

# Safer Recruitment Policy



**'Achieve, Learn, Flourish'**

<b>Policy type</b>	Statutory
<b>Statutory compliance with</b>	Children Act 1989 London Child Protection Procedures 5 <sup>th</sup> edition Keeping Children Safe in Education 2022
<b>Responsible (author)</b>	Executive Headteacher
<b>Approved / Accountable</b>	Governing Board
<b>Consulted</b>	School Business Manager/LA/DfE
<b>Informed</b>	All staff/parents/governors
<b>Review Frequency</b>	Annually
<b>Approved by/when</b>	Full GB/25/04/24
<b>Next review date</b>	Spring Term 2025



## 1. Introduction

### Federation Vision

#### 'Achieve, Learn, Flourish'

'The Aspire Learning Federation is a caring, collaborative and innovative family of schools united by our passion to provide first class learning experiences so that all children can achieve their very best, now and throughout their lives.'

Aspirational

Successful

Partnership

Integrity

Resilience

Equity

This policy should be read in conjunction with the following:

- Safeguarding and Child Protection Policy
- Staff Code of Conduct: Safeguarding Children Policy

## 2. Equality Impact Assessment

The federation aims to design and implement services, policies and procedures that meet the diverse needs of our service, population and workforce, ensuring that none are placed at an unreasonable or unfair disadvantage over others. In the development of this policy, the federation has considered its impact with regard to equalities legislation.

### 1.0 Overview

- 1.1 It is vital that schools adopt recruitment and selection procedures and other human resources management processes and other human resources management processes that help deter, reject, or identify people who might abuse children or are otherwise unsuited to work with them. This guidance provides advice about practice that should be followed in order to achieve that.
- 1.2 People are our most important asset and in recognising this fact, considerable time and money is spent on recruitment and selection.
- 1.3 The recruitment process is often the first experience an individual has of an organisation. It is important that the experience is as positive as possible.
- 1.4 At least one member of every appointment panel must have passed the Safer Recruitment Accredited Training.
- 1.5 All Schools are expected to have an explicit statement about the organisation's commitment to safeguarding and promoting the welfare of children which should be used on all recruitment material.

## **2.0 Legal Requirements**

2.1 The Recruitment and Selection Policy and Procedures must comply with the following Acts:

1.1. Rehabilitation of Offenders Act 1974

- Safeguarding Vulnerable Groups Act 2006.
- Legal Aid and Sentencing and Punishment of Offenders Act 2012
- Local Government & Housing Act 1989
- The School Staffing (England) Regulations 2009
- Employment Rights Act 1996
- Immigration, Asylum and Nationality Act 2006
- Equality Act 2010
- Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002 (SI 2002/2034)
- Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 (SI 2000/1551)
- Agency Workers Regulations 2010 (SI 2010/93).
- The General Data Protection Regulation (GDPR) 2018

2.2 The Immigration, Asylum and Nationality Act 2006 makes it a criminal offence for any employer to employ a foreign national, aged 16 or over, who does not have permission to work in the UK.

## **3.0 The Prevention of Illegal Working**

3.1 All candidates must be able to produce satisfactory documentation proving their legal freedom to work. It is necessary to take a copy of any relevant documentation and keep it on file.

3.2 Examples of documentation that could be accepted as proof of a candidate's right to work are:

- passport [with valid current endorsement]
- Home Office letters
- Login details for settled or pre-settled status

3.3 In the event of a prosecution for employing 'illegal' employees, the employer, the Governing Body and the Headteacher may be liable and called to account.

#### **4.0 Job Profile**

- 4.1 There must be an accurate and up to date job profile available for every post. A job profile not only enables the school to be sure that the post meets its requirements, but is also essential when preparing the person profile. For the potential employee, it enables them to understand what their role would be in the organisation.
- 4.2 The job profile should include the purpose of the post and a summary of the main activities rather than each and every task to be performed.
- 4.3 The job description and person specification should specifically include reference to the responsibility the role has for safeguarding and promoting the welfare of children and the qualities – whether that be ability, experience, training or attitude, or a mixture of these – that the person will need to fulfil that responsibility.

#### **5.0 Person Specification**

- 5.1 A person profile describes the skills, knowledge, experience and characteristics, behavioral competencies which the candidate must possess to fill the vacant post. It is an essential part of the recruitment process, and drives the information used for:
  - assessing a person's ability to undertake all the duties and responsibilities in the job profile
  - advertising the post
  - short-listing the candidates for the final selection process
  - the final panel decision on appointment
- 5.2 The person profile should contain only objective and measurable criteria on which to assess the applicants. This ensures that applicants are treated solely on merit and without reference to irrelevant material that could result in direct or indirect discrimination.
- 5.3 You should indicate on the person profile how each aspect of the criteria will be assessed, from the application form, interview, tests or a combination of these. It is good practice to include at least one criterion that relates to the safeguarding of children.

#### **6.0 Advertising the Post**

- 6.1 An advert is intended to attract suitable applicants to apply for a post. Adverts should be clearly written and based on key aspects of the job profile and the person profile. It should enable the reader to make a judgement as to whether it is appropriate for them to apply.

An advert that is vague and refers to general functions of the post, rather than key functions and precise skills, tends to generate lots of interest from unsuitable applicants. It is important to choose wording carefully so as to avoid discrimination and also not to use terms which are difficult to test objectively. It is also best practice to include the school's policy statement with regards to safeguarding to deter unsuitable applicants.

6.2 The advert should include the following:

- post title / level of post (for teachers)
- salary package (which will include any benefits if appropriate)
- location
- key duties & functions of the post
- skills/knowledge/experience/qualifications needed to undertake the post
- whether it is a temporary or permanent contract
- weekly hours/FTE
- if it is available as a job share
- closing date
- shortlisting date
- interview dates (week commencing dates are sufficient if exact dates are unknown)
- Application details. It is important to state that a CV is unacceptable and that only the stated application form should be used to apply for the post.
- Safeguarding and equal opportunities statement – a general statement is automatically added to your advert when uploaded on to the website. If the school has its own statement, please include in the body of the advert. It is recommended that the safeguarding statement should also appear on every printed media advert.

6.3 It is important to phrase adverts in a non-discriminatory way, such as to encourage a range of applications.

### **7.0 Method of Application**

7.1 An application form should be used to obtain a common set of core data from all applicants. A curriculum vitae drawn up by applicants in place of an application form should not be accepted as it will only contain the information the applicant wishes to present and may omit relevant details.

7.2 A candidate Information Pack should include (this can be uploaded to the website to accompany the advert):

- the application form, and explanatory notes about completing the form
- the job description and person specification
- details of the vetting processes that will be followed for shortlisted candidates and for the selected candidate.
- any relevant information about the local authority or establishment and the recruitment process, and statements of relevant policies such as the authority policy about equal opportunities and the recruitment of ex-offenders
- the school's Safeguarding and Child Protection Policy Statement
- any other documentation that the school feels appropriate to the post (without adversely disadvantaging any potential applicant).

### **8.0 Short-listing**

8.1 The purpose of a shortlisting process is to decide which candidates meet the requirements of the job, i.e. those whose skills and abilities match the essential requirements of the job. It will be these candidates who are invited to attend an interview or the next stage of the recruitment process.

#### **8.2 Short-listing Process**

8.2.1 At least one member of every panel must have the Safer Recruitment Accreditation.

8.2.2 Should take place as soon after the closing date as possible, and should be done by at least the two people, preferably three, who will be on the interview panel, wherever possible it will be the whole panel. The shortlisting should initially be undertaken separately and then a consensus is reached as to the candidates to be shortlisted.

8.2.3 Short-listing should be an objective process. It is achieved by comparing the essential criteria on the person profile with the candidate's application form. Any candidate who meets the essential requirements should progress to the next stage of the recruitment process.

There should not be a determined number of candidates to progress to the next stage. However, if there are too many candidates, the 'desirable' requirements should then be considered in an attempt to refine the shortlist and this may reduce the number of candidates to a manageable number.

8.2.4 All applications should be scrutinised to ensure that they are fully and properly completed, that the information provided is consistent and does not contain any discrepancies, and to identify any gaps in employment.

8.2.5 All applications should be signed and/or the declaration box ticked in the case of online forms.

- 8.2.6 Incomplete applications should not be accepted and if possible should be returned for completion. Any anomalies or discrepancies or gaps in employment should be noted so that they can be taken up as part of the consideration of whether to shortlist.
- 8.2.7 Gaps in employment, reason for leaving and the reasons for a history of repeated changes in employment without any clear salary or career progression, or mid-career move from permanent to supply teaching or temporary work also need to be explored and verified. If you decide to shortlist candidates with such anomalies, these should be explored prior to, or at, the interview.
- 8.2.8 Criteria for selection/rejection should be applied equally to all candidates.
- 8.2.9 Where the candidate has declared a criminal caution or conviction, this information **MUST NOT** be used as a reason to not shortlist to ensure equality of opportunity. However, the disclosure can be explored at interview and a decision can then be made based on the information obtained. The DBS must be compared with the self-disclosure before confirmation of appointment to ensure consistency.
- 8.2.10 The outcome of the shortlisting process must be documented, stating the reasons for selection and non-selection. This can help to demonstrate that all the candidates were treated fairly and assessed against the same criteria.
- 8.2.11 Where only one candidate has satisfied the shortlisting requirements, he/she can be interviewed. The relevant comparison is between the requirement of the person profile and applicant and not between the applicants. It is fair to say though, that it is unusual to interview only one candidate.

## **9.0 Online checks before the interview**

**9.1 The purpose of the online checks is to ascertain whether the online presence of a prospective employee may be at odds with the school's values and ethos, and may therefore raise safeguarding concerns. The school recognises the right to a private life and understands staff may have an online and social media presence, and that they will use privacy settings.**

### **9.2 The school will have a process for checks**

**9.2.1 The online ID for specified social media platforms (e.g. Username only, not log in or password,) will be sought from shortlisted candidates**

**9.2.2 Who will check**

**9.2.3 Where will they check**

**9.2.4 What are the parameters for the check, (e.g. inciting hatred or violence; promoting extremist views; cruelty, including cruelty to animals)**

**9.2.5 How they will feedback to the interview panel**

**9.2.6 How this information is recorded on the HR file of the successful candidate**

**10.0 Reference checks before Interview**

- 10.1 The purpose of seeking references is to obtain objective information to support appointment decisions. They should always be sought and obtained directly from the referee. Employers should not rely on references or testimonials provided by the candidate, or on open references and testimonials, i.e. "To Whom It May Concern".
- 10.2 Ideally references should be sought on all shortlisted candidates, including internal ones, and should be obtained before interview so that any issues of concern can be explored further with the referee, and taken up with the candidate at interview. Further to the introduction of the Equality Act 2010, references sought prior to interview should no longer request information regarding absences.
- 10.3 References should be sought from two referees in respect of all external candidates, one of whom should be the present employer or the last employer if the candidate is currently unemployed or self-employed.
- 10.4 In exceptional circumstances it may not be possible to obtain references prior to interview, either because of delay on the part of the referee, or because a candidate has asked that their current employer is not approached at that stage. It is up to the person conducting the recruitment to decide whether to accede to a candidate's request to postpone obtaining their references, but it is not recommended. It is recognised that in work sectors outside education a request for a reference may mean that the individual may lose their current post.
- 10.5 Candidates for teaching posts should have a reference from the education sector.
- 10.6 In any case where a reference has not been obtained on the preferred candidate prior to interview, the employer must ensure that it is received and scrutinised, and any concerns are resolved satisfactorily, before the person's appointment is confirmed.



- 10.7 When requesting references it is important to supply the referee with a copy of the job profile and person profile (the referee is asked their opinion as to the suitability of the candidate for the post).
- 10.8 All references should seek objective viable information, not subjective opinion. All reference requests should ask:
- about the referee's relationship with the candidate, how long have they know them for and in what capacity
  - details of length of employment, present post, duties, level of pay
  - whether the referee is satisfied that the person has the ability and is suitable to undertake the job in question, and for specific comments about the applicant's suitability for the post
  - whether the referee is completely satisfied that the candidate is suitable to work with children
  - specific viable comments about the applicant's performance and conduct; this will include specific criteria for teachers, relating to the expectations of the level of post applied for
  - details of current disciplinary procedures the candidate has been subject to
  - details of all (current and expired) disciplinary procedures the candidate had been subject to involving issues related to the safety and welfare of children or young people, and the outcome
  - details of any substantiated or founded allegations or concerns that have been raised with the candidate that relate to the safety and welfare of children and young people or behaviour towards children or young people and the outcome of those concerns
  - details of any concerns over capability in the past 2 years
- 10.9 Upon receipt, references should be checked by a delegated panel member to ensure that all specific questions have been answered satisfactorily. The information should be compared to the application form to ensure consistency. Any discrepancy should be followed up with the candidate and any concerns raised with the referee and documented.
- 10.10 All references should be verified, either by ensuring that they have been returned on a professional letterhead, or requested and returned via a credible email address. It is not good practice to accept references that have been supplied via a personal email account, nor those without a professional letterhead. In this event, it is good practice to follow this up and request proof of establishment.

Where the school has local information about companies/organisations who are no longer trading, this information may be used to support a reference which does not come from a business email.

### 11.0 Interviews

- 11.1 The interview is the most commonly used selection tool. The purpose of the interview is to select the most appropriate person for the job based upon an objective assessment of each candidate's skills, knowledge, experience etc. against the person profile.
- 11.2 It is recommended that there is a minimum of 2 people on the interview panel, the same two people who have conducted the shortlisting process. Where possible the panel members should reflect diversity. For example, not have an all-male panel.
- 11.3 There is a statutory requirement that at least one person of every interview panel for school based posts, has undergone and successfully passed the Safer Recruitment Training, either online or by attending the Local Authority training session.
- 11.4 Preparing for the interview - The panel should agree a set of questions they will ask all candidates relating to the requirements of the post, and one question (may have more than one part) on the issues they will explore with each candidate based on the information provided in the candidate's application, references (if available) and online check. A candidate's response to a question will determine whether and how this is followed up.

Before the interviews take place it is also important to ensure that the panel members are clear on how the interviews are to be recorded, the assessment system to be used, and the intended timescale for making a decision and who will give the feedback to the candidates at the end of the process.

- 11.5 The questions - must be designed to extract the evidence/information from the candidates to enable an assessment against the requirements stated in the person profile. All candidates must be asked the same questions to ensure equality and therefore questions must be standardised. It may be necessary to probe further in response to a candidate's reply, and this is acceptable.

Where possible, it is best to avoid hypothetical questions because they allow theoretical answers. It is best to ask competence-based questions that ask a candidate to relate how they have responded to or dealt with, an actual situation, or questions that test a candidate's attitudes and understanding of issues, including attitude towards safeguarding. Questions specifically relating to safeguarding should also be included. Candidates should also be asked if there is anything they wish to declare in light of the requirement for a DBS disclosure, and where references are not yet obtained, references requested.

- 11.6 It is important to remember that the interview is not only about the employer assessing a potential employee but also about the candidate assessing the school as a potential employer.
- 11.7 During an interview notes should be made as to whether the candidate meets the requirements stated in the person profile.
- 11.8 Candidates must be given the opportunity to ask questions at the end of an interview. They should also be told when a decision will be made and how they will be notified of the outcome.

### **12.0 Selection**

- 12.1 The final selection decision must be made on merit and based upon the information gathered from the whole recruitment process, which includes the application form, interview(s) and any tests that the candidates have been required to do.
- 12.2 The selection decision is made as to the candidate who best meets the criteria that has been specified in the person profile. The job should be offered to the candidate who meets all essential requirements. If there is more than one candidate who meets the essential requirements then the desirable requirements must then be taken into account.
- 12.3 The selection must be done as objectively as possible and based on the evidence gathered throughout the process and not by 'gut instinct'. The panel members need to initially record their own decisions and then come to a consensus of opinion and record the panel's decision. The school may find that a decision is challenged so we must ensure the process has been undertaken fairly, objectively and has been recorded in writing.
- 12.4 Subjectivity and bias must be avoided. For example:
  - own image recruiting - this is where selection decisions are influenced by the fact that an applicant displays attitudes and characteristics similar to that of the interviewer or previous post holder
  - fitting in - this is where selection decisions are influenced by concerns about whether a candidate's race, colour, gender, sexual orientation, age, disability is likely to be acceptable to existing employees
  - stereotyping - this is where selection decisions or questions during interviews are based on pre-conceived assumptions about the capabilities of a person because of that person's race, colour, culture, gender, sexual orientation, age or disability. Applicants stereotyped in this way may be seen unfairly as performing badly in the interview. Alternatively, interviewers may be more apt to test such applicants more rigorously than others.

### **13.0 Offer of Appointment**

- 13.1 An oral offer of appointment can be made subject to medical clearance, satisfactory references and DBS if applicable. However, care must be taken when making offers of appointment as anything said may be contractually binding, and where applicable may be subject to Governing Body ratification.
- 13.2 Candidates offered appointments, subject to medical clearance and satisfactory references, must be advised that they should not resign from their current employer until they have received confirmation that satisfactory reports/references have been received. This offer should be confirmed in writing.
- 13.3 All appointments are subject to an Enhanced Disclosure and Barred List check.
- 13.4 Start Date - Once the candidate has formally accepted the post, the start date can be agreed. New appointments can begin work without DBS clearance providing the school has risk assessed the situation and is confident that they can arrange for the employee to work under constant supervision and if every other check has been completed. However this is not considered best practice and is not something that is recommended.

### **14.0 Pre-Employment Checks**

- 14.1 All checks should be confirmed in writing and documented on the personnel file (subject to the DBS, Code of Practice and data protection arrangements) before a contract of employment is issued.
- 14.2 All references should ideally be sought and received prior to interview on all shortlisted candidates. In any event, at least two references (one being the most recent employer) should have been sought and scrutinised prior to confirming the appointment.
- 14.3 Verification of the person's right to work in the UK, including EU nationals - If there is uncertainty about whether an individual needs permission to work in the UK, then schools and colleges should follow advice on <https://www.gov.uk/check-job-applicant-right-to-work>
- 14.4 Verification of identity and right to work in UK - It is important to be sure that the person is who they claim to be. The employee must be asked for proof of identity such as birth certificate driving licence or passport, combined with evidence of address, before an appointment is made. Some form of photographic identity is required in connection with an application for a DBS Enhanced Disclosure. In summary, the proof should include name, date of birth, address and photographic identity.
- 14.5 Verification of a candidate's identity - it is important to be sure that the person is who they claim to be, this includes being aware of the potential for

individuals changing their name. Best practice is checking the name on their birth certificate, where this is available. Further identification checking guidelines can be found on <https://www.gov.uk/government/publications/identity-proofing-and-verification-of-an-individual>

- 14.6 Names since birth should be declared and evidenced. The school will not keep any additional evidence presented, but will record what was seen and by whom.
- 14.7 If an employee is provided by a third party, such as an Employment Agency, the school must check that the person who comes to the interview is the person referred by the employment business or agency by carrying out the identity checks as above.
- 14.8 Medical clearance - Anyone appointed to a post involving regular contact with children or young people must be medically fit. It is the statutory responsibility of employers to satisfy themselves that individuals have the appropriate level of physical and mental fitness before any appointment is confirmed.
- 14.9 The Equality Act October 2010 has made it illegal to ask for medical or sickness absence data prior to an offer of employment being made; nor can information around sickness absence be requested from current or previous employers. Therefore, a medical questionnaire must be completed by successful candidates once they have been made an offer of employment – including verbal offers. From this questionnaire the Medical Officer for the school's Occupational Health provider will decide whether a medical examination is necessary.
- 14.10 Verification of qualifications and/or professional status (where required) - Employers must always verify that the candidate has actually obtained any qualifications legally required for the job and claimed in their application e.g. asking to see the relevant certificate or diploma, or a letter of confirmation from the awarding institution. If original documents are not available, employers should see a properly certified copy. Employers can now 'claim' teachers working at their school for ease of checking the DfE Prohibition list via the Employer Access Service.  
Please note, if a candidate has a DfE reference number this does not necessarily mean that they have QTS.
- 14.11 Employee Access Checks will include:
- 14.11.1 Prohibition check, for all teachers, but the school may choose to check all classroom staff, or all staff - this will be declared in the vetting arrangements for any post (part of the application pack sent to all prospective candidates).

14.11.2 S128 for all staff in management positions, all governors and all trustees, but the school may choose to check all classroom staff, or all staff - this will be declared in the vetting arrangements for any post (part of the application pack sent to all prospective candidates).

- 14.12 Early years staff only: The individual should make a self-declaration that they have not been disqualified under the Childcare Act 2006 (exception would be for non-payment of fees).

## 15.0 Disclosure of Criminal Background

- 15.1 **All new school based staff** must undergo a DBS Enhanced Disclosure check which includes a Barred List check.

There are now two levels of Enhanced Disclosure that school staff and volunteers are eligible for:

- Enhanced check with barred list of which all paid employees should hold, including all teachers, support staff, applicants for teacher training courses and trainee teachers (NQTs and GTPs).
- Enhanced check without Barred List which is applicable to 'supervised volunteers' only.  
Unsupervised volunteers should have the Enhanced Check with Barred List Check.

- 15.2 **Staff that move between Havering schools** will not be subject to a DBS recheck so long as they satisfy the criteria:

- their current DBS check (undertaken by their previous LBH School) is less than three years old;
- they have not had a break in service between schools;
- they are moving to a role of similar responsibility. Headteachers moving between schools will need to be re-checked;
- their previous Headteacher has raised no specific concerns in relation to their conduct.

This will include GTP staff that have been appointed to a different school (other than where their placement has been) at the end of their training.

It is, however, at the discretion of the Headteacher if they wish to re-check a member of staff who is transferring from another Havering school.

- 15.3 **Supply Staff and Invigilators** - It is recommended that all internal supply staff and invigilators should be subject to an annual DBS check. With regard to agency supply staff, schools should make sure they see evidence that these have an up to date DBS check. It is strongly recommended that supply agencies are used with the Government Charter Mark. This Quality Mark is only

awarded to supply agencies that have undergone rigorous vetting to ensure their policies and procedures meet quality safeguarding standards set by the DfE. It is an Ofsted requirement that schools employing supply teachers through an agency must obtain a letter from that relevant agency, confirming that all relevant checks, including up to date DBS checks have been undertaken.

- 15.4 **Volunteers** - All volunteers are eligible for the Enhanced Disclosure without Barred List check; however, only unsupervised volunteers who have regular unsupervised access to children must have an Enhanced DBS disclosure with Barred List check undertaken.

Those volunteers who help with one off events and are infrequent visitors to schools, who do not have unsupervised access to children, should not be asked to apply for a disclosure. It is recognised that some volunteers can fall between these categories and therefore Headteachers must apply their professional judgement as to whether a disclosure is required.

Volunteer applicants will not be checked against the Barred List if they are supervised and it is the responsibility of the Headteacher to ensure appropriate supervision at all times for volunteers that do not have a Barred List check, even if they have an Enhanced DBS Disclosure.

- 15.5 **Contractors** - The Headteacher must ensure that a contractor has carried out a DBS check on all their staff that has contact with pupils. Such checks can be carried out through a registered 'umbrella body'.

Wherever possible, contract work should be arranged so that the contract workers have no direct contact with children. Discussions should take place with the management of the company contracted to carry out the work. The company should assume the responsibility for ensuring that their staffs are aware of the guidelines set within the school about contact with the pupils and that they do not have an unsuitable criminal background. The contractor will need to agree not to use anyone the authority or establishment advises to be unsuitable. Particular attention should be given to the monitoring of access of such visitors who are undertaking work on the site.

- 15.6 **Overseas Candidates, including UK Nationals who have worked overseas.**

The DBS does not generally have access to overseas criminal records although some limited data may be held in respect of people who have substantial periods of overseas residence. However some countries do provide their citizens with certificates of good conduct to give to prospective employers.

The DBS can only access criminal records (convictions, cautions, reprimands and warnings) held on the Police National Computer in England, Wales and those recorded from Scotland.

The DBS has set up a dedicated advice service to help in these cases. Overseas Enquiry Line **Phone** 08700 100 450, **Email** overseas@DBS.gsi.gov.uk

- 15.7 **Governors** must have an Enhanced DBS check with barred list. Governors must also be checked against the S128 list on the DfE Secure Access website.
- 15.8 In the event that the disclosure shows additional information, the Headteacher/ Recruiter will need to make a decision as to whether to confirm a job offer or to invite the applicant for further discussion.
- 15.9 A check as to the existence and content of a criminal record should generally be requested after a person has been selected for appointment, but before they take up a position.
- 15.10 A period of at least 4 weeks can be expected before the completed DBS is received, which will be returned to the candidate after which they should present it to their new employer.
- 15.11 Normal recruitment procedures, i.e. taking up of references etc., should not be held up because of the requirement to undertake a DBS check.
- 15.12 The candidate should be advised that if the DBS check reveals any conviction, caution or charge which has not been disclosed, or where offences have not been honestly or correctly disclosed, this could lead to their summary dismissal. All information on the returned DBS disclosure should be checked against the self-disclosure on the application form.
- 15.13 While any conviction etc. disclosed by the DBS check will be discussed with the individual concerned, the actual DBS Check, whether positive or negative, should not be retained on the individual's personal file, although reference to a DBS Check having been undertaken should be recorded. It should be noted that the Police are indemnified against any liability or civil claim arising from the provision of such information, and, in any event, they will only confirm that the subject of the check appears to be identical with the person whose record of previous convictions has been supplied.
- 15.14 Confirmation of an appointment may be made once a satisfactory DBS disclosure has been received
- 15.15 All information on the self-disclosure (requested on the application form) and the returned DBS disclosure should be compared. Ultimately, it is down to professional judgement as to whether the contract of employment is confirmed; however, all information should always be considered in terms of:
- the nature of the offence
  - how long ago it occurred
  - circumstances surrounding the offence
  - whether it was a 'one off' or part of a history
  - changes in the candidates circumstances



- remorse
  - de-criminalisation
  - country of conviction/caution whether it was an allegation or conviction
- 15.16 Current DFE guidance states that the Headteacher is still able to exercise their discretion to allow a member of staff to start in school prior to the receipt of a satisfactory DBS Disclosure. This is as long as all other pre-employment recruitment checks have been carried out and an appropriate risk assessment undertaken. This should only be in situations where the DBS has not been able to process the disclosure prior to the staff members' appointment date. It is, however, strongly recommended that no member of staff commences work until a satisfactory DBS Disclosure has been received.
- 15.17 For candidates who have spent more than 3 months abroad in a single country in the last 5 years an overseas police check for that country should be sought by the candidate.

### **16.0 Induction**

- 16.1 The programme of induction should include:
- A full explanation of their role and responsibilities and the standard of conduct and behaviour expected;
  - A full explanation of the school's personnel procedures relating to disciplinary issues;
  - Information about the school's complaints, conflict resolution and whistle-blowing (including raising low level concerns) policies;
  - Information about safe practice and the arrangements in place to support staff in their work;
  - An introduction to the school's safeguarding child protection policies and procedures;
  - A introduction to the role and activities of the Local Safeguarding Children Board (LSCB);
  - An introduction to the schools' Designated Safeguarding Lead and team, and an explanation of their role;
  - Safeguarding and Child protection training for all staff (KCSIE requirement)
  - New staff members should be required to sign declaration that they have read and agree to abide by the school's code of conduct.
  - Every new member of staff shall be assigned a mentor (separate from the senior teacher/manager who will be supervising).

- New staff members will be required to familiarise themselves with safeguarding policies e.g. child protection, anti-bullying, anti-racism, physical intervention, intimate care, internet safety and any local child protection/safeguarding procedures.
- 16.2 Senior managers should ensure that their staff are adequately and appropriately supervised and that they have ready access to advice, expertise and management support in all matters relating to safeguarding and child protection.
- 16.3 Regular review meetings between the appointee and responsible manager should be convened, by the manager, throughout the induction period ensuring that the appointee has ready access to advice, expertise and management support in all matters relating to safeguarding and child protection.

### **17.0 Single Central Record of Recruitment and Vetting Checks**

In addition to the various staff records which are kept as part of normal business, schools must also keep and maintain a single central record of recruitment and vetting checks.

