St Mildred's Primary Infant School & Bromstone Primary School

Recruitment Policy

Formulation date: 11th May 2022
Senior Team Responsibility: Head of School
Governors' Reviewing Committee: Leadership and Management
Approved on: 7th October 2026
Updated: September 2026
Next Review Date: September 2027
Associated Documentation: TBC

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1. Policy Statement

This policy has been adopted by the Governing Body of Bromstone Primary School and St Mildred's to provide a policy framework for the recruitment and selection of staff to all posts within the approved staffing structure of the school. Bromstone Primary School and St Mildred's is committed to safeguarding and promoting the welfare of children and young people and requires all staff and volunteers to share and demonstrate this commitment.

The Governors of Bromstone Primary School and St Mildred's fully understand their responsibilities in ensuring that recruitment procedures are free from unlawful discrimination in line with the Equality Act 2010. An equality impact assessment will be undertaken to ensure that no groups or individuals with protected characteristics are unintentionally disadvantaged by this policy.

The Governors also fully appreciate the importance of fair, open, and effective procedures to enable the school to recruit people with the right skills, aptitudes, and attitudes.

The Governors of Bromstone Primary School and St Mildred's will ensure compliance with all relevant legislation, recommendations and guidance including the statutory guidance published by the Department for Education (DfE), Keeping Children Safe in Education (KCSIE 2023), Disqualification under the Childcare Act (DUCA) 2006 and related updates, the Prevent Duty Guidance for England and Wales 2015 (the Prevent Duty Guidance) and any guidance or code of practice published by the Disclosure and Barring Service (DBS).

The Governors of Bromstone Primary School and St Mildred's fully understand their responsibilities in managing the personal data of job candidates in line with the General Data Protection Regulations (GDPR).

All staff, governors and volunteers are expected to share a commitment to safeguard children and vulnerable groups and, as part of that commitment, follow 'Safer Recruitment' guidance in line with the Keeping Children Safe in Education – statutory guidance for schools and colleges.

As part of the School's commitment to safeguarding children and vulnerable groups, Enhanced DBS checks and/or Barred List checks on all posts must be carried out where they are required.

All staff and governors involved in recruitment and selection decisions are required to work in ways that are entirely consistent with this policy.

The school will ensure that training is provided for all staff and governors involved in the recruitment and selection of staff and that it is appropriate to their role.

It is a statutory requirement for maintained schools that all selection panels must include at least one member who has successfully completed safer recruitment training. This forms part of the School Staffing (England) Regulations 2009.

2. Scope

This Policy applies to all employees of Bromstone Primary School and St Mildred's and candidates to posts within the School.

Existing Employees should be aware that not all the pre employment checks described for external candidates will be applicable when an internal appointment is made.

3. Adoption Arrangements and Date

This policy was adopted by the Governing Body of Bromstone Primary School and St Mildred's on 25th May 2022 and supersedes any previous Recruitment Policy.

This policy will be reviewed every 3 years or earlier if there is a need. This will involve consultation with the recognised unions if necessary.

4. Equal Opportunities Statement

This School is committed to ensuring that each stage of the recruitment and selection process is accessible to all. All stages of the recruitment process will be undertaken without regard to a candidate's sex, gender identity, sexual orientation, marital or civil partnership status, skin colour, race, nationality, ethnic or national origins, religion or belief, disability, age, pregnancy or maternity leave or trade union membership.

The School will review its recruitment policy and practices regularly to ensure that it takes into account best practice and the Equality Act 2010.

5. 'Prevent'

The school has a duty under section 26 of the Counter-Terrorism and Security Act 2015 ("the CTSA 2015") to have "due regard to the need to prevent people from being drawn into terrorism". This duty is known as the 'Prevent' duty.

In carrying out its obligations under 'Prevent' the school will assess the risk of children being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology. The school will not discriminate on the grounds of race, colour, nationality, ethnic or national origin, religion or religious belief, sex, or sexual orientation, marital or civil partnership status, disability, or age.

