



Safer Recruitment Policy

Relevant Legislation

- Education Act 2011
- Equality Act 2010
- Safeguarding and Vulnerable Groups Act 2006
- The Protection of Freedoms Act 2012
- The Rehabilitation of Offenders Act 1974
- Section 142 of the Education Act 2002
- Section 15 of the Teaching and Higher Education Act Part V of the Police Act 1997
- Sections 35 and 36 of the Criminal Justice and Court Services Act 2000
- Education and Skills Act 2006

Rationale

Everyone working with children and young people in education settings shares an objective to help keep children safe by contributing to:

- providing a safe environment for children to learn in education settings.
- identifying children who are suffering or likely to suffer significant harm and taking appropriate action to make sure they are kept safe both at home and in the education setting.

Policy Statement

Successful and thorough recruitment and selection has a fundamental role to play in ensuring the people with the right combination of knowledge, competencies and personal attributes are appointed as trainee teachers.

Under section 175 of the Education Act 2002, Governing Bodies of maintained schools are required to ensure that their functions are carried out with a view to safeguarding and promoting the welfare of children. It is vital that FIPC adopt recruitment and selection procedures that help deter, reject or identify people who might abuse children or are otherwise unsuited to work with them, in order to safeguard children.

Roles and Responsibilities

It is the responsibility of the Management Committee to:

- Ensure that FIPC has effective policies and procedures in place for recruitment of all staff and trainees in accordance with DfE guidance and legal requirements
- Monitor FIPC's compliance with them

It is the responsibility of the FIPC's Director involved in recruitment to:

- Ensure FIPC operates safer recruitment procedures and makes sure all appropriate checks are carried out on all trainees who join FIPC.
- Promote welfare of children and your people at every stage of the procedure

Definition of Regulated Activity and Frequency

Any position undertaken at, or on behalf of FIPC will amount to "regulated activity" if it is carried out:

- Frequently, meaning once a week or more, or satisfies the "period condition", meaning four times or more in a 30-day period, and provides the opportunity for contact with children.
- FIPC is not permitted to check the Children's Barred list unless an individual will be engaging in regulated activity.
- FIPC is required to carry out an enhanced DBS check for all trainees/staff who will be engaging in regulated activity.

Safer Recruitment and Selection Procedure

Advertising

- All documentation relating to applicants will be treated confidentially in accordance with the Data Protection Act (DPA).
- All applications for a trainee teacher position must be made through DfE FIND. CVs will not be accepted.
- It is unlawful for FIPC to recruit anyone who is barred from working with children.
- It is a criminal offence for any person who is barred from working with children to apply for a position at FIPC/in a school.
- All applicants will be made 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 referral to the police and/or the DBS.

References

- One of the references must be from the applicant's current or most recent employer.
- Please note that no questions will be asked about health or medical fitness prior to any offer of employment being made. Any discrepancies or anomalies will be followed up.

- FIPC does not accept open references, testimonials or references from relatives.

Interviews

- There will be a face-to-face interview and a minimum of two interviewers will see the applicants for the vacant position.
- The interview process will explore the applicant's ability to carry out the role of a trainee teacher. It will enable the panel to explore any anomalies or gaps that have been identified in order to satisfy themselves that the chosen applicant can meet the safeguarding criteria (in line with Safer Recruitment Training).
- Any information in regard to past disciplinary action or allegations, cautions or convictions will be discussed and considered in the circumstance of the individual case during the interview process, if it has been disclosed on the application form.
- At least one member of any interviewing panel will have undertaken safer recruitment training or refresher training as applicable.
- All applicants who are invited to an interview will be required to bring evidence of their identity, address and qualifications. Original documents will only be accepted and photocopies will be taken.
- Unsuccessful applicant documents will be destroyed.

Offer

FIPC carries out a number of pre-course checks in respect of all prospective trainees. If it is decided to make an offer following the formal interview, any such offer will be conditional on the following:

- Verification of the applicant's identity (where that has not previously been verified)
- The receipt of two references
- FIPC being satisfied that the applicant is not, and has never been, the subject of a sanction, restriction or prohibition issued by DfE, or any predecessor or successor body, or by a regulator of the teaching profession in any other European Economic Area country which prevents the applicant from training with the FIPC, or which, in the FIPC's opinion, renders the applicant unsuitable to work in a School.
- Where the position amounts to "regulated activity" the receipt of an enhanced disclosure from the DBS which FIPC considers to be satisfactory.
- Where the position amounts to "regulated activity" confirmation that the applicant is not named on the Children's Barred List*.
- Confirmation that the applicant is not subject to a direction under section 142 of the Education Act 2002 which prohibits, disqualifies or restricts them from providing education at a school, taking part in the management of an independent school or working in a position which involves regular contact with children.

