the recruitment and selection process
- pre-appointment and vetting checks, regulated activity and recording of information
- other checks that may be necessary for, staff, volunteers and others
- how to ensure the ongoing safeguarding of children and legal reporting duties on employers



Recruitment and Selection Procedure

Planning, advertising and shortlisting

Once a vacancy has been identified, we will allow an appropriate amount of time for planning and structuring the recruitment process.

The Principal 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

The recruitment panel will usually comprise of three people. Additional people may assist with the process outside of the interview, for example, supporting with lesson observations or other activities. At least one member of the recruitment panel will have successfully completed up-to-date Safer Recruitment training.

The HR Manager will create the advertisement. They will ensure the advertisement includes the following requirements:

- information specific to the role on offer and the school as a whole, this includes the safeguarding requirements
- confirmation that short-listed candidates may be subject to an online search
- confirmation that short-listed candidates will need to provide complete a self-declaration in relation to any criminal convictions
- confirmation that an enhanced DBS check is required by the successful candidate
- the benefits of the role are highlighted
- the advertisement is relevant to the target audience
- the advertisement is communicated directly and concisely

Vacancies will usually be advertised through external media, with due consideration to our Equality Policy, ensuring that the advertisement reaches a wide range of groups. Advertisements will contain a statement of commitment to ensuring equal rights, a job description, person specification and details of the application process. In some instances, vacancies may be limited to those currently within the school community and these vacancies will be circulated via email.

Applicant pack and application form

Applicants will be reminded on the application form that it is an offence to apply for the role if they are barred from engaging in regulated activity relevant to children.

The school will also provide a copy of the Child Protection and Safeguarding Policy and information on employment of ex-offenders to all applicants.

Applicants will be required to provide their:

- personal details, e.g. their current and former names, current address and national insurance number
- current or most recent employment, including the reason for leaving
- full employment history, including explanations for any gaps in their employment



- qualifications, the awarding body and the date of the award
- details of references, which should include their current employer
- a statement of their personal qualities and an explanation of why they meet the person specification to be a suitable candidate for the role

Shortlisting

Shortlisted candidates will be asked to complete a self-declaration of their criminal record or disclosure of any information making them unsuitable to work with children. Only those candidates who have been shortlisted will be asked to disclose any relevant information including:

- if they have a criminal history
- if they are included on the children's barred list
- if they are prohibited from teaching
- if they are prohibited from taking part in the management of an independent school
- information about any criminal offences committed in any country in line with the law as applicable in England and Wales, not the law in their country of origin or where they were convicted
- if they are known to the police and children's social care services
- whether they have been disqualified from providing childcare
- any relevant overseas information

Applicants will need to sign a declaration which confirms that the information they have provided is true.

When shortlisting candidates, the school will:

- ensure that at least two people carry out the shortlisting proceedings – ideally, these two people will also conduct the interview
- assess whether there are any inconsistencies or gaps in the candidate's employment and consider the reasons given for them
- consider undertaking online searches, as necessary, and explore any further potential concerns

All applicants will receive an email confirming whether or not they have been shortlisted.

Invitation to interview

The shortlisted candidates will be contacted about attending an interview. They will receive information about the interview arrangements, how they will be conducted, the areas that will be explored and what documents they should bring.

We will apply for two references before interviewing 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. If candidates are applying from another school, references should come from the Head Teacher/Principal/CEO rather than a member of the senior team. Open testimonials will not be relied upon, nor will information that has been provided by the candidate without verifying the information. If electronic references are received, they will be vetted to ensure they originate from a credible source.



Structured questionnaires will be used to question 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.

Pre-interview checks

We will complete the necessary pre-interview checks including:

- requesting two 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
- checking references against application forms and noting down discrepancies or concerns, and following up these concerns with referees
- obtaining a self-declaration from the candidate in relation to their criminal record, which will be cross-checked against an Enhanced DBS Check if they are offered the role
- Carrying out an online search for publicly available information about the candidate. Please see the section below for more information

Requesting references

Once a candidate has been shortlisted for a position, references will be requested and scrutinised by the recruitment panel. Any concerns will be resolved satisfactorily prior to confirming an appointment. References will always be requested directly from the referee and from a senior person with appropriate authority, rather than a colleague.