6. Prior to Advertising

When a vacancy occurs the line manager will review the need for the post and consider all options (internal and external) before deciding that there is a need to recruit. If there is a need to recruit the job description and person specification will be reviewed in line with the school workforce plan prior to seeking the approval of the Headteacher to commence recruitment.

Consideration will also be given to the working hours and contractual arrangements for each post to ensure that posts are open to candidates wishing to work on a part-time or job-share basis where possible and practical.

7. Job Description

The job description is a statement of purpose and scope and defines both the job role and expectations. It will:

- Summarise the job purpose/impact
- Set out key responsibilities and accountabilities
- Set out reporting and line management arrangements

An up-to-date job description and person specification will be available for each vacancy advertised and consideration may be given to whether benchmarking is appropriate.

Managers will refer to the Professional Standards for Teachers and to the School Teachers' Pay and Conditions Document (which sets out the expected attributes of Main Pay Range, Upper Pay Range, and Leading Practitioners) when creating job descriptions for teaching posts.

Support staff Job Descriptions will be drafted, assessed and graded against the relevant grading and job evaluation framework followed by the School.

All job descriptions, person specifications or adverts will clearly state to what extent the role will involve contact with children, whether they will be engaged in regulated activity relevant to children, and the post holder's responsibility for promoting and safeguarding the welfare of children and young people.

8. Person Specification

The person specification is a description of the qualifications, experience, knowledge, skills, competencies, and other attributes of the ideal person to fill the role.

It will classify each attribute as either 'Essential' to do the job or as a 'Desirable' attribute for the post holder to have and indicate how each attribute will be assessed e.g. application form, interview, reference, test etc.

Candidates will be objectively assessed against the required attributes.
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9. Advertising

All vacant posts will be advertised in a fair, open, and honest manner and will be advertised by means of a formal notice on the staff notice board as a minimum. In most cases, vacant posts will be advertised externally.

The advert will include the safeguarding responsibilities of the post as set out in the job description and person specification and state whether the post is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020. This means that when applying for certain jobs and activities, some spent convictions and cautions are 'protected', so they do not need to be disclosed to employers, and if they are disclosed, employers cannot take them into account. Guidance about whether a conviction or caution should be disclosed can be found on the Ministry of Justice website.

To demonstrate to potential job candidates the School's commitment to Safeguarding and the welfare of children, the following statement will be included on any relevant advertisements and documentation sent out to candidates:

Our School and all its personnel are committed to safeguarding and promoting the welfare of the children. This post is subject to an Enhanced Disclosure Application to the Disclosure and Barring Service.

The advert will also advise that the School will undertake an online check of shortlisted candidates in accordance with the requirements of Keeping Children Safe in Education.

10. Applications

All candidates will be asked to complete the relevant application form in full to enable the panel to shortlist in a fair and objective manner.

The school may reasonably decide to reject an application where incomplete and/or ambiguous information is provided. All Applicants are required to sign and date a copy of their application form. Applications made by CV will not be considered.

The school should include a statement in the application form, or elsewhere in the information provided to applicants, that it is an offence to apply for the role if the applicant is barred from engaging in regulated activity relevant to children.

A copy of the school's child protection policy and policy on employment of ex-offenders will be shared with applicants in the application pack

11. Shortlisting

Shortlisted candidates will be asked to complete a separate Criminal Convictions Self-Disclosure form and must be signposted to publicly available guidance and support on which cautions or convictions they must disclose and be given time to obtain advice. This information is available here and on the Ministry of Justice website.
Candidates will be required to declare any unspent convictions or conditional cautions, any spent adult cautions (simple or conditional) or convictions that are not protected as defined by either the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended in England, Scotland and Wales, or the Rehabilitation of Offenders (Northern Ireland) Order 1978 as amended in Northern Ireland.

They will also be asked to declare:

- Whether they have ever been known to any Children's Services department or Police as being a risk or potential risk to children.
- Whether they have ever been the subject of any investigation and/or sanction by a professional body due to concerns about their behaviour towards children.
- Whether they have any overseas convictions; and
- Whether they are included on the DBS Children's Barred List

Failure to declare relevant information may disqualify the candidate from the appointment and, if appointed, may render the individual liable to immediate dismissal without notice.

