



Safer Recruitment Policy

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1. Statement

The safe recruitment of staff in alternative provision settings is the first step to safeguarding and promoting the welfare of the children in education. This can only be achieved through sound procedures, good inter-agency cooperation and the recruitment and retention of competent, motivated employees who are suited to, and fulfilled in the roles they undertake. Omni Alternative Provision recognises the value of and seeks to achieve a diverse workforce which includes people from different backgrounds with different skills and abilities. We are committed to ensuring that the recruitment and selection of all who work within our setting is conducted in a manner that is systematic, efficient, effective and promotes equality of opportunity.

Omni Alternative Provision will uphold its obligations under law to not discriminate against applicants for employment on the grounds of age, sex, sexual orientation, marital status, disability, race, colour, nationality, ethnic origin, religion, or creed.

All posts within educational settings are exempt from the Rehabilitation of Offenders Act 1974 and therefore all applicants will be required to declare spent and unspent convictions, cautions and bind-overs, including those regarded as spent and have an Enhanced Criminal Records Disclosure.

Omni Alternative Provision is committed to ensuring people who have been convicted are treated fairly and given every opportunity to establish their suitability for positions. Having a criminal record will not necessarily be a bar to obtaining a position and suitability will be decided by Omni Support Group Directors. If required, the decision will be referred to Wiltshire Local Authority DBS advisory panel for independent review.

This policy has been devised with reference to the guidance *Keeping Children Safe in Education DfE (from 1st September 2022)*.

2. Safer Recruitment Training

Omni Alternative Provision will:

- ensure that appropriate staff who undertake recruitment have received safer recruitment training
- ensure that every appointment panel will include one member who has received safer recruitment training
- implement robust recruitment procedures and checks for appointing staff and volunteers to ensure that reasonable steps are taken not to appoint a person who is unsuitable to work with children, or who is disqualified from working with children, or does not have the suitable skills and experience for the intended role.
- ensure that the Prevent Strategy is taken into due consideration and staff all have an understanding of the implications involved
- keep and maintain a single central record of recruitment and vetting checks in line with DfE and Ofsted requirements
- ensure that the terms of any contract with a contractor or agency requires them to adopt and implement measures described in this procedure and monitor the compliance with these measures.
- require staff who are convicted or cautioned for any criminal offence during their employment to notify the provision, in writing of the offence and the penalty.

3. Pre-employment checks

The following pre-employment checks will be undertaken:

- Receipt of at least two satisfactory references, one of which will be from the former or most recent employer
- Verification of the candidate's identity in line with the requirements of The Immigration, Asylum and Nationality Act 2006
- Barred List Check
- A prohibition from teaching check
- An enhanced DBS clearance
- Verification of the candidate's medical fitness (clearance from Occupational Health where applicable)
- Verification of qualifications
- Verification of professional registration
- Verification of successful completion of induction period (for those who obtained QTS after 7 May 1999)
- Right to work in the UK
- Further checks on people working/living outside the UK (incl. EEA)

4. Roles and responsibilities

It is the responsibility of the directors to:

- Ensure the provision has effective policies and procedures in place for the recruitment of all staff and volunteers in accordance with DfE regulations, guidance and legal requirements
- Monitor the provision's compliance with them

It is the responsibility of the Director and other staff involved in recruitment to:

- Ensure that the provision operates safe recruitment procedures and makes sure all appropriate checks are carried out on all staff and volunteers who work at the provision
- Deal with the administration of the disclosure system for the school.
- To monitor contractors' and agencies' compliance with this document
- Promote welfare of children and young people at every stage of the Procedure

It is the responsibility of all potential and existing workers, including volunteers to comply with this document.

It is the responsibility of all contractors and agencies to comply with safe recruitment pre-employment checks.

The final decision regarding staff appointments will rest with the Omni Support Group Ltd Director(s) The Director(s) may delegate the selection process of staff outside of the Directorship group but remains responsible for the decision to appoint.

5. The Procedure

5.1. Advertising

To ensure equality of opportunity, the provision will advertise all vacant posts to encourage as wide a field of candidates as possible, normally this will entail an external advertisement. However, where there is a reasonable expectation that there are sufficient qualified internal candidates or where staff are at risk of redundancy, an internal advertisement may be considered appropriate.