References will be requested in written form from the candidate's current employer – if they are unemployed, verification of their most recent period of employment and reasons for leaving will be obtained from their previous employer. Wherever possible, at least one reference will be from employment through which the candidate worked with children.

If the applicant has never worked with children, we will ensure that a reference from their current employer is received.

If the candidate is a school leaver or has not been in work for over two years, a character reference will be requested.

When a candidate is applying for a role (including the role of Principal), information about the details of any capability procedures in the previous two years that they may have been subject to, and the reasons for these, will be requested from their current or former employer.

Concerns raised following a candidate's reference(s) will be explored further with the referee where appropriate and discussed with the candidate at interview.

Open references, e.g. 'to whom it may concern' testimonials, and unverified information provided by the candidate as part of the application process, will not be relied upon. Electronic references will be checked to ensure that they originate from a legitimate source.



Checking references

References will be checked upon receipt to ensure that all questions have been answered satisfactorily and that information is not contradictory or incomplete. The referee will be contacted to provide further clarification where appropriate, e.g. if some answers are vague or insufficient, or contradictory information has been provided. The reference will be compared for consistency with the information on the candidate's application form. Discrepancies between the reference and the application form will be discussed with the candidate.

Where a reference appears incomplete or other concerns arise, the school will carry out one of the following actions:

- call the referee to discuss the reference further
- email the referee the reference for confirmation of its accuracy

The recruitment panel will ensure that any past disciplinary action or allegations disclosed as part of a reference are considered carefully when assessing the candidate's suitability for the role. If this involves safeguarding or potential safeguarding concerns, the DSL will be consulted to help assess the candidate's suitability.

Before making a decision not to appoint a candidate based on an unsatisfactory reference, the recruitment panel will consider if HR advice is necessary. Once the decision is made, this will be recorded as the reason for non-appointment.

Online searches on shortlisted candidates

The school is committed to ensuring that safeguarding is a top priority; therefore, in line with the current KCSIE, the school will carry out online searches on shortlisted candidates as part of their due diligence. Online searches solely aim to help identify any incidents or issues that have happened, and are publicly available online, which the school may want to explore with the applicant at interview.

Online searches will be conducted on shortlisted candidates only, and only where the school considers this appropriate. The school will consider any potential risks of online searches, e.g. unlawful discrimination or invasion of privacy, and will be clear on the reasons that online searches are being conducted. Online searches will only examine data that is publicly available.

Where possible, online searches will be carried out by an individual who is independent of the recruitment process to minimise the risk of bias or discrimination and to ensure that only relevant information is considered. The person responsible for carrying out online searches will have due regard to Part three of KCSIE.

The online search process will usually include searching for the candidate by name and employment history via a search engine such as Google.

When carrying out searches of shortlisted candidates' online presence, the school will look out for indicators of concern, such as:

- inappropriate behaviour, jokes or language
- discriminatory comments
- inappropriate images

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- drug or alcohol misuse
- anything that suggests the candidate may not be suitable to work with children

Any concerns will be addressed during the interview process. The school will ensure that candidates are given an opportunity to discuss any concerns raised by the online search.

The interview

During the interview process, candidates will be asked standard questions and their responses will be recorded for ease of comparison. 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. Any concerns raised through contact with referees, or any gaps on the application form, will be discussed with the candidate at this stage. The candidate will be given the opportunity to discuss any concerns or ask any questions.

The interview will always comprise a face-to-face interview; however, the recruitment panel may also request that candidates complete a combination of any of the following exercises:

- role play exercise
- presentation
- group exercise
- written exercise
- ICT exercise
- aptitude/ability tests
- personality questionnaires
- getting the candidate to work in supervised activity with students e.g. planning and delivering a lesson

After the interview

After the interview has been completed, the recruitment panel will:

- assess all candidates' performance using the same agreed criteria
- verify the successful candidate's proof of identification and qualifications and ensuring they complete a DBS check as soon as possible
- contact and provide feedback to the unsuccessful candidates

Interview notes and assessment materials will be held securely for an appropriate amount of time after the interviews, in line with our Records Management Guidance document, in case any aspect of the recruitment process is challenged.