- Verification of the applicant's right to work in the UK.
- Any further checks which are necessary as a result of the applicant having lived or worked outside of the UK.
- Verification of professional qualifications which FIPC deems a requirement for the post.
- Health questionnaire to confirm fitness to work in role.

The Rehabilitation of Offenders Act 1974

The Rehabilitation of Offenders Act 1974 does not apply to positions which involve working with or having access to pupils. Therefore, any convictions and cautions that would normally be considered 'SPENT' must be declared when applying for any position, training or otherwise, at FIPC.

DBS (Disclosure and Barring Service) Check

FIPC applies for an enhanced disclosure from the DBS and a check of the Children's Barred List (now known as an Enhanced Check for Regulated Activity) in respect of all positions in FIPC which amount to "regulated activity" as defined in the Safeguarding Vulnerable Groups Act 2006 (as amended). The purpose of carrying out an Enhanced Check for Regulated Activity is to identify whether an applicant is barred from working with children by inclusion on the Children's Barred List and to obtain other relevant suitability information. It is FIPC's policy that the DBS disclosure must be obtained before the commencement of the course for any trainee. Where this is not possible, the school where the trainee is based will carry out a risk assessment and ensure they are supervised. Any trainee taking leave for more than three months must be re-checked before they return back to work.

Dealing with convictions

FIPC operates a formal procedure if a DBS Certificate is returned with details of convictions. Consideration will be given to the Rehabilitation of Offenders Act 1974 and also:

- The nature, seriousness and relevance of the offence;
- How long ago the offence occurred;
- One-off or history of offences;
- Changes in circumstances,
- Decriminalisation and remorse.

A formal meeting will take place face-to-face to establish the facts with FIPC Director. A decision will be made following this meeting. In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, FIPC Director will evaluate all of the risk factors above before a position is offered or confirmed.

If an applicant wishes to dispute any information contained in a disclosure, they may do so by contacting the DBS. In cases where the applicant would otherwise be offered a position were it not for the disputed information, FIPC may, where practicable and at its discretion, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

Proof of identity, Right to Work in the UK & Verification of Qualifications and/or professional status

All applicants invited to attend an interview at FIPC will be required to bring their identification documentation such as passport, birth certificate, driving licence etc. with them as proof of identity/eligibility to work in UK in accordance with those set out in the Immigration, Asylum and Nationality Act 2006 and DBS identity checking guidelines. FIPC does not discriminate on the grounds of age. Where an applicant claims to have changed their name by deed poll or any other means (e.g. marriage, adoption, statutory declaration) they will be required to provide documentary evidence of the change. In addition, applicants must be able to demonstrate that they have actually obtained any academic or vocational qualification legally required for the position and claimed in their DfE application.

Single Central Register

In addition to the various trainee records kept in school and on individual personnel files, a single centralised record of recruitment and vetting checks is kept. The Single Centralised Register will contain details of the following:

- All trainees who are part of FIPC.

Record Retention/Data

For any applicant successful in their application, FIPC will retain on their personnel file any relevant information provided as part of the application process. This will include copies of documents used to verify identity, right to work in the UK, and qualifications.

This documentation will be retained by FIPC for the duration of the successful applicant's training and for a further 6 years at which time it will be destroyed. All information retained on trainees is kept centrally in the FIPC Office in a locked and secure cabinet.

FIPC will retain all interview notes on all unsuccessful applicants for a period of 6 months, after which time the notes will be confidentially destroyed (i.e.: shredded).

Leaving

Despite the best efforts to recruit safely there will be occasions when allegations of serious misconduct or abuse against children and young people are raised. This policy is primarily concerned with the promotion of safer recruitment and details the

pre-course checks that will be undertaken prior to the course being confirmed. Whilst these are pre-course checks FIPC also has a legal duty to make a referral to the DBS in circumstances where an individual:

- Has applied for a position at FIPC despite being barred from working with children; or
- Has been removed by FIPC from working in regulated activity (whether paid or unpaid), or has resigned prior to being removed, because they have harmed, or pose a risk of harm to, a child.

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