5.2. Applications

- The provision uses a standard application form. CVs will not be accepted
- The provision requires candidates to account for any gaps or discrepancies in employment history on this application form. Where an applicant is shortlisted, these gaps will be discussed at interview.
- Applicants should be aware that providing false information is an offence and could result in the application being rejected or summary dismissal if the applicant has been selected, and possible referral to the police and other professional regulatory bodies.

5.3. References

References for shortlisted candidates will be sent for immediately after shortlisting and before interview. The only exception to this is where candidates have indicated on their application forms that they do not wish their current employer to be contacted. In such cases, this reference will be taken up immediately after interview and prior to any offer of employment being made. One reference will always be sought prior to interview wherever possible, and two references will be required for every candidate.

References must be in writing and be specific to the job for which the candidate has applied - open references or testimonials are not acceptable. The provision will not accept references from relatives or people writing solely in the capacity as a friend. Only references from a trusted authoritative source will be acceptable.

Reference requests will specifically ask:

- About the referee's relationship with the candidate
- Whether the referee is completely satisfied that the candidate is suitable to work with children and, if not, for specific details of the concerns and the reasons why the referee believes that the person might be unsuitable.

Referees will also be asked to confirm details of:

- The applicant's current post, salary and attendance record (where appropriate)
- Performance history and conduct (if known)
- Any disciplinary procedures in which the sanction is current
- Any disciplinary procedures involving issues related to the safety and welfare of children, including any in which the sanction has expired and the outcome of those
- Details of any allegations or concerns that have been raised that relate to the safety and welfare of children or behaviour towards children and the outcome of these concerns
- Omni Alternative Provision uses a Reference Request Form to ensure the details outlined above are included (Appendix A). References will be compared to the information provided is consistent. Any discrepancies will be taken up with the applicant at interview.

Any information about past disciplinary action or allegations will be considered in the circumstances of the individual case. Cases in which an issue was satisfactorily resolved some time ago, or an allegation was determined to be unfounded or did not require formal disciplinary sanctions, and which no further issues have

been raised, are not likely to cause concern. More serious or recent concerns or issues are more likely to cause concern. A history of repeated concerns or allegations over time is also likely to give cause for concern.

5.4. Self-declaration of convictions by job applicants

Omni Alternative Provision policy requires shortlisted applicants for all posts (including volunteers) to declare all criminal convictions whether “spent” or “unspent” and include any cautions and pending prosecution.

Such declarations will be made on an appropriate form and should be submitted in a sealed envelope, marked strictly private and confidential to the chair of the selection panel Director, prior to the interview. The chair of the panel/Director will discuss relevant, positive declarations confidentially with the applicant at interview. The disclosure of convictions cautions, or pending cases will not necessarily prevent employment but will be considered in the same way as positive DBS disclosures.

5.5. Interviews

The selection process will include the following:

- Face to face professional interview including a question related to safeguarding children
- Young people panel / activity with children, where appropriate to post.

5.6. Proof of Identity and Right to Work in the UK & Verification of Qualifications and/or Professional Status.

Shortlisted applicants for all posts will be required to provide proof of identity by producing documents on the day of interview in line with those set out in The Immigration, Asylum and Nationality Act 2006. Similar information is also required to undertake a Criminal Records Bureau check on the preferred candidate.

Short-listed candidates will also be required to provide proof of their qualifications and professional status by producing documentation on the day of interview, or as soon as reasonably possible but before commencing in post. The provision will verify that candidates have actually obtained any qualifications legally required or deemed essential for the job and claimed in their application by asking to see the relevant certificate, or a letter of confirmation from the awarding body / institution. If the original documents are not available, the school will require sight of a properly certified copy. Where candidates have obtained qualifications abroad, a certified comparability check by National Academic Recognition Information Centre (NARIC) will also be required. Proof of identity and other documentation will be verified by the chair of the panel / Director.

5.7. Employment Offer

It may be possible to negotiate a provisional start date with the preferred candidate, however, with the exception of DBS disclosures, the checks detailed above must all be completed BEFORE a person’s appointment is confirmed.

In the case of DBS disclosures, the certificate must be obtained before or as soon as practicable after appointment. Once all pre-employment checks have been satisfactorily completed / received, an offer of employment will be made, and the contract of employment issued. The contract will be issued as soon as possible but in all circumstances within 8 weeks of employment commencing.

