

Safer Recruitment Policy

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Mission Statement

FreshSteps Education Centre will offer a positive presence in Enfield with our alternative curriculum.

We recognise that students, parents and staff make up the school's community which will continually self-evaluate to improve itself effectively and efficiently in all aspects of its growth.

We recognise in all our relationships the dignity and value of each person showing one another mutual acceptance, tolerance and respect

1. INTRODUCTION AND STATUTORY REQUIREMENTS

Section 175 of the Education Act 2002 requires schools to make arrangements to ensure that their functions are carried out with a view to safeguarding and promoting the welfare of children.

Regulations made under Section 157 of that Act state that Proprietors of Independent schools, which include Academies and Free schools, must make arrangements to safeguard and promote the welfare of pupils.

The Department for Education (DFE), has issued statutory guidance '**Keeping Children Safe in Education**' 2016 under Section 175, Education Act 2002, the Education (Independent School Standards). Schools and Colleges must have regard to the guidance when carrying out their duties to safeguard and promote the welfare of children. 'School' means all schools whether maintained, non- maintained or independent schools, including academies and free schools, alternative provision academies and pupil referral units.

'Keeping Children Safe in Education' contains information on what schools and colleges **should** do and sets out the legal duties with which schools and colleges **must** comply. It includes safeguarding information for all staff, the management of safeguarding and responsibilities of proprietors, safer recruitment and dealing with allegations of abuse made against teachers and other staff. It further contains information on Radicalisation and extremism and the duty of school in regards to the new 'Prevent' duty the legal duties of schools to report suspected FGM.

However, statutory guidance on 'Keeping Children Safe in Education' 2016, 'Working Together to Safeguard Children' and Child Protection Policies and Procedures in place within individual establishments are inextricably linked. Safer Recruitment is a vital factor in keeping children safe within the education environment.

There is also legislation governing those persons in 'regulated activity' (see below) and requirements to carry out criminal records and barred list checks. The main legislation in this respect is contained within the Safeguarding and Vulnerable Groups Act 2006, the Protection of Freedoms Act 2012, the Equality Act 2010, the Police Act 1997, the Police Act 1997 Criminal Records Regulations and Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, together with any subsequent amendments which will similarly apply.

The School Staffing (England) Regulations 2009, as amended in 2012 and 2013, the Education (Pupil Referral Units) (Application of Enactment) (England) Regulations 2007 and any subsequent amendments, applicable to maintained schools and PRUs, specify requirements relating to the appointment, discipline, capability, suspension and dismissal of staff, use of supply staff/workers, checks and information to be held on the establishment's single, central register (SCR), as well as information on teacher capability to be provided in references.

2. PURPOSE OF THE SAFER RECRUITMENT POLICY

It is essential that, as part of the responsibilities highlighted above, all organisations that employ staff or engage volunteers to work with children adopt a consistent and rigorous approach in their recruitment and selection processes with the aim of ensuring that those recruited are suitable for such an important and responsible role.

The purpose of safer recruitment is ultimately to:

- **Deter.** From the beginning of the recruitment process, it is important to send the right message – that the organisation has a rigorous recruitment process and does not tolerate any form of abuse. Wording in adverts and recruitment information must aim to deter potential abusers.
- **Identify and Reject.** It will not always be possible to deter potential abusers. Therefore, careful planning for the interview and selection stage, in terms of asking the right questions, setting appropriate tasks and obtaining the right information can assist in finding out who is suitable for the role and who is not.
- **Prevent and Reject.** There are no guarantees that even the most robust safer recruitment process will prevent an inappropriate appointment. However, this does not mean it is too late to act. Ensuring that comprehensive induction processes are in place, together with appropriate policies and procedures, raising awareness through staff training and generally developing and maintaining a safe culture within the organisation will all help to prevent abuse or identify potential abusers.

The intention of this policy is to ensure that all stages of the recruitment process contain measures to deter, identify, prevent and reject unsuitable people from gaining access to pupils within the organisation. The policy and the practical implementation of recruitment and selection processes also aim to meet all legislative requirements as highlighted in 1. Above any statutory or other guidance that may from time to time be issued in order to:

Keeping children safe in education 2016/17 and safer recruitment.

3. 'REGULATED ACTIVITY' AND DISCLOSURE AND BARRING SERVICE CHECKS

Organisations providing 'Regulated Activity' in relation to children and young people have specific responsibilities for carrying out appropriate pre-employment checks, including Enhanced Disclosure and Barring Service (DBS) with Barred List check, when recruiting paid employees and workers. Other people coming into such an organisation (e.g. volunteers, inc) with access to children may not be in regulated activity – if they are 'adequately supervised' when carrying out an activity with children which would be regulated activity when unsupervised. The organisation is responsible for continuing vigilance in relation to staff, workers and any others coming onto the premises, and/or with access or opportunity for contact with the pupils, at all times.

'Regulated Activity' relating to children which can be defined as follows:

- i. Unsupervised activities in any setting – including teaching, training, instructing, caring for (see iii) below), supervising, providing advice/guidance on well-being, driving a vehicle only for children
 - ii. Work for a limited range of establishments (specified places) with the opportunity for contact, e.g. schools, colleges, children's homes, children's centres, childcare premises (but not work by supervised volunteers). Work/activities in (i) and (ii) above must be carried out 'regularly' to be included within regulated activity. 'Regular' means carried out by the same person frequently (once a week or more often) or intensively (on 4 or more days in a 30-day period) or overnight (if carried out – even once – at any time between 2am and 6am and with an opportunity for face-to-face contact with children). Day to day management or supervision on a regular basis of a person providing the above regulated activity for children is also within the definition of regulated activity for children.
 - iii. Relevant personal care or health care by or supervised by a professional, even if done only once. ('Personal care' means helping a child, due to age, illness or disability, with eating, drinking, toileting, washing, bathing or dressing; 'Health care' means care for children provided by, or under the direction or supervision of, a regulated health care professional).
 - iv. Registered child-minding and foster carers.
- (Regulated Activity excludes family and personal, non-commercial arrangements).

The following should be noted in relation to particular groups of staff, workers and others.

All employees and paid workers in schools, colleges, PRUs and similar educational establishments providing education are in regulated activity and the employer must ensure that an Enhanced DBS with Barred List check is carried out. This will include all categories of staff and workers. This will also normally include Agency supply workers for visiting staff/workers, such as supply.

Supervised volunteers, are not normally in RA. However, it is for the organisation to decide and will depend upon whether they are being 'adequately supervised' in accordance with statutory supervision guidance published by the DFE. If such persons are adequately supervised when carrying out an activity that would fall within RA if not so supervised, then they will not be in RA. Otherwise, if not adequately supervised, they are in RA. For volunteers, inc. Accountant, 'The Board' and others who are not in RA, an Enhanced DBS check WITHOUT a Barred List check may be obtained. (There is no entitlement to ask for a Barred List check for volunteers who are not in RA).

Contractors carrying out work of a temporary or occasional nature, e.g. maintenance (but not teaching, training etc.) are not normally in RA. However, for long-term regular contracted work a decision needs to be made about whether individuals have the opportunity for contact (e.g. in a similar way to school site staff) and can be deemed to be in RA. Decisions must be made on a case-by-case basis, taking into account the relevant and prevailing circumstances at the time. Generally, contractors not checked by their employers must be supervised.

As **trainee teachers** can undertake regulated activity, sometimes unsupervised, an enhanced DBS certificate and barred list check must be obtained. Where trainees are salaried (employed) this is the responsibility of the employer. Where trainee teachers are fee-funded it is the responsibility of the initial teacher training provider to carry out the necessary checks.

Barred List checks by the DBS may be required on some **people who supervise a child under the age of 16 on a work experience placement**. Consideration would need to be given to the specific circumstances of the work experience, in particular whether the person providing the teaching/training/instruction/supervision to the child will be unsupervised and providing the teaching/training/instruction frequently (at least once a week or on more than three days in a 30 day period, or overnight). If the person working with the child is unsupervised and the same person is in frequent contact with the child, the work is likely to be regulated activity. If so, the employer providing the work experience should be asked to ensure that the person providing the instruction or training is not a barred person.

If an activity undertaken by a child on work experience takes place in a 'specified place', such as a school or college, and gives the opportunity for contact with children, this may itself be considered to be regulated activity. In such cases, where the child is 16 or over, the work experience provider should consider whether an Enhanced DBS check should be requested for the child/young person in question. DBS checks cannot be requested for children/young people under the age of 16.

There is no entitlement to request DBS or Barred List checks on **Visitors** (e.g. children's relatives or other visitors attending a sports day). A professional judgement must be made at the relevant time about the need to escort or supervise them.

The DFE's factual notes on 'Regulated Activity in relation to Children: Scope' and 'Statutory'

Guidance: Regulated Activity (Children) – Supervision of Activity with Children which is Regulated Activity when Unsupervised' are available on the website www.gov.uk to provide full information and guidance on Regulated Activity and Supervision. Supervision guidance is also included as Annex D within the document 'Keeping Children Safe in Education'.

This *school/PRU/service* will take appropriate steps to ensure that all those employees, paid workers and any others deemed to be in regulated activity, are subject to the highest level of checks including, for new recruits, a full Enhanced DBS with Barred List Check, or as required at the time of recruitment. Others not in regulated activity will normally be required to undergo an

Enhanced DBS without Barred List check if they have regular involvement with pupils but are adequately supervised. However, if they are carrying out ad-hoc or one off volunteering activities etc., they will not normally be subject to an Enhanced DBS check. (See also 11. below 'Use of Agency Workers' and 12. 'Use of Volunteers').

For any persons deemed not to be in regulated activity, steps will be taken to ensure that adequate supervision and/or protocols to ensure the safety of pupils at all times, are in

place, in accordance with statutory guidance and general good practice. An appropriate level of checks, in addition to the requirements set out above, will be carried out in relation to all new recruits.

4. RECRUITMENT PANEL MEMBERS

The recruitment and selection process, in particular interviews, will be carried out by two or more people. Wherever possible, Appointments Panels will consist of an odd number of at least three people.

Panel members will be appropriately trained or briefed. **In accordance with statutory requirements, at least one member of the Panel will have successfully completed safer recruitment training.** Wherever possible, all Panel members will be involved throughout all stages of the recruitment and selection process but, in any event, a Panel member trained in safer recruitment will be involved throughout.

5. JOB DESCRIPTIONS AND PERSON SPECIFICATIONS

Job Analysis

When a vacancy arises due to an employee leaving or moving to a different role, it cannot be assumed that a 'like for like' replacement is required. A review of the job description may highlight the fact that the existing role no longer meets current needs. Therefore, the requirements for any replacement or new role will be analysed prior to drawing up the Job Description and Person Specification which define the role.

Job Description

In general, all Job descriptions will normally contain:

- The post title and grade
- The main purpose of the job
- The main tasks or duties to be carried out
- The scope of the job to indicate its position within the organisation
- General statements relevant to all positions, such as requirements relating to equal opportunities and health and safety

As all work in a school or similar setting involves responsibility for the safeguarding of

children, the job description will also make clear –

- The extent of the post holder's contact with children and young people and, in line with the establishment's commitment to the health, safety and welfare of children, the general responsibility for safeguarding.

Person Specification

The person specification describes the profile of the ideal person to fill the job requirements. It is essential to the recruitment and selection process as it is used for the drawing up the advertisement, long/shortlisting and the interviewing and selection process. It sets out the criteria against which candidates will be assessed and includes the core areas for the focus of interview questions.

Person specifications drawn up will outline:

- Any qualifications required for the post
- Knowledge, skills and abilities required to carry out the duties of the post
- Any specific training requirements
- The need for awareness of, and commitment to, equal opportunities issues
- The need for commitment to the promotion of health and safety at work and to the protection and safeguarding of children.

It will also indicate how the criteria will be tested, i.e. on the application form, at interview and/or through a task set as part of the selection process.

Person specifications will also include statements to the following effect:

"Applicants called for interview should note that the interview itself (and/or any additional

tasks to be performed, if applicable) will, as appropriate to the role:

- Focus on the requirements to carry out the duties of the job, as described*
- Explore issues relating to the safeguarding and promoting the welfare of children,*

including:

- *Motivation to work with children and young people*
 - *Ability to form and maintain appropriate relationships and personal boundaries with children and young people*
 - *Emotional resilience in working with challenging behaviours*
 - *Attitudes to use of authority and maintaining discipline.*
- Be used to explore any relevant issues arising from references received."*

6. APPLICATION FORMS

A suitably-structured, pre-defined application form will be used for recruitment to all posts. CVs (1st stage) will be used ONLY in the first stage of identifying suitable candidates. A visit to the school is a MUST 2nd stage. Application forms (3rd stage) are employer-led, requiring specific information from all applicants. *Staff are reminded that content of CVs are left to the discretion of individual applicants and contain only information that they choose to provide.*

The use of application forms will help to ensure that detailed information, critical to the recruitment process, can be gathered from all applicants in a consistent format.

Application forms to be used for all **external recruitment** will include as a minimum:

- Personal details including name, former names, date of birth, current address, NI number and, for teachers, teacher reference number
- Qualifications
- Present (or last) employment and reason for leaving
- Full history since leaving school – education, employment and any voluntary work, as well as explanation of any gaps
- Request for details of appropriate referees (see also '9. References' below)
- The requirement for a personal statement addressing the criteria set out in the person specification
- Explanation that the post is exempt from the provisions of Section 4 (2) of the Rehabilitation of Offenders Act 1974 by virtue of the Rehabilitation of Offenders Act 1974 (exceptions) Order 1975 and the requirement for a 'self-disclosure' – a signed declaration of any unspent and relevant spent criminal offences (See below ****)
- The requirement for a signed declaration that all information provided is true.

Separate application forms may be used for **internally advertised posts** which will require, as a minimum, further details to update the above information, as originally provided, and new signed declarations.

Volunteers will be required to complete an application form in order to provide personal details, details of previous employment, voluntary work and other activities, general information about their reasons for applying for voluntary work and signed declarations about any criminal record and the accuracy of information provided.

******DECLARATION OF UNSPENT AND RELEVANT SPENT CRIMINAL OFFENCES**

The purpose of requiring a self-disclosure as part of the application is to give candidates an opportunity to share relevant information about any convictions or cautions at an early stage. Disclosed information will not be used as a criterion for short-listing. Fair and objective assessment criteria will be applied. Information on self-disclosures will only be used in relation to short-listed candidates and will not automatically rule someone out. A full DBS check will still be carried out on making a conditional offer and the two sets of information compared. Note that applicants will only be asked about 'unspent and relevant spent' convictions, cautions, reprimands and warnings and these will be the only ones appearing on Disclosure certificates. Other minor, older offences will be filtered out after the relevant time period. Those offences to be declared include:

Cautions relating to an offence from a list (see below) agreed by Parliament

Cautions given less than 6 years ago (where the individual was over 18 years old at the time of the caution)

Cautions given less than 2 years ago (where the individual was under 18 years old at the time of the caution)

Convictions relating to an offence from a prescribed list (see below)

Convictions that resulted in a custodial sentence (regardless of whether served)

Convictions given less than 11 years ago (where the individual was over 18 years old at the time of the conviction)

Convictions given less than 5.5 years ago (where the individual was under 18 years old at the time of the conviction)

Irrespective of the above list, **if individuals have more than one conviction then ALL convictions must be declared.**

The list referred to above includes a range of offences which are serious and which relate to sexual offending, violent offending and/or safeguarding. It is never appropriate to withhold details of offences on this list. A list of offences which **must always** be declared has been derived from the legislation and can be accessed using

the following link:

<https://www.gov.uk/government/publications/dbs-list-of-offences-that-will-never-be-filtered-from-a-criminal-record-check>

7. ADVERTISING AND RECRUITMENT MATERIALS

The **job advertisement** provides potential applicants with their first impression of the

organisation. An important part of the message of the advert is to inform anyone viewing it that the organisation is fully committed to safeguarding and protecting the welfare of children and young people.

In these circumstances, all advertisements will include a statement to the effect that:

"All schools and services in Enfield are committed to safeguarding and promoting the welfare of children and young people. Therefore, all workers and employees within Enfield are expected to share this commitment."

OR

“FreshSteps is committed to safeguarding and promoting the welfare of children and young people. Therefore, we expect all workers and employees to share this commitment”.

Other general statements applicable to all posts may also be included in the wording of advertisements, e.g.

“All appointments are subject to satisfactory pre-employment checks, including a satisfactory Enhanced criminal records with Barred List check through the Disclosure and Barring Service (DBS).”

AND/OR

The above are examples only. Alternative wording may also be used.

Prospective applicants for posts will receive the following **materials in recruitment packs**:

- Application form
- Job description
- Person specification
- Safer Recruitment Policy (this document) or relevant information from it – for example, completion of application forms, references, interviews/tasks and pre-employment checks etc., as relevant and appropriate
- Child Protection Policy
- Code of Conduct
- Interview arrangements and/or selection procedure for the post
- Any relevant general information relating to the organisation, area etc.
- Any other relevant details or documentation.

8. LONGLISTING/SHORTLISTING

Recruitment to some positions will involve a two-stage process requiring first longlisting, then shortlisting following a first round of selection. Whether a position requires longlisting and shortlisting processes, or just shortlisting, the principles to be applied will be the same.

Long/shortlisting will be conducted by the interview Panel, or one or more members of the Panel. It will always be carried out by at least two people.

The criteria to be used for long/shortlisting will be based on the person specification and job description applicable to the post. This will ensure that the process includes criteria specific to working with children as well as other essential requirements for carrying out the specific duties of the post.

Those carrying out the long/shortlisting process will, as appropriate:

- To ensure consistency, assess each application against the criteria, including criteria specific to working with children – use of a grid is recommended for this purpose
- Take time to properly scrutinise the applications
- Consider whether each application is fully completed – if not, it may be returned to the applicant or discarded from the process
- Highlight any gaps (in employment etc.) to be explored further should the candidate be long/shortlisted

Look for evidence provided against the criteria set out in the person specification and the job description

- Apply the long/shortlisting criteria equally
- Normally only long/shortlist those applications that meet all the essential criteria set out in the person specification. However, if this is not clear in relation to any applications, it may be decided to long/shortlist and explore the issues further at

If a greater than anticipated number of applicants all meet the essential criteria for the post, it may be decided to use any specified desirable criteria to make a selection for the long/shortlist.

9. REFERENCES

References are an important part of the process of gathering as much information as possible about potential new recruits.

Testimonials from applicants will not be accepted. Two references will always be obtained directly from the referees. Application forms will normally request the following in relation to referees provided:

- One referee must be the current or last employer
- If the employer is/was a School, then the referee provided must be the Head teacher
- Where the applicant is not currently working with children but has done so in the past, the second referee should be the employer by whom s/he was most recently employed in work with children.

References will normally be obtained following the long/shortlisting process (as applicable) and prior to interview. This will enable comparisons to be made with the information provided on the individual's application form and for any issues to be explored at interview. The application form will ask applicants if they are willing to allow referees to be contacted prior to interview and warned that they may not be shortlisted if not. This decision is at the discretion of the *school/PRU/service*.

Reference requests will normally be made by requiring the completion of a standard questionnaire. Use of a questionnaire helps to ensure that the prospective employer has the opportunity to obtain information in respect of all areas essential to the role. A letter from a referee may not cover all areas or provide all relevant information that the prospective employer requires.

A standard Reference Questionnaire, or other reference request, will normally ask about:

- Capacity in which the applicant is/was employed, dates, quality of work, relationships with colleagues, parents and pupils, strengths, areas for development, honesty, punctuality and reliability
- Any current disciplinary/capability warnings, or such warnings which were current at the time of leaving

- Any disciplinary/capability action that is/was pending or unresolved

Where the request relates to a teacher, any capability proceedings within the last two years

- The details of any expired warnings that relate to the safety and welfare of children or young people or behaviour towards children or young people
- Reason(s) for leaving if no longer in that employment
- Any convictions the referee may be aware of
- Whether the referee would re-employ and whether the applicant is recommended for the post.
- Referees will be provided with a copy of the job description and person specification for the post.

(The questionnaire will normally also include appropriate alternative questions for circumstances where an applicant is not known to a referee as an employee/worker or trainee).

Sometimes, a referee may not be willing to complete a standard reference questionnaire. This may be because a particular organisation has a policy of providing references only in a certain format, or because a standard reference has been agreed as part of a settlement (previously known as compromise) agreement. In these circumstances, it is at the discretion of the *school/PRU/service* to decide whether to accept this situation or to not proceed any further with the application. This may depend upon other information received or other checks that can be carried out.

References requested prior to interview, or prior to a conditional job offer being made, will NOT ask about attendance or health-related matters. However, health-related questions may be asked of referees when a conditional offer of the post has been made. Therefore, a supplementary request for further information from referees may be made at that stage.

It should be noted that the **Equality Act 2010** limits the circumstances in which a prospective employer can ask health-related questions of either a referee or the applicant before a conditional job offer is made. Questions may only be asked at an early stage to help to:

- Decide whether any reasonable adjustments need to be made for the applicant to be able to participate in the selection process
- Decide whether an applicant can carry out a function that is essential (intrinsic) to the job
- Monitor diversity among people making applications for jobs
- Take positive action to assist disabled people
- Clarify that a candidate does have a disability where the job genuinely requires the jobholder to have a disability.

Where any of these circumstances apply, information will be provided in the recruitment materials, requested as part of the application form/process and/or requested of referees, only as relevant to the circumstances.

References will be obtained prior to interview wherever possible and, on receipt, the Interview Panel and/or those who carried out the long/shortlisting will scrutinise the references to:

- Confirm whether or not all questions have been answered satisfactorily and whether there are any statements or issues that need to be further explored with the referee e.g. if answers provided are vague.
- Compare the information provided by the applicant with that provided by referees. Any inconsistencies, discrepancies or concerns will be followed up with referees and/or applicants prior to interview, or as part of the interview process, as appropriate.

10. INTERVIEWS AND OTHER ASSESSMENT TOOLS

Recruitment to all posts will involve an **interview** due to the essential requirement to question applicants about the job requirements and understanding/awareness of safeguarding issues, to explore any gaps, issues or inconsistencies with the application and to assess interaction and responsiveness.

The Panel will meet prior to the interviews in order to carry out the necessary preparation for conducting the interview, which will normally include the following:

- A set of basic questions to ask of all long/shortlisted candidates, prepared in However, additional follow-up questions are likely to be needed at the interview itself as a means of probing for additional information. These questions will depend upon initial responses given by individual candidates
- Inclusion of appropriate questions relating to the safeguarding and welfare of This will depend upon the type and level of the post but all posts have responsibility in this area and it is important, therefore, to test motives, attitudes, awareness and understanding in this area.
- Preparation of any additional questions that the Panel will need to ask of individual applicants about their applications, for example, gaps in employment history or any other concerns.
- Agreement by Panel members on the responses they are seeking to their questions and the type of responses that would cause concern.
- Agreement by panel members of who is to ask questions, take notes etc. Questions may be asked by one or all Panel members, with notes being taken of responses.

A grid will normally be used for the purpose of questions to be asked, expected and actual responses.

Other assessment and selection methods, in addition to an interview, may also be used. The nature of these additional tools will depend upon the type and level of the post.

Other assessment methods may include, for example:

- Presentations
- Role plays
- Group exercises
- Observation (of teaching or activity with a class or group of pupils)
- Written tests
- Other data analysis exercises, In-tray exercises etc.

Assessment and Selection methods in addition to an interview are useful in obtaining a range of information about individuals, including assessing their interaction with others, both adults and pupils, team work, skills and abilities to carry out particular tasks etc.

Appropriate selection methods will be discussed and considered by the Panel, as relevant.

Panel members will be well-briefed and/or trained in their use.

Interview invitations to long/shortlisted candidates will normally include the following:

- Details of date, time, venue
- Direction and/or map, together with details of parking arrangements
- Where to report on arrival
- Likely length of the interview and information about any tests or exercise to be included in the process
- Details of the scope of the interview (to be based on the person specification and to include exploration of each candidate's suitability to work with children, together with any issues arising from the application form or references)
- Details of documents that candidates will need to bring with them, e.g. proof of identity, documents for the Immigration, Asylum and Nationality check, qualification
- A request that candidates let the *school/PRU/service* know should they have any special requirements, or need any adaptations, to enable them to access the interview and selection process.

- A request that candidates inform the *school/PRU/service* of their intention to attend, or otherwise, together with the necessary contact details.

11. CONDITIONAL OFFERS OF EMPLOYMENT

Any job offers made must be conditional as it will be subject to a variety of pre-employment checks and other conditions. Some checks will apply to all potential new employees, others will apply only to certain categories of employee. Receipt of completion of the following will, therefore, be required in some or all cases:

- **two satisfactory references**, one of which should be the current or most recent employer. *(If the candidate is not currently working with children but has done so in the past, the second referee should be the employer by whom s/he was most recently employed in work with children. This applies in circumstances where it has not been possible to obtain references prior to interview and also where supplementary reference requests are made at this stage in relation to obtaining further information about attendance);*
- a **satisfactory medical assessment** *(the relevant forms will be enclosed, to be completed and returned as quickly as possible);*
- the **prospective employee not at any time being barred**, either totally or to a limited extent, from employment or work involving regular contact with children, young persons or other vulnerable people, nor to any other relevant prohibition or restriction being applied to your employment;
- **proof of identity** (normally from current photographic ID and proof of address except where, in exceptional circumstances, none is available);
- receipt of **evidence to meet the requirements of the Immigration, Asylum and Nationality Act 2006**. *(The relevant lists of acceptable documents will be enclosed);* a satisfactory **Enhanced with Barred List check** through the Disclosure and Barring

Service (DBS) for the existence and content of any criminal record. *(It will be emphasised that the Enhanced check includes a check on Barred Lists of those considered to be unsuitable to work with children or other vulnerable people, as relevant, in regulated activity. The candidate will be asked if s/he subscribes to the DBS Update Service, in which case, following sight of the certificate and with his/her express permission, a real-time check online will normally be made to ascertain whether or not his/her status has changed. However, s/he may not subscribe to this service, so details of the application process will also be stated, together with a request that the candidate makes the certificate available for viewing by the school/service as soon as it is received by him/her. If in exceptional circumstances, an individual is required to start work before the full DBS check is completed, a separate Barred List check will be obtained prior to commencement);*

- **valid Home Office (UK Visas and Immigration) permission to work** in the post.
- **for teachers only – the prospective employee not being subject to a prohibition order or interim prohibition order** by the Secretary of State, pre-existing General Teaching Council for England or any other authorised Body;
- **for teachers only (other than where appointed specifically as an unqualified teacher) – initial and continued recognition as a qualified teacher** *(original copies of all relevant certificates will be required, including confirmation of the award of Qualified Teacher Status, as issued by the Department for Education (DFE) or other authorised Body; OR confirmation of the award of Qualified Teacher Learning and Skills status and membership of the Institute for Learning, as appropriate);*
- **Verification of other professional qualifications, where appropriate**
- **Successful completion of the Statutory Induction period** for Newly Qualified Teachers (*teachers*) or **completion of a successful probation and assessment period** (*support staff*).

Prospective employees who have lived or worked overseas will first undergo the same checks as all others. In addition, further additional check(s) considered necessary will normally include (for example) the requirement for a certificate or letter of good conduct and extra care will be exercised in taking up references.

Any verbal offer that may be made prior to a written conditional offer will also clearly state that the offer is conditional.

The majority of checks must be satisfactorily completed before a prospective new employee starts work. Apart from the requirement to satisfactorily complete an induction or probationary period during the initial stages of employment in relevant cases, the only other check that may still be pending on starting work is the full Enhanced DBS with Barred List check. In exceptional circumstances, where the full check has not been received, the employee will be supervised until it has been received and deemed satisfactory. However, the Barred List part of the check must have been obtained prior to an individual starting work. The *school/PRU/service* is under a specific duty not to allow a barred person to work in regulated activity.

All employees and workers engaged by the *school/PRU/service* are deemed to be in 'Regulated Activity' whatever their role and are, therefore, subject to a full Enhanced with Barred List Check through the DBS.

In any event, it should be noted that new employees will not be able to commence work and will not be placed on the Payroll until the following have been received:

- A satisfactory medical assessment
- Two satisfactory references
- Relevant qualification certificates
- Evidence to meet the requirements of the Immigration, Asylum and Nationality Act 2006
- A satisfactory Barred List Check and submission of a full Enhanced DBS application
- Valid Home Office (UK Visas and Immigration) permission to work in the post, and
- Teachers only – confirmation that s/he is not subject to a prohibition order or interim prohibition order.

Conditional offer letters will include the following:

- Job title/role and start date
- Relevant details relating to the position, e.g. type of contract and hours, if fixed term details of expiry date and/or circumstances/conditions
- Pay and conditions of service applicable
- Payment arrangements and a request for account details, P45 and National Insurance number
- Pre-employment checks that need to be satisfactorily carried out before the offer can be finally confirmed (see above)
- Any other relevant action to be taken or information to be provided.

In circumstances where any of the pre-employment checks prove to be unsatisfactory, a conditional offer will be withdrawn where the *school/PRU/service* considers it appropriate to do so.

A candidate receiving a conditional offer, whether verbal or written, should not, therefore, assume this to be a guarantee of employment.

12. USE OF AGENCY WORKERS

On occasion it may be necessary to utilise workers provided by an external Agency, for example to cover short to medium-term absences or vacancies.

In order to ensure the safety and welfare of children and young persons, it is essential that

Agencies supplying workers to the education sector also adopt robust recruitment and vetting procedures that minimise the risk of employing people who may abuse them, or who are otherwise unsuited to such work.

In these circumstances, Agencies will be required to provide written assurances about their recruitment and selection practices and, in particular, that workers supplied by them have been subject to similar checks and safeguards in place for new employees and workers taken on directly by the *school/PRU/service*. For this purpose, Agencies will normally be required to complete a standard questionnaire to the satisfaction of the Head teacher before workers will be accepted from a particular establishment.

The standard questionnaire issued to Agencies for written confirmation that all necessary checks are carried out before their workers are deployed will include all essential areas of the checking process, i.e. relating to Enhanced DBS and Barred List checks, Prohibition Order checks, identity and Immigration, Asylum and Nationality Act checks, as well as checks of medical fitness, qualifications, references, reasons for leaving previous positions, pay and conditions, Employer's Liability, equal opportunities and compliance with Agency Worker Regulations.

The *school/PRU/service* will check the identity of the person presenting themselves for work on arrival.

13. USE OF VOLUNTEERS

Children and young people will see volunteers within a school or other educational service in the same way as its other employees. They will not know that they are unpaid and will assume they are safe and trustworthy adults, just like anyone else within their educational environment. Therefore, volunteers should also be subject to a checking process to ensure that they are indeed safe to be in contact with pupils. The principles of safer recruitment should be applied whether an individual is paid or unpaid.

Volunteers may be used in a variety of different roles. Safer recruitment principles will be adapted and/or applied with common sense depending upon an individual's involvement and interaction with pupils, whether it is regular contact or 'one-off', whether they are being supervised etc.

For example, if a parent volunteers as part of a group helping out on a one-off basis such as a fete, school disco or a day trip, there is no need for a formal recruitment or checking process.

However, if a volunteer is likely to have an on-going role that includes regular contact with children, then a similar recruitment and selection process will be applied as would be used to recruit an employee. The process will be presented in a less formal manner but the principles of safer recruitment are the same. In these cases, the recruitment process will include:

- Provision of information about the *school/s/PRU/s/service's* commitment to the safeguarding of children

The requirement to complete an application form specially designed for volunteers

- Obtaining references
- A face-to-face interview
- Where the individual is deemed to be in 'regulated activity', an Enhanced DBS with Barred List check OR where the individual will be adequately supervised and, therefore, not in regulated activity, an Enhanced Disclosure without Barred List check (see also 3. above, 'Regulated Activity')
- Any other checks considered to be relevant to the role.

Where volunteers are recruited from another Institution or Organisation, assurances will be obtained from the establishment concerned that the individual has been subject to a proper recruitment process that includes the necessary safeguards.

Volunteers will be provided with an appropriate induction as referred to in 16. below.

14. SINGLE CENTRAL REGISTER (SCR) OF CHECKS

The *school/PRU/service* will ensure that it complies with statutory requirements for information to be recorded and retained on its SCR of pre-employment checks carried out in relation to employees and workers employed or engaged directly, as well as others who work in regular contact with children, including volunteers.

Generally, the information that will be recorded on these persons is whether or not the following checks have been carried out or certificates obtained, and the date on which the checks were completed:

- an identity check;
- a Barred List check;
- an enhanced DBS check;
- a check to establish the person's right to work in the United Kingdom.
- a prohibition from teaching check;
- a check of professional qualifications;
- additional checks on people living or working outside the UK.

Full details of records that must be kept are contained within the relevant Regulations as applicable to maintained schools, PRUs, Independent schools and Colleges. (See 1. above 'Introduction and Statutory Requirements').

There is no requirement to keep copies of DBS certificates in order to fulfil the duty of maintaining the single central record. However, where the *school/PRU/service*, with an individual's express permission, chooses to retain a copy this will not be retained for longer than six months. A copy of the other documents used to verify the successful candidate's identity, right to work and required qualifications will be kept for the personnel file.

Written confirmation that the necessary pre-employment checks have been carried out will also be obtained from any Employment Agencies/Businesses and other Organisations supplying workers and attached to the SCR.

15. OTHER RECORD KEEPING AND RETENTION OF PERSONAL DATA

Data relating to all recruitment and selection processes will be retained for a specified period of time.

Retention of Data relating to Unsuccessful Applicants

All application forms, long/shortlisting grids, interview notes and any other documentation used will be securely retained on a recruitment file for a period of one year from the end date of the selection process (i.e. from the date when a conditional offer has been made and other candidates informed that they have been unsuccessful).

The information will be destroyed in a confidential manner after this period of time.

Retention of Data for Successful Applicants

All application forms, long/shortlisting grids, interview notes and any other documentation used will be securely retained on a personnel file. This information forms part of the individual's personal record and on-going employment history.

The personnel file will normally contain the following information:

- Application form

- Other paperwork related to the recruitment process, i.e. Interview and other notes, letters forming part of the process etc.
- Offer letter
- Pre-employment vetting documents, e. photographic identification, documentation to meet the requirements of the Immigration, Asylum and Nationality Act, Disclosure details (not the full certificate – but see 14. above in relation to short-term retention), evidence of right to work and remain in the UK, as applicable
- Copies of original vocational or academic qualification certificates, as applicable
- Two satisfactory references
- Confirmation of satisfactory medical assessment
- Copy of contract
- Other relevant employment documentation throughout the individual's period of
- Details of any allegation(s) against an employee found to be malicious will be removed from the personnel record. However, information relating to any other allegation(s) will be retained in accordance with statutory guidance issued by the DFE (*see below*).