- 17.1 Under section 5 of the September 2009 Ofsted framework, schools will be inspected on their Single Central Record of Recruitment and Vetting checks.
- 17.2 Schools and FE colleges must have a record of the following people:
- All staff who are employed to work at the school and those staff in FE colleges providing education; and
  - All staff who is employed as supply staff to the school or as supply staff providing education to the FE College, whether employed directly by the school, FE College or local authority or through an agency.
- 17.3 The record should also include all others who have been chosen by the school to work in regular contact with children. This will cover volunteers, governors who also work as volunteers within the school, and people brought into the school to provide additional teaching or instruction for pupils but who are not staff members, e.g. a specialist sports coach or artist.
- 17.4 For the purposes of creating the record of checks for supply staff provided through a supply agency (whether local authority or commercial), the school will need written confirmation from the supply agency that it has satisfactorily completed the checks. The school does not need to carry out or see the checks itself except where there is information contained in the DBS Disclosure. However, identity checks must be carried out by the school to confirm that the individual arriving at the school or FE College is the individual that the agency intends to refer to them.

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

- Identity checks
- Qualification checks for any qualifications legally required for the job.
- Those applying for teaching posts or classroom posts, check against the prohibition list via the Employer Access Service
- Those applying for management posts or subject or aspect responsibility, check against the S128 list via the Employer Access Service
- Checks of right to work in the United Kingdom;
- DBS Enhanced Disclosure with Barred list
- References
- Medical check
- Further overseas records checks where appropriate

The record must also show the date on which each check was completed or the relevant certificate obtained, and should show who carried out the check.

**Reference request**

**– every reference must ask questions about safety and suitability to work with children.**

Are you completely satisfied that the applicant is suitable to work with children?

If not, please provide specific details of your concerns and the reasons for your doubt

To the best of your knowledge has the applicant ever had an allegation made against them, or been under investigation, in regard to his/her behaviour towards children? Please note unfounded allegations do not legally have to be disclosed.

If yes, please give details of the nature and date(s) of the allegation(s), by whom they were investigated, what conclusion was reached as a result of the investigation, whether any actions were taken and if so what they were?

**Risk Assessment: Commencement of Employment without DBS Clearance**

**Only to be used in very exceptional circumstances**

Name of Prospective Employee
Job Title
Proposed Start Date
Headteacher
Date of Risk Assessment
<b><u>Reasons for considering commencement of employment prior to receiving DBS clearance:</u></b>
Consequences, to service delivery, of waiting for DBS clearance:
Level of access during “waiting period”
Supervision arrangements during “waiting period”:
Pre-Employment Checklist
Has the prospective employee left their last employment?
Medical Clearance received? Date and Verified by?
Barred List Required and Checked? Date and Verified by?
Criminal History Declared and Checked on Application form? Date and verified by?
Has the current DBS Application been sent to the DBS? Date and Verified by?
Previous DBS Disclosure Sighted? Date and Verified by?
Right to Work in the UK verified? Date and Verified by?
Qualifications Sighted? Date and Verified by?

At least 2 years Work Reference, satisfactory references received. Date and Verified by?
History and any gaps explained and verified? Date and Verified by?
Satisfied with general background?
Assessment of Risk following Control Measures High            Medium            Low
Following this Risk Assessment, I have determined that the above named individual is suitable to commence employment subject to approval, with the identified control measures.
Name Date Signature

**Risk Assessment: DBS Certificate with disclosure**

Name of Employee
Job Title
DBS certificate date
Headteacher
Date of Risk Assessment
Please describe the nature of the work and the general duties of the job role? (Please also include amount of contact with vulnerable parties, frequency of contact and intensity of contact).
To what extent is the individual supervised?
Have 2 satisfactory references been received? (including present or most recent employer and similar employment)
Early years staff only : Has the individual been disqualified under the Childcare Act 2006 (self declaration at time of application/appointment)

## Safer Recruitment Policy

Has the individual previously declared any convictions /cautions reprimands/ warnings?
Are the offences relevant to the post and the proposed contact with the vulnerable parties?
Is there a pattern of convictions?
How long ago did the offences occur?
Have the individual's circumstances changed? (If so, please explain)
Will any additional safeguard arrangements have to be put in place? If so please describe
Decision following the Risk Assessment, is this individual suitable to continue employment? (Overall assessment and comment required )
Following this Risk Assessment, I have determined that the above named individual is suitable to continue employment subject to approval, with the identified control measures if necessary.
Name Date Signature

Revised July 2022

Penny Patterson