After choosing a successful candidate, we will:

- make a conditional offer of employment to the candidate, usually subject to a satisfactory DBS check and receipt of suitable references, if these have not been received
- ask the successful candidate to provide proof of their identification qualifications, if not already done
- complete any remaining pre-appointment checks



Pre-appointment checks

All appointments will be conditional on satisfactory completion of the necessary pre-appointment checks, which will include:

- verifying the candidate's identity
- obtaining two satisfactory references
- obtaining an enhanced DBS certificate (via the applicant) and, for candidates engaging in a regulated activity, barred list information
- verify the person's mental and physical fitness to carry out their role
- verifying the person's right to work in the UK
- making necessary checks on any individual who has lived or worked outside the UK
- verifying professional qualifications, as appropriate
- obtaining a section 128 check for those in trustee, governor or management roles. These roles may include; Principal, Vice Principal, Senior Assistant Principal, Assistant Principal and Heads of Faculty and/or Department and Second in Faculty and/or Department

We 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 General Teaching Council for England before its abolition in March 2012. If we have reason to believe that an individual is barred, it is an offence under section 9 of the Safeguarding Vulnerable Groups Act (SVGA) 2006 for us to allow the individual to carry out any form of regulated activity. Checks for all prohibitions, directions, sanctions and restrictions will be carried out by using the secure access portal on the Teaching Regulation Authority website.

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

The school will consider the following when assessing any disclosure information on a DBS certificate:

- the seriousness and relevance to the post which they have applied to
- how long ago the offence occurred
- whether it was a one-off incident or a history of incidents
- the circumstances around and at the time of the incident
- whether the individual accepted responsibility for what happened

Checks for all prohibitions, directions, sanctions and restrictions will be carried out by using the secure access portal for the [Teaching Regulation Agency web page](#).

Volunteers

Please refer to the Volunteer Policy for more information on how we recruit volunteers.



Candidates who have lived outside the UK

No exceptions will be made for candidates who have lived outside of the UK. All mandatory checks outlined in this policy will be carried out, along with additional checks where necessary. The DfE's guidance on the employment of overseas-trained teachers will be consulted should an overseas candidate apply for a teaching position.

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

Right to work checks

The school will obtain evidence that all candidates for a position have the right to work in the UK by either conducting a manual document-based check, or by using the government's [online portal](#). This will be done before a candidate is offered a position.

When conducting a manual, document-based check, the school will ensure that the documents received from candidates are acceptable in line with government guidance, and from the appropriate list: [List A](#) for candidates with a permanent right to work in the UK, or [List B](#) for candidates with a temporary right to work in the UK. Checks on documents will be conducted in line with [section 19](#) of this policy.

The school will obtain proof of candidates' immigration status in the UK.

The school will contact the Home Office in the event that a statutory excuse must be established in the following circumstances:

- the candidate provides a document confirming receipt of an application to the European Union Settlement Scheme (EUSS) on or before 30 June 2021
- the candidate provides a non-digital certificate of application confirming receipt of an application to the EUSS on or after 1 July 2021
- the school has checked a digital certificate of application and has been directed to the Home Office's Employer Checking Service
- the candidate provides an Application Registration Card stating the holder is permitted to undertake the work in question
- the school is satisfied it has not been provided with any acceptable documents because the candidate has an outstanding application with the Home Office made before their previous permission expired, or has an appeal or review pending against the Home Office's decision and cannot provide evidence of their right to work as a result
- the school considers that it has not been provided with any acceptable documents, but the person presents other information indicating they are a long-term resident of the UK, i.e. having arrived before 1988

The school will not make assumptions about a person's right to work in the UK, or their immigration status, on the basis of their race, ethnicity, nationality, length of residence in the UK or background. All candidates, including British citizens, will have their right to work in the UK checked.



Where a candidate's right to work is time-limited, the school will conduct a follow-up check in advance of its expiry.