5.8. Commencement of Employment prior to DBS check being received

In unusual circumstances it is permitted to commence employment prior to receiving (although it must have been applied for, and the reference number recorded in the SCR) an enhanced DBS check. However, a Barred List check and risk assessment must be completed, and the member of staff will not be left unsupervised with young people at any time.

6. Record Retention / Data Protection

Omni Alternative Provision will retain all interview notes on all applicants for a 6-month period, after which time the notes will be destroyed (i.e.: shredded). The 6-month retention period will allow the provision to deal with any data access requests, recruitment complaints or to respond to any complaints made to the Employment tribunal.

Under the Data Protection Act 1998, applicants have a right to request access to notes written about them during the recruitment process. Applicants who wish to access their interview notes must make a subject access request in writing to the chair of the panel / Director within 6 months of the interview date.

7. Personal file records

Omni Alternative Provision will retain the following information which will make up part of the personal file, for the successful candidate:

- Application form
- References
- Disclosure of convictions form
- Proof of identification
- Proof of academic qualifications
- Proof of teacher registration (if applicable)
- Evidence of medical clearance from Occupational Health (where applicable)
- Evidence of the DBS clearance (i.e.: the DBS certificate reference number, NOT the actual DBS form or certificate)

8. Single Central Record (SCR) of Recruitment Vetting Checks

In line with DfE requirements, Omni Alternative Provision will keep and maintain a single central record of recruitment and vetting checks. The central list will record all staff who are employed at the provision, including casual staff, supply agency staff whether employed directly or through an agency, volunteers, and those who provide additional teaching or instruction for young people but who are not staff members, e.g.: specialist sports coach or artist.

The central record will indicate whether or not the following have been completed:

- Barred list
- Prohibition from teaching checks
- Section 128 check
- Identity checks
- Qualification checks for any qualifications legally required for the job

- Checks of right to work in the United Kingdom
- List 99 checks
- DBS Enhanced Disclosure certificate number and date
- Further overseas records where appropriate.
- Who undertook the check and the date on which the check was completed, or the relevant certificate obtained?

All staff will be required to re-apply for a DBS Enhanced check every three years unless they have enrolled for the update service.

9. Probation periods

Newly appointed staff will be subject to the provision's probationary period (a minimum of six months). Appointments to Omni Alternative Provision are conditional on the successful completion of the probation period and after all elements to in the Safer Recruitment Policy have been satisfied.

Omni Alternative Provision has a safeguarding policy which should be disseminated to all staff and volunteers and adopts a culture of vigilance where all concerns are listened to and taken seriously.

Appendix A: Sample reference request form (teaching staff)

Name of Applicant:

Position applied for:

<u>Job Title</u>	<u>Salary /Grade</u>	<u>Dates of employment</u>			
		Excellent	Good	Fair	Weak
Teaching ability					
Subject knowledge					
Lesson preparation					
Using assessment to improve attainment					
Ability to add value					
Analytical abilities and decision-making skills					
Time management					
Organisational and administrative competence					
Oral and written communication skills					
Level of ICT competence					
Curriculum knowledge KS3 & 4					
Rapport with students					
Working with SEN students					
Ability to stretch academically gifted students					
Ability to manage a differentiated classroom					
Rapport with colleagues					
Ability to accept constructive criticism					
Commitment to own professional development					
<p>Has this candidate ever been the subject of disciplinary or competency procedures? YES / NO If YES, please comment in the box on the final page.</p>					
<p>Would you re-employ this candidate to a similar position in your school/organisation? YES / NO</p>					
<p>Please indicate applicant's reason for leaving your employment.</p>					
<p>Summary comments on the suitability of this candidate for the position advertised:</p>					

Additional Confidential Reference Information

(In all instances, please continue on a separate sheet if necessary.)

<p>1. Do you know of any reason why this person should not work with children? 2. YES / NO If YES, please give details:</p>
<p>3. If the applicant has been subject of a disciplinary action in respect of which penalties or sanctions were imposed, please give full details of the nature and date(s) of the misconduct and of the penalty and sanctions, indicating if they remain in force.</p>
<p>4. If the applicant has been subject to any formal capability proceedings over the last two years, please provide the relevant details and records.</p>

Name of Referee:

Position Held:

In what capacity do you know this person?

How long have you known this person?

Signature: