

Safer Recruitment Policy

Designation	Name	Date	Signature
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Monitoring and Evaluation	
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1. General

- 1.1. The Trust is committed to ensuring the best possible environment for the children and young people in its care. Safeguarding and promoting the welfare of children and young people is our highest priority.
- 1.2. The Trust aims to recruit staff that share and understand our commitment and to ensure that no job applicant is treated unfairly by reason of a protected characteristic as defined within the Equality Act 2010.
- 1.3. All queries on the School's Application Form and recruitment process must be directed to the SAND HR Manager.
- 1.4. An entry will be made on the Single Central Record for all current members of staff at each school, the proprietorial body and all individuals who work in regular contact with children including volunteers, supply staff and those employed as third parties.
- 1.5. All checks will be made in advance of appointment or as soon as practicable after appointment.

2. Scope of this Policy

- 2.1. The Safer Recruitment Policy and Procedure herewith refers and applies to staff directly recruited and employed by the Trust.
- 2.2. In the case of agency or contract workers, each school shall obtain written confirmation from the agency or company that it has carried out the appropriate checks. Each school conducts identity checks on agency and contract workers on arrival in school and, in the case of agency workers which includes supply staff, the school must be provided with a copy of the DBS check for such staff.
- 2.3. Each school will check with the relevant supply agency that the required checks have been carried out (identity, enhanced disclosure, right to work in the UK, barred list, prohibition, qualifications, overseas checks plus in line with KCSIE two references, declaration of medical fitness, check of previous employment history). The Single Central Record shows what checks have been made and the school carries out its own identity check and has seen a copy of the disclosure (whether or not it discloses any information).
- 2.4. In respect of contractors, unchecked contractors will under no circumstances be allowed to work unsupervised in school. Each school will determine the appropriate level of supervision depending on the circumstances.
- 2.5. Any staff who TUPE transfer into the school's staff will be required to undertake the statutory requirements with regard to safer recruitment checks.

3.0 Recruitment and selection process

The recruitment steps outlined below are based on part 3 of Keeping Children Safe in Education 2024. To make sure we recruit suitable people, we will ensure that those involved in the recruitment and employment of staff to work with children have received appropriate safer recruitment training.

We have put the following steps in place during our recruitment and selection process to ensure we are committed to safeguarding and promoting the welfare of children.

4.0 Advertising

- 4.1 When advertising roles, we will make clear:
 - 4.1.1 The Trust's commitment to safeguarding and promoting the welfare of children
 - 4.1.2 Each school will make candidates aware that all posts in the school involve some degree of responsibility for safeguarding children, although the extent of that responsibility will vary according to the nature of the post.
 - 4.1.3 That safeguarding checks will be undertaken
- 4.2 Whether or not the role is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020. If the role is exempt, certain spent convictions and cautions are 'protected', so they do not need to be disclosed, and if they are disclosed, we cannot take them into account
- 4.3 Include a statement saying that it is an offence to apply for the role if an applicant is barred from engaging in regulated activity relevant to children (where the role involves this type of regulated activity)
- 4.4 Include a copy of, or link to, our child protection and safeguarding policy and our policy on the employment of ex-offenders
- 4.5 Candidates for employed posts will receive a Job Description and Person Specification for the role applied for.

5.0 Application

- 5.1 The Trust will only accept applications from candidates completing the relevant Application Form in full. CVs will not be accepted in substitution for completed Application Forms.
- 5.2 As the position for which candidates are applying involves substantial opportunity for access to children, it is important that applicants provide the school with legally accurate answers. Upfront disclosure of a criminal record may not debar a candidate from appointment as the school shall consider the nature of the offence, how long ago and at what age it was committed and any other relevant factors. Information should be submitted in confidence enclosing details in a separate sealed envelope which will be seen and then destroyed by the Headteacher. If candidates would like to discuss this beforehand, they are asked to please telephone in confidence to the Headteacher and/or HR Manager for advice.
- 5.3 Any unspent convictions, cautions, reprimands or warnings must be disclosed to the school. However, amendments to the Exceptions Order 1975 (2013) provide that certain spent convictions and cautions are 'protected' and are not subject to disclosure to employers, and cannot be taken into account. In 2020, the Government removed the requirement for automatic disclosure of youth cautions, reprimands and warnings and the multiple conviction rule which requires the automatic disclosure of all convictions where a person has more than one conviction, regardless of the nature of the offence or sentence. Guidance and criteria on the filtering of these cautions and convictions can be found at the Disclosure and Barring Service website.
- 5.4 The statutory guidance "Disqualification under the Childcare Act 2006 (July 2018)" applies to those providing early years childcare or later years childcare, including before school and after school clubs, to children who have not attained the age of 8 AND to those who are directly concerned in the management of that childcare.

- 5.5 The Trust takes its responsibility to safeguard children very seriously and any staff member and/or successful candidate who is aware of anything that may affect their suitability to work with children must notify the Headteacher of the employing school immediately. This will include notification of any arrest, release under investigation, charge, caution or conviction as well as court orders, reprimands or warnings they may receive.
- 5.6 Staff and/or successful candidates who are disqualified from childcare or registration may apply to Ofsted for a waiver of disqualification. Such individuals may not be employed in the areas from which they are disqualified, or involved in the management of those settings, unless and until such waiver is confirmed. Please speak to the Headteacher for more details.
- 5.7 Failure to declare any convictions (that are not subject to DBS filtering) may disqualify a candidate for appointment or result in summary dismissal if the discrepancy comes to light subsequently.
- 5.8 Each school has a legal duty under section 26 of the Counter-Terrorism and Security Act 2015 to have '*due regard to the need to prevent people from being drawn into terrorism*'. This is known as the Prevent duty. Schools are required to assess the risk of children being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology. Accordingly, as part of the recruitment process, when an offer is made the offer will be subject to a Prevent duty risk assessment.
- 5.9 If the candidate is currently working with children, on either a paid or voluntary basis, the school will ask their current employer about disciplinary offences, including disciplinary offences relating to children or young persons (whether the disciplinary sanction is current or time expired), and whether the candidate has been the subject of any child protection allegations or concerns and if so the outcome of any enquiry or disciplinary procedure.
- 5.10 If the candidate is not currently working with children but has done so in the past, the school will ask the previous employer about those issues. Where neither the current nor previous employment has involved working with children, the school will still ask the current employer about the candidate's suitability to work with children. Where the candidate has no previous employment history, the school may request character references which may include references from the candidate's school or university.
- 5.11 All candidates should be aware that provision of false information is an offence and could result in the application being rejected or summary dismissal by the school if they have been appointed, and a possible referral to the police and/or DBS.

6.0 Shortlisting

Each school will shortlist applicants according to the relevance and applicability of their professional attributes and personal qualities to the role. Our shortlisting process will involve at least 2 people and will:

- 6.1 Consider any inconsistencies and look for gaps in employment and reasons given for them
- 6.2 Explore all potential concerns.
- 6.3 Once we have shortlisted candidates, we will ask shortlisted candidates to:

- 6.4 Complete a self-declaration of their criminal record or any information that would make them unsuitable to work with children, so that they have the opportunity to share relevant information and discuss it at interview stage. The information we will ask for includes:
- 6.4.1 If they have a criminal history
 - 6.4.2 Whether they are included on the barred list
 - 6.4.3 Whether they are prohibited from teaching
 - 6.4.4 Information about any criminal offences committed in any country in line with the law as applicable in England and Wales
 - 6.4.5 Any relevant overseas information
- 6.5 Sign a declaration confirming the information they have provided is true
- 6.6 We will also consider carrying out an online search on shortlisted candidates to help identify any incidents or issues that are publicly available online. Shortlisted candidates are informed that we may carry out these checks as part of our due diligence process.
- 6.7 Short-listed applicants will then be invited to attend a formal interview at which their relevant skills and experience will be discussed in more detail

7.0 Seeking references and checking employment history

- 7.1 The HR team request references for shortlisted candidates before interview, if permission is given, and may approach previous employers for information to verify particular experience or qualifications, before interview. This may be discussed with the candidate at interview.
- 7.2 One of the references must be from the applicant's current or most recent employer. References must be provided by a senior person with appropriate authority.
- 7.3 The HR Team ask all referees if the candidate is suitable to work with children.
- 7.4 The HR Team only accept references obtained directly from the referee and it will not rely on references or testimonials provided by the applicant or on open references or testimonials.
- 7.5 Obtain verification of the candidate's most recent relevant period of employment if they are not currently employed
- 7.6 Secure a reference from the relevant employer from the last time the candidate worked with children if they are not currently working with children
- 7.7 The HR team will verify all references. Where references are received electronically, we will ensure they originate from a legitimate source.
- 7.8 The HR Team and school will compare any information provided by the referee with that provided by the candidate on the Application Form. Any inconsistencies will be discussed with the candidate.
- 7.9 The HR Team Liaise directly with referees and verify any information contained within references with the referees
- 7.10 Resolve any concerns before any appointment is confirmed

8.0 Interview and selection

- 8.1 All formal interviews will have a panel of at least three people, with at least one member who has completed safer recruitment training. The line manager will typically chair the interview, accompanied by a senior member of staff.
- 8.2 For Headteacher appointments it may be appropriate for a LAB (Local Advisory Board) member to form part of the interview panel
- 8.3 The Chair of Trustees should chair the panel for the appointment of the CEO and Finance Director
- 8.4 The interview will be conducted in person, where possible and the areas which it will explore will include suitability to work with children.
- 8.5 Probe any gaps in employment, or where the candidate has changed employment or location frequently, and ask candidates to explain this
- 8.6 Record all information considered and decisions made
- 8.7 The interviewers involved will be required to state any prior personal relationship or knowledge of any of the candidates and a judgement will be made by the Chair as to whether or not an interviewer should withdraw from the panel. Should the Chair have a conflict of interest, the Deputy Chair shall decide whether the Chair should withdraw from the panel.
- 8.8 All candidates invited to interview must bring documents confirming any educational and professional qualifications that are necessary or relevant for the post (e.g. the original or certified copy of certificates, diplomas etc). Where originals or certified copies are not available for the successful candidate, written confirmation of the relevant qualifications must be obtained by the candidate from the awarding body.
- 8.9 The school requests that all candidates invited to interview also bring with them 3 forms of ID to include:
 - 8.9.1 A current driving licence including a photograph or a passport or a full birth certificate;
 - 8.9.2 A utility bill or financial statement issued within the last three months showing the candidate's current name and address;
 - 8.9.3 Where appropriate, any documentation evidencing a change of name; and
 - 8.9.4 Post Brexit (31st December 2020), all Nationalities will need to evidence their right to work in the UK through the following means:
 - 8.9.4.1 Settled/pre-settled status (passport or EU identity card may continue to be accepted until 30th June 2021 providing the EU citizen was living in the UK prior to 31st December 2020)
 - 8.9.4.2 Other Immigration Document evidencing Right to Work in the UK i.e. Biometric Residence Permit
 - 8.9.4.3 Irish citizens will continue to be able to live and work in the UK. The Common Travel Area, the decades-old arrangement between Ireland and the UK, permits British citizens in Ireland and Irish citizens in the UK, to live and work in each other's countries without restriction.
- 8.10 **Please note that originals of the above are necessary. Photocopies or certified copies are not sufficient.**

- 8.11 Candidates with a disability who are invited to interview should inform the school of any necessary reasonable adjustments or arrangements to assist them in attending the interview.

9.0 Pre-appointment vetting checks

We will record all information on the checks carried out in the school's single central record (SCR). Copies of these checks, where appropriate, will be held in individuals' personnel files. We follow requirements and best practice in retaining copies of these checks, as set out below.

10.0 New staff

- 10.1 All offers of appointment will be conditional until satisfactory completion of the necessary pre-employment checks. When appointing new staff, we will:
- 10.1.1 Verify their identity
 - 10.1.2 Obtain and verify at least two satisfactory references (if these have not already been received)
 - 10.1.3 Obtain (via the applicant) an enhanced DBS certificate, including barred list information for those who will be engaging in regulated activity (see definition below). We will obtain the certificate before, or as soon as practicable after, appointment, including when using the DBS update service. We will keep a record of the fact that vetting took place, the result of the check and recruitment decision taken
 - 10.1.4 Obtain a separate barred list check if they will start work in regulated activity before the DBS certificate is available
 - 10.1.5 Verify their mental and physical fitness to carry out their work responsibilities
 - 10.1.6 Verify their right to work in the UK. We will keep a copy of this verification for the duration of the member of staff's employment and for 2 years afterwards
 - 10.1.7 Verify their professional qualifications, as appropriate
 - 10.1.8 Ensure they are not subject to a prohibition order if they are employed to be a teacher
 - 10.1.9 Carry out further additional checks, as appropriate, on candidates who have lived or worked outside of the UK.
 - 10.1.10 For all staff, including teaching positions: [criminal records checks for overseas applicants](#)
- 10.2 Check that candidates taking up a management position* are not subject to a prohibition from management (section 128) direction made by the secretary of state
- * Management positions are most likely to include, but are not limited to, headteachers, principals and deputy/assistant headteachers.
- 10.3 We will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we take a decision that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment on the individual's personnel file. This will include our evaluation of any risks and control measures put in place, and any advice sought.
- 10.4 Regulated activity means a person who will be:
- 10.4.1 Responsible, on a regular basis in a school or college, for teaching, training, instructing, caring for or supervising children; or

- 10.4.2 Carrying out paid, or unsupervised unpaid, work regularly in a school or college where that work provides an opportunity for contact with children; or
- 10.4.3 Engaging in intimate or personal care or overnight activity, even if this happens only once and regardless of whether they are supervised or not
- 10.5 It is the school's practice that a successful candidate must complete a pre-employment health questionnaire. Occupational Health will review the information against the Job description and Person specification for the particular role, together with details of any other physical or mental requirements of the role ie: proposed workload, extra-curricular activities, layout of the school and their decision is shared with the school and held in strictest confidence in accordance with the Data Protection Policy.
- 10.6 The school is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, considering medical evidence and considering reasonable adjustments.

11 Criminal Records Policy

- 11.1 The school will refer to the Department for Education (“DfE”) document, ‘Keeping Children Safe in Education’ and any amended version in carrying out the necessary required DBS checks.
- 11.2 The school complies with the provisions of the DBS Code of Practice, a copy of which may be obtained on request, or accessed here: <https://www.gov.uk/government/publications/dbs-code-of-practice>.
- 11.3 DBS clearances will always be completed for new members of staff.

12 DBS Update Service

- 12.1 Where an applicant subscribes to the DBS Update Service the applicant must give consent to the school to check there have not been changes since the issue of a disclosure certificate.

13 If disclosure is delayed

- 13.1 No member of staff should begin work without all checks being completed including the DBS check. However, where the disclosure is delayed, school should discuss with the HR team and carry out a written risk assessment for the role and ensure that the member of staff is supervised at all times. A copy of the risk assessment should be shared with the HR team
- 13.2 The risk assessment should be noted on the Single Central Record.

14 Retention, Security of Records and Data Protection Obligations

- 14.1 The school will comply with its obligations regarding the retention and security of records in accordance with the DBS Code of Practice and its obligations under its Data Protection Policy. Copies of DBS certificates will only be held until the details have been recorded on the Single Central Record.
- 14.2 The school will comply with its data protection obligations in respect of the processing of criminal records information. More information on this is included in the Privacy Notice and the Data Protection Policy.

15.0 Agency and third-party staff

We will obtain written notification from any agency or third-party organisation that it has carried out the necessary safer recruitment checks that we would otherwise perform. We will also check that the person presenting themselves for work is the same person on whom the checks have been made.

16.0 Contractors

16.1 We will ensure that any contractor, or any employee of the contractor, who is to work at the school has had the appropriate level of DBS check (this includes contractors who are provided through a PFI or similar contract). This will be:

16.1.1 An enhanced DBS check with barred list information for contractors engaging in regulated activity

16.1.2 An enhanced DBS check, not including barred list information, for all other contractors who are not in regulated activity but whose work provides them with an opportunity for regular contact with children

16.2 We will obtain the DBS check for self-employed contractors.

16.3 We will not keep copies of such checks for longer than 6 months.

16.4 Contractors who have not had any checks will not be allowed to work unsupervised or engage in regulated activity under any circumstances.

16.5 We will check the identity of all contractors and their staff on arrival at the school.

16.6 For self-employed contractors such as music teachers or sports coaches, we will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we decide that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought.

17.0 Trainee/student teachers

Where applicants for initial teacher training are salaried by us, we will ensure that all necessary checks are carried out.

Where trainee teachers are fee-funded, we will obtain written confirmation from the training provider that necessary checks have been carried out and that the trainee has been judged by the provider to be suitable to work with children.

In both cases, this includes checks to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006.

18.0 Volunteers

We will:

18.1 Never leave an unchecked volunteer unsupervised or allow them to work in regulated activity

18.2 Obtain an enhanced DBS check with barred list information for all volunteers who are new to working in regulated activity

18.3 Carry out a risk assessment when deciding whether to seek an enhanced DBS check without barred list information for any volunteers not engaging in regulated activity. We will retain a record of this risk assessment

18.4 Ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we decide that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought

Appendix 1 - Policy on the Recruitment of Ex-Offenders

The school will not unfairly discriminate against any candidate for employment on the basis of conviction or other details revealed. The school makes appointment decisions on the basis of merit and ability. If an individual has a criminal record this will not automatically bar him/her from employment within the school. Instead, each case will be decided on its merits in accordance with the objective assessment criteria set out below.

All candidates should be aware that provision of false information is an offence and could result in the application being rejected or summary dismissal if they have been appointed, and a possible referral to the police and/or DBS.

Under the relevant legislation, it is unlawful for the school to employ anyone who is included on the lists maintained by the DBS of individuals who are considered unsuitable to work with children. In addition, it will also be unlawful for the school to employ anyone who is the subject of a disqualifying order made on being convicted or charged with the following offences against children: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence. It is also unlawful for the school to knowingly employ someone who works in the relevant settings and is disqualified from providing childcare under the statutory guidance "Disqualification under the Childcare Act 2006 (July 2018)".

It is a criminal offence for any person who is disqualified from working with children to attempt to apply for a position within the school. The school will report the matter to the Police and/or the DBS if:

- the school receives an application from a disqualified person;
- is provided with false information in, or in support of an applicant's application; or
- the school has serious concerns about an applicant's suitability to work with children.

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, the school will consider the following factors before reaching a recruitment decision:

- whether the conviction or other matter revealed is relevant to the position in question;
- the seriousness of any offence or other matter revealed;
- the length of time since the offence or other matter occurred;
- whether the applicant has a pattern of offending behaviour or other relevant matters;
- whether the applicant's circumstances have changed since the offending behaviour or other relevant matters;
- in the case of disqualification from providing childcare, whether the applicant has or is able to obtain an Ofsted waiver from disqualification; and
- the circumstances surrounding the offence and the explanation(s) offered by the convicted person.

If the post involves regular contact with children, it is the school's normal policy to consider it a high risk to employ anyone who has been convicted at any time of any the following offences: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence, serious class A drug related offences, robbery, burglary, theft, deception or fraud.

If the post involves access to money or budget responsibility, it is the school's normal policy to consider it a high risk to employ anyone who has been convicted at any time of robbery, burglary, theft, deception or fraud.

If the post involves some driving responsibilities, it is the school's normal policy to consider it a high risk to employ anyone who has been convicted of drink driving.