All candidates are required to sign and date the declaration to confirm that the information they have provided is true. Where there is an electronic signature, the shortlisted candidate should physically sign a hard copy of the application at point of interview.

Wherever possible at least 2 people are involved in the shortlisting process, one of whom should be the line manager (or School to amend where panel arrangements differ).

All shortlisting decisions will be made with clear reference to the skills and qualities set out in the person specification using an agreed method of scoring against the essential and desirable criteria. Each candidate will be considered on their own merit.

The equal opportunities monitoring form will be separated from the main application form to reduce any likelihood of conscious or unconscious bias.

12. References

In order to comply with Keeping Children Safe in Education, it is the policy of Bromstone Primary School and St Mildred's that all references will be obtained, and concerns resolved, before confirming an appointment. This will be done either by letter seeking to verify the skills, experience, competencies, and employment history of the Candidate, or by a standard reference form.

It is the school's practice, with the consent of the Candidate, to take up references before interview. If candidates have indicated that they do not consent to references being sought prior to interview, the reasons for this will be explored with the Candidate and agreement to proceed with the reference obtained where possible.

On receipt, references will be checked to ensure that all specific questions have been answered satisfactorily. Any discrepancies or anomalies will be noted and addressed during the Candidate's interview.

The reference will include specific questions to explore the Candidate's suitability to work with children. Where the referee has concerns, they will be asked to give their reason for this.

In order to comply with the Equality Act 2010, reference requests sent prior to an offer of employment will not request details of attendance or absence however, further information will be requested and compared with the medical questionnaire following the Candidate's acceptance of a conditional offer of employment – see 14 below.

Candidates will be required to specify the details of 2 referees, one of which will be the current or most recent employer. References will only be obtained directly from the referee: testimonials or open references (those addressed 'To whom it may concern') will not be considered. Referees will be provided with a copy of the job description and person specification to assist them in their response.

References for staff currently working in an education setting will be sought from the Headteacher. In other settings, references will be sought from the line manager of the Candidate.

Where a candidate is not currently working in a school or childcare setting but has done so in the past, one reference should be from their most recent children's workforce employer in line with Safer Recruitment guidelines.

The School reserves the right to request that the Candidate provides alternative referees where the initial referees are deemed inappropriate e.g. where either:

- the current or most recent employer or childrens' workforce employer is not provided or
- the period of employment covered by the reference is too brief or
- the referee is not in a position to meaningfully comment on the candidate's suitability for the role.

The School will seek to confirm whether the candidate has been subject to any formal disciplinary procedures within the last two years and to establish any details, outcomes or 'live' sanctions which are in place.

In cases where there have been disciplinary concerns which involved children or safeguarding that have been substantiated, the referee will be required to confirm details.

In accordance with Keeping Children Safe in Education, cases in which an allegation is proven to be false, unsubstantiated, or malicious should not be included in employer references.

In accordance with the School Staffing Regulations 2012, the School will seek to confirm whether candidates for teaching posts have been subject to formal capability proceedings in the past two years.

In the case of recruitment to all other posts the School will ask referees to confirm whether candidates are currently subject to any live capability warnings as part of the appointment process.

13. Online Search of All Shortlisted Candidates

In accordance with the requirements of Keeping Children Safe in Education (2023), the School will undertake an online search via search engines and social media platforms of publicly available information concerning all shortlisted candidates.

The purpose of this search is to identify any issues or incidents which may either call into question an applicant's suitability to work with children or young people in a School setting or in the role for which they have applied or present a reputational risk to the school should they become part of the School's workforce.

Should a concern be identified, the recruiting manager will discuss this with the applicant at interview in order to assess whether this information makes the applicant unsuitable for the job role. The recruiting

manager may undertake a risk assessment to assess the relevance and impact of any information. In exceptional circumstances and where the gravity of the concern warrants, the School may decide to withdraw the applicant from the recruitment process prior to interview.

This process will be carried out for all shortlisted staff regardless of the job role being applied for.

The School will endeavour to undertake all online searches in a fair and objective manner

14. Interview and Selection

The school is committed to ensuring that all interviewees are assessed according to their ability to meet the criteria of the job description and person specification and to fulfil their obligation regarding keeping children safe.

Shortlisted candidates will be asked whether they require any reasonable adjustments to be made to the recruitment and selection process.

Interview and selection activities may take place in person or virtually or a combination of both.

Depending on the nature of the role candidates may be asked to complete a variety of selection activities including:

- Written exercises
- Psychometric testing
- Observed activities
- Presentations

Candidates are required to bring evidence of relevant qualifications to interview where the original documents must be checked, and a signed and dated copy retained. When attending for interview, each candidate will be asked to sign a copy of their application form and their self-declaration form in the presence of the person undertaking the document and identity checks.

The interview panel will include at least one member who has undertaken safer recruitment training in accordance with the School Staffing (England) Regulations 2009 and should not include an Employee where one of the candidates is a relative, partner or close friend.

The panel will take notes during the interview to enable a scoring matrix to be completed and, at the conclusion of the interviews; the panel will consider each of the candidates against the criteria for the post before reaching their decision.

15. Pre-employment Checks

All offers of employment will be conditional on the successful completion of the pre-employment checks listed below and will include confirmation of salary, start date and any information that the successful applicant needs to provide before commencing employment e.g. DBS form and pre-employment questionnaire.

All offers of employment will be subject to and conditional upon:

- Enhanced DBS check
- DBS Barred list check where applicable (i.e. if working in regulated activity)
- Verification of identity including Date of Birth
- Verification of entitlement to work in the UK
- Verification of any relevant qualifications including checking the TRA's Employer Access Service to verify Qualified Teacher Status
- Receipt of 2 satisfactory references
- Satisfactory pre-employment health clearance

- Prohibition checks for those in teaching work and those with previous teaching experience (including unqualified teachers, HLTA's etc.)
- A section 128 Prohibition from Management check (Independent/free schools/academies only).
- Overseas checks as appropriate including
    - obtaining an enhanced DBS certificate with barred list information even if the teacher has never been to the UK. Since 1st January 2021, the Teacher Regulation Agency no longer maintains a list of EEA teachers with sanctions.
    - criminal records checks for overseas applicants - Home Office guidance can be found on GOV.UK;

      and for teaching positions
    - obtaining a letter (via the applicant) from the professional regulating authority in the country (or countries) in which the applicant has worked confirming that they have not imposed any sanctions or restrictions, and or that they are aware of any reason why they may be unsuitable to teach.
- Disqualification checks under the 2018 Childcare Disqualification Regulations for individuals employed to work in reception classes, or in wraparound care for children up to the age of 8 in schools providing childcare. Further information can be found in the Guidance Notes which accompany this policy and in the Disqualification under the Childcare Act 2006 statutory guidance on Gov.UK
- Online search to identify if there are any concerns which would lead the school to question the candidate's suitability to work with children, which will have been discussed with the candidate either before or at the interview

If these are not satisfactory an offer of employment may be withdrawn or, where an individual has commenced work, employment may be terminated.

15.1. Right to Work

In order to comply with the Asylum and Immigration Act 1996 – Prevention of Illegal Working – all candidates are required to demonstrate their right to work in the UK prior to any offer of employment being made. This requirement applies to all prospective Employees regardless of their race, nationality or ethnic or national origins.

All Candidates are therefore asked to bring to interview either:

- Original documents evidencing their right to work in the UK as detailed in List A or List B of the Home Office Employers' Right to Work Checklist

  Further guidance available at: Employers' right to work checklist - GOV.UK (www.gov.uk)

- Or in the case of non-UK or Irish candidates, a share code issued by the Home Office Right to Work Online Checking Service evidencing their right to work in the UK.