The personnel records of all employees will be retained for a minimum of 7 years after they have left the employment. However, **where an employee has been the subject of an allegation(s)** the record will be retained at least until the accused has reached **normal retirement age or for a period of 10 years if that is longer.**

**DFE statutory guidance 'Keeping Children Safe in Education' in Part 4 on dealing with 'Allegations of Abuse made against Teachers and Other Staff' states that "details of allegations that are found to have been malicious should be removed from personnel records. However, for all other allegations,*

it is important that a clear and comprehensive summary of the allegation, how the allegation was followed up and resolved and a note of any action taken and decisions reached, is kept on the confidential personnel file of the accused, and a copy provided to the person concerned. The purpose of the record is to enable accurate information to be given in response to any future request for a reference, where appropriate. It will provide clarification in cases where future DBS checks reveal information from the police about an allegation that did not result in a criminal conviction and it will help to prevent unnecessary re-investigation if, as sometimes happens, an allegation re-surfaces after a period of time." The guidance also requires that "the record should be retained at least until the accused has reached normal retirement age or for a period of 10 years from the date of the allegation if that is longer".

Note also that the DFE guidance referred to above states in relation to references "Cases in which an allegation was proven to be false, unsubstantiated or malicious should not be included in employer references. A history of repeated concerns or allegations which have all been found to be false, unsubstantiated or malicious should also not be included in any reference".

All personal data will be handled in a confidential manner at all times and retained and disposed of securely.

Similar principles will be applied in relation to the retention and handling of records relating to volunteers

16. INDUCTION

Induction is an extension of the recruitment process. Good recruitment and selection procedures help to ensure that the best person is appointed to the role, but it is equally important to induct him or her properly on commencement.

A general Induction Programme is required for all new recruits, including those already within the organisation but appointed to new roles. This should be seen as additional to the more formal induction or probationary periods also required in relation to certain new appointments, as summarised below:

- **Newly Qualified Teachers (NQTs)** are required to satisfactorily complete a statutory Induction period. Where applicable, the induction period will be applied in accordance with the relevant Regulations and statutory guidance issued by the DFE.
- **Support Staff** who are 'new employees' will be subject to a 'Probation and Assessment Period' of 21 weeks. 'New Employees' for this purpose include:
 - **'new starters'** who are existing staff transferring to a new or different role (but not including those who have been matched to a job, or obtained a position under the redeployment procedure).

Where applicable, the probation and assessment period will be applied in accordance with local procedures adopted for the purpose.

A more general induction applicable to all will include a variety of arrangements and

areas. The specific arrangements put in place will reflect the differing needs of individuals and job roles, e.g. whether already employed in a different role, whether full time, part time, fixed term, employee or volunteer, type and seniority of the post and level of contact or involvement with pupils.

The general induction programme will also include, **for all**, information on professional standards and boundaries in respect of child protection and safeguarding and promoting the health, safety and welfare of pupils. Reference will be made to relevant statutory requirements and/or local guidance in these areas. Statutory guidance includes, in particular, the DFE documents:

- 'Keeping Children Safe in Education' – all staff will be required to read at least 'Part One – Safeguarding Information for All Staff'; and 'Working Together to Safeguard Children' – which should be read and followed by all staff.

The importance of adhering to school policies and procedures in these and all other areas will also be emphasised. Care will be taken to ensure that all new employees, including those in new roles, are aware of and understand school policies, procedures and practices and are clear about their responsibilities in following them at all times. All employees and workers will be required to read and adhere to the establishment's Code of Conduct.

Supply teachers and other supply workers, including agency workers, as well as volunteers, will receive all necessary information and guidance to enable them to carry out their temporary role effectively and in accordance with statutory requirements, as well as the establishment's policies, procedures and practices. This will include in relation to child protection and safeguarding arrangements, the Code of Conduct and any other relevant protocols essential to their role.

17. A SAFE CULTURE AND ON-GOING VIGILANCE

It is never sufficient to assume that a safer recruitment and selection process and robust induction arrangements are enough to ensure that the pupils are safe and that there is no risk to them within the educational environment. Creation of a safe culture, with on-going vigilance is essential.

The *school* will continue to strive to create and maintain a safer culture by:

- Having in place, and putting into practice, clear policies and procedures and ensuring that all employees and workers are aware of and understand them
- Setting acceptable standards of behaviour
- Having in place clear procedures for reporting concerns, ensuring that all employees and workers know what the procedures are and their responsibility for following them
- Taking concerns seriously and providing support to individuals raising them

- Taking appropriate action in relation to concerns raised
- Having in place robust and appropriate induction arrangements
- Ensuring that all employees and workers undertake child protection and other relevant training on a regular basis
- Keeping the commitment to safeguarding and child protection on the agenda through regular discussion and/or reminders at staff meetings, training sessions etc.
- Learning from experience (Holly and Jessica) Bichard report
- Never thinking that enough has been done to ensure a safe culture.

Monitoring And Evaluation

In line with

ARRANGEMENTS FOR MONITORING AND EVALUATION

Enfield LA
