



Safer Recruitment Policy

Person responsible for policy: HR Director
Revised: October 2021
Review Date: October 2022

1. Introduction

- 1.1 This policy applies to academies and operations of the Trust, and to all of its workforce and volunteers.
- 1.2 In this policy, 'we', 'us' and 'our' means the Trust.
- 1.3 This policy has been developed to embed safer recruitment practices and procedures throughout the Trust and to support the creation of a safer culture by reinforcing the safeguarding and well-being of children and young people in our care. This policy complies with guidance outlined in the Department for Education's Keeping Children Safe in Education September 2021.
- 1.4 This policy reinforces the expected conduct outlined in our [Staff Code of Conduct](#) as well as our [Whistleblowing Procedure](#), which all staff are expected to be familiar with. All successful candidates for paid or volunteer employment will be made aware of these documents.
- 1.5 This policy is an essential element in creating and maintaining a safe and supportive environment for all pupils, staff and others within the Trust and aims to ensure both safe and fair recruitment and selection of all staff and volunteers by:
 - attracting the best possible candidates/volunteers to vacancies
 - deterring prospective candidates/volunteers who are unsuitable from applying for vacancies
 - identifying and rejecting those candidates/volunteers who are unsuitable to work with children and young people
 - ensuring that those involved with the recruitment and employment of staff to work with children have received appropriate safer recruitment training
- 1.6 We are committed to using procedures that deal effectively with those adults who fail to comply with our safeguarding and child protection procedures and practices.
- 1.7 As a Trust our aim is to attract and retain a diverse range of talent that reflects our community. We will ensure that we make reasonable adjustments and reduce barriers for people with Protected Characteristics so they are not discriminated against and are given equality of opportunity.
- 1.8 A protected characteristic under the act covers the following: · age · disability · gender reassignment · marriage and civil partnership (for employees) · pregnancy and maternity · race · religion or belief · sex · sexual orientation
- 1.9 We recognise the contribution that people with criminal records can make as employees and volunteers and welcome applications from them. For more information, candidates should refer to the Policy statement on recruiting applicants with criminal records and Criminal record declaration form for jobs exempt from the ROA

2. Existing staff

- 2.1 If we have concerns about an existing member of staff's suitability to work with children, we will carry out all the relevant checks as if the individual was a new member of staff. We will also do this if an individual moves from a post that is not regulated activity to one that is.
- 2.2 We will refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult where:
- We believe the individual has engaged in [relevant conduct](#); or
 - The individual has received a caution or conviction for a relevant offence, or there is reason to believe the individual has committed a listed relevant offence, under the [Safeguarding Vulnerable Groups Act 2006 \(Prescribed Criteria and Miscellaneous Provisions\) Regulations 2009](#);
- or
- The 'harm test' is satisfied in respect of the individual (i.e. they may harm a child or vulnerable adult or put them at risk of harm); and
 - The individual has been removed from working in regulated activity (paid or unpaid) or would have been removed if they had not left
- 2.3 We will also refer to the DBS an employee following a disciplinary investigation, who is dismissed or resigns because of misconduct towards a pupil and we may refer any concerns we have before the completion of this process
- 2.4 As an employer we are under a duty to refer any allegation of abuse against a member of staff to the Designated Officer for the local authority (LADO) within one working day of the allegation being made. A referral will be made if a teacher or member of staff (including volunteers) has:
- behaved in a way that has harmed a child, or may have harmed a child
 - possibly committed a criminal offence against or related to a child
 - behaved towards a child or children in a way that indicates he or she would pose a risk of harm if they work regularly or closely with children

3. Roles and Responsibilities

- 3.1 The Trust will:
- Ensure we have effective policies and procedures in place for the safe and fair recruitment and selection of staff and volunteers in accordance with Department for Education Guidance and Legal Requirements
 - monitor our compliance with them
 - ensure that appropriate staff and governors have completed safer recruitment training (and repeat this every 5 years)
- 3.2 The Chief Executive, RLT HR and Headteachers will:

- ensure that the all schools and operations of the Trust operate safe and fair recruitment and selection procedures which are regularly reviewed and up-dated to reflect any changes to legislation and statutory guidance
- ensure that all appropriate checks have been carried out on staff and volunteers within the Trust
- monitor any contractors and agencies compliance with this document
- promote the safety and well-being of children and young people at every stage of this process

4. Inviting Applications

4.1 All advertisements for posts of regulated activity, paid or unpaid, will include the following statement;

“XXX School and The River Learning Trust are committed to safeguarding and promoting the welfare of all children and preventing extremism. All staff are expected to share this commitment. The successful candidate will be subject to an enhanced DBS check. The River Learning Trust is an equal opportunities employer and we welcome applications from a range of backgrounds to represent diversity in line with our schools’ community.”

4.2 Advertisements for posts also make clear that staff will be expected to promote fundamental British values.

4.3 All applicants will receive a link to a website containing the following when applying for a post:

- A statement of our commitment to ensuring the safety and well-being of the pupils
- Job description and person specification
- Safeguarding and Child Protection Policy
- Safer Recruitment Policy
- The selection procedure for the post
- Whistleblowing Procedure
- An application form
- Copy of our Code of Conduct
- Our Policy statement on recruiting applicants with criminal records

4.4 Prospective applicants must complete, in full, an online application form. Incomplete application forms will be returned to the applicant where the deadline for completed forms has not passed.

4.5 We will ask for written information about previous employment history and check that information is not contradictory or incomplete.

4.6 A curriculum vitae will not be accepted in place of a completed application form.

5. Identification of the Recruitment Panel

- 5.1 At least one member of the Selection and Recruitment Panel will have successfully completed training in safer recruitment within the last 5 years

6. Shortlisting and References

- 6.1 Candidates will be short listed against the person specification for the post.
- 6.2 We will seek references on all short-listed candidates, including internal candidates, normally before the interview. We will scrutinise these and resolve any concerns before confirming appointments. The references requested will ask specific questions about the suitability of the applicant to work with children. Two references, one of which must be from the applicant's current/most recent employer where possible, will be taken up before the selection stage so that any discrepancies may be probed during this stage of the procedure (note references should come from the head of the previous organisation, not a colleague).
- 6.3 References will be sought directly from the referee and, where necessary, will be contacted to clarify any anomalies or discrepancies. Detailed written records will be kept of such exchanges. Where possible references will be requested in advance of the interview.
- 6.4 Where necessary, previous employers who have not been named as referees may be contacted in order to clarify any such anomalies or discrepancies. Detailed written records will be kept of such exchanges.
- 6.5 Referees will be asked specific questions about the following:
- The candidate's suitability to work with children and young people
 - Any substantiated allegations
 - Any disciplinary warnings, including time-expired warnings, relating to the safeguarding of children and young people
 - The candidate's suitability for the post, including the candidate's ability and willingness to promote fundamental British values.
- 6.6 Reference requests will include the following:
- Applicants current post and salary
 - Disciplinary record
- 6.7 All appointments are subject to satisfactory references, vetting procedures and DBS clearance.

7. Invitation to Interview

- 7.1 Candidates called to interview will receive:
- A letter confirming the interview and any other selection techniques
 - Details of the interview day including details of the panel members
 - Further copy of the person specification
 - Details of any tasks to be undertaken as part of the interview process
 - The opportunity to discuss the process prior to the interview

- A Criminal Record Declaration Form for roles exempt from the ROA declaration to complete
- A copy of the Safer Recruitment Policy Statement Recruiting applicants with criminal records

7.2 Candidates called to interview will be asked to provide proof of identity and relevant qualifications. Original documents requested are:

- Passport,
- Birth Certificate,
- Driving Licence,
- Marriage Certificate (if appropriate),
- Utility Bill or Bank Statement (issued in the last three months),
- relevant qualifications.

8. The Selection Process

8.1 Selection techniques