  Further guidance available at: View and prove your immigration status: get a share code - GOV.UK (www.gov.uk)

The original documents or online check details will be checked and verified by the School in the presence of the candidate. A copy will be taken, signed and dated and retained on file. Right to work documents relating to the successful candidate will be retained for the duration of employment, and then in accordance with the School's retention schedule. Those for unsuccessful candidates will be retained for 6 months.

15.2. DBS and Barred List Checks

All those directly employed by Schools and Academies in paid positions are required to obtain an enhanced Disclosure and Barring Service (DBS) check.

It is an offence to employ, in a school or academy, an individual who is barred from working with children. A check against the Children's Barred List will be requested as part of the enhanced DBS Disclosure for all employees working in regulated activity i.e. having unsupervised, frequent, or intensive contact with children.

It is the schools practice that individuals obtain a satisfactory enhanced DBS check before commencing work. In exceptional circumstances where the applicant is required to commence work before the full disclosure certificate is received, where working in regulated activity, a barred list check must be carried out before employment commences and supervision must be in place until a satisfactory DBS check is obtained.

In cases where the School is notified that a DBS check is positive for criminal convictions, cautions, warnings etc, the contents of the certificate will be discussed with the HR Consultant/Provider.

More information about posts which require an Enhanced DBS and how to check the Barred List can be found at

www.gov.uk/dbs-check-applicant-criminal-record

15.3. Prohibition of Teachers

The School will verify that anyone appointed to carry out teaching work (including HLTA's and unqualified teachers) has not been prohibited from doing so by the Secretary of State in accordance with the Teachers' Disciplinary (England) Regulations 2012. All those in teaching work, or those with previous teaching experience, will require a prohibition check. Teaching staff will be checked on the Teacher Regulation Agency self-service portal (formerly known as the Employer Access Service) to ensure that they have the required teaching qualifications, have successfully completed statutory induction where it is necessary i.e. for teachers who obtained QTS after May 1999, and have not been prohibited from teaching.

A person who is prohibited must not be appointed to a role that involves teaching work.

15.4. Section 128 Management Checks

(Academies and Free Schools)
Section 128 directions are made by the Secretary of State under s. 128 of the Education and Skills Act 2008, barring individuals from taking part in the management of Independent schools, Academies and Free Schools. The school will undertake a section 128 check for those taking up management positions at Independent Schools, Academies and Free Schools to ensure they are not prohibited under the provisions. This includes Governors, Directors and Trustees.

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15.5. Overseas Checks

In accordance with Keeping Children Safe in Education, this school will ensure that individuals who have lived or worked outside the UK will undergo the same checks as all other staff in schools or colleges. This includes obtaining (via the applicant) an enhanced DBS certificate (including barred list information, for those who will be engaging in regulated activity) even if the individual has never been to the UK

In addition, the School will make any further appropriate checks so that any relevant events that occurred outside the UK can be considered. Bromstone Primary School and St Mildred's will apply the same approach for any individuals who have lived or worked outside the UK regardless of whether or not it was in an EEA country or the rest of the world. This will include

- obtaining a criminal record check for time spent abroad. Further information on how to obtain such a check can be found at: https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants/guidance-on-the-application-process-for-criminal-records-checks-overseas
- for teaching positions obtaining a letter (via the applicant) from the professional regulating authority in the country (or countries) in which the applicant has worked confirming that they have not imposed any sanctions or restrictions, and or that they are aware of any reason why they may be unsuitable to teach. Candidates can find contact details of regulatory bodies in the EU/EEA and Switzerland on the Regulated Professions database. Candidates can also contact the UK Centre for Professional Qualifications who will signpost them to the appropriate EEA regulatory body.

The overseas checks will be carried out in addition to obtaining an enhanced DBS check as the DBS check alone is not sufficient to establish the candidate's suitability to work with children.

Since 1 January 2021 the Teaching Regulation Agency no longer maintains a list of EEA teachers with sanctions.

15.6. Proof of Qualifications

Candidates will be required to provide any relevant original exam certificates (or certified copies where the original is unavailable) to enable qualifications to be verified. The name of the qualification, awarding institution, date of qualification and candidate name will be checked. A signed and dated copy of the certificate will be retained as evidence of when the check was carried out, and by whom.