Identification checking process

When checking the validity of identifying documents, the school will ensure that this is done in the presence of the holder, e.g. in person or via a live video link. In both cases, the school will be in physical possession of the original documents. The school will only accept valid, current and original documentation in its physical form. The school will not accept photocopies or documentation printed from the internet, e.g. internet bank statements.

The school will request documents with photographic identity, such as a passport, and compare this against the candidate's likeness. The school will not accept documents that are not in the candidate's current name as recorded on the application form.

The school will ensure that all previous name changes are declared and documentary evidence is provided to support any name change. If the candidate is unable to provide evidence to support the name change, the school will hold a discussion with the candidate about the reasons why. The school will always aim to check the name on the candidate's birth certificate in order to validate their identity.

The school will ensure that all letters and statements provided by the candidate are recent e.g. within a three-month period.

The school will keep a dated record of every document that has been checked for the duration of the candidate's employment and for a further two years after they have left the school. This will be either as a hard copy or in a scanned format which cannot be manually altered, e.g. JPEG or PDF document, and will be made available to the appropriate authorities if and when requested.

In line with the UK GDPR and Data Protection Act 2018, the school will only retain copies of DBS certificates where there is a valid reason for doing so, and only for as long as is needed to consider the information provided – this will not be for longer than six months after the date of the check.

When information is destroyed, the school may keep a record of the fact that vetting was carried out, the result of this vetting, and the recruitment decision taken.

Agency and third-party staff

In the case of any employee working at the school who is sourced from an agency or third-party organisation, confirmation must be obtained from the organisation, in writing, that all necessary checks have been completed. Confirmation will also be obtained that the individual who presents for work is the same person on whom all checks have been completed. A copy of photographic identification may be kept where appropriate.

Trainee/student teachers

We will ensure that enhanced DBS certificates and barred list checks are obtained on all salaried applicants for initial teacher training who are in regulated activity. Where trainee teachers are fee-funded, it is the



responsibility of the initial teacher training provider to carry out the necessary checks. We will obtain written confirmation that the checks have been carried out.

Existing staff

We will refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult where:

- the harm test is satisfied in respect of that harm
- 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 has been removed from working in regulated activity, or would have been removed had they not left

Contractors

We will ensure that, during term time, any contractor, or any employee of the contractor, has been subject to the appropriate level of DBS check. Under no circumstances will a contractor in respect of whom no checks have been obtained be allowed to work unsupervised or engage in regulated activity. In such circumstances the contractor will be supervised by a member of the Premises team at all times. Contractors who work during periods of school closure will not be required to be subject to a DBS check, nor will they need to be supervised by a member of the Premises team.

We will always check the identity of contractors and their staff on arrival. **Children staying with host families**
We may make arrangements for a child to have learning experiences where, for short periods, the child may be provided with care and accommodation by a host family to whom they are not related. In these circumstances, the LA will be consulted.

Members and Governors

The Members or Governing Body will request a Section 128 Check and an Enhanced DBS certificate including a barred list check on an individual as part of the appointment process for Governors and Members.

Newly appointed chairs of trustees will be subject to a suitability check, which includes:

- an identity check
- confirmation of the right to work in the UK.
- an enhanced DBS check

Where required, additional information if the individual has lived outside the UK for a period of 12 months or longer.

After the pre-appointment checks

Once the pre-employment checks have been completed, we will:

- agree a start date with the candidate
- ensure all necessary paperwork is submitted to our payroll provider
- ensure the required details of the checks carried out are added to the SCR

Single Central Record (SCR)

We will maintain and regularly update the SCR. All new employees will be added to the record, which includes:



- all staff (including supply staff) and student teachers who work at the school.
- all others who work in regular contact with children in the school, including volunteers

The bullet points below set out the minimum information that must be recorded in respect of staff members (including teacher trainees on salaried routes). 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
- for those in management, trustee or governor roles, a section 128 check

For supply staff, we will include whether written confirmation has been received that the employment business supplying the member of supply staff has carried out the relevant checks and obtained the appropriate certificates, and the date that confirmation was received and whether any enhanced DBS check certificate has been provided in respect of the member of staff.