In the case of teachers, Qualified Teacher Status (QTS) will be checked via the Teacher Regulation Agency's Self-Service Portal at https://teacherservices.education.gov.uk/

In the event of any concerns regarding the validity of the qualification, a candidate may be required to obtain confirmation or clarification in writing from the exam board or awarding institution.

15.7. Follow-up References

Following a written conditional offer of employment to the successful candidate, a supplementary reference request will be sent to their original referees. This is an opportunity to request information about sickness absence and attendance records which cannot be requested prior to an offer of employment in order to comply with the Equality Act 2010.

The offer of employment is conditional of both parts of the reference being satisfactory.

15.8. Pre-employment Medical History Questionnaire

The school will require all successful candidates to complete a medical history questionnaire to verify their medical fitness. There is also a requirement for schools to ensure that staff appointed to teaching posts have the necessary physical and mental fitness to teach under the Education (Health Standards) (England) Regulations 2003.

Completed medical history questionnaires will then be considered in conjunction with the follow-up references which specifically explore sickness absence and attendance issues and, where appropriate, further advice about fitness to carry out a role will be sought from Occupational Health. In order to comply with the Equality Act 2010, reasonable adjustments will be explored to enable a candidate to take up their role.

In circumstances where the candidate is assessed as medically unfit to carry out the role, or where it is not possible to make reasonable adjustments, an offer of employment may be withdrawn.

16. Withdrawal of Offers

In the event that the pre-employment checks are unsatisfactory, or where the identity, qualifications or right to work in the UK of a successful candidate cannot be verified, (name of school) will consider withdrawing the conditional offer of employment. Where the successful candidate has started in post and information becomes available which would have caused the offer to be withdrawn, employment may be terminated. In these circumstances, advice may be sought from the school's HR Consultant/Provider

17. Single Central Record

In accordance with the terms of the School Staffing (England) Regulations (as amended) Bromstone Primary School and St Mildred's will retain details of recruitment and vetting checks undertaken in a Single Central Record (SCR). This data will be collated, used, and stored and deleted in line with GDPR. Further details of the information required can be found in Part 2 - Guidance Notes for Managers.

18. Complaints

An individual who feels that their treatment during the recruitment and selection process is unfair may raise a formal complaint. This can be done by writing to the Headteacher/Chair of Governors setting out the key points of their complaint. The complaint will be investigated in line with Bromstone Primary School and St Mildred's Complaints Procedure.

Existing employees of the school should raise their concerns through the Grievance Procedure.

19. Induction

Induction is essential in ensuring that new employees are properly equipped for work, their role in the life of the school and feeling part of the school community.

Bromstone Primary School and St Mildred's will put in place an induction programme for all staff joining the school. This will vary taking into account previous experience and the nature of the role but will ensure that all staff and volunteers receive guidance on safe working practices and the safeguarding policies of the school.

20. Record Keeping

Accurate and contemporaneous records including copies of application forms, shortlisting and interview notes and details of scoring will be kept throughout the process and will be retained for a minimum of 6 months from the appointment date in line with the school's document retention schedule

At the end of the appointment process all copy identity documentation (passport/birth certificate etc.) relating to unsuccessful candidates will be securely destroyed. Copies of application forms, shortlisting and interview notes, scoring and references will be retained for six months from the date that the post is offered and accepted. All personal data will be stored and destroyed in line with GDPR.

Please note that original and copy DBS forms will not be retained on personal files and that the details will, instead, be recorded on the Single Central Record. Details of any online checks do not need to be recorded on the Single Central Record.

21. Confidentiality and Data Protection

This school recognises its obligations under the General Data Protection Regulation and associated legislation, and the rights of Employees with regards to the personal data held on them.

All records relating to the recruitment process will be gathered, processed, held, and shared in accordance with the requirements of the General Data Protection Regulation and Data Protection Act.

Please refer to the School/Academy's Data Protection Policy and Privacy Notice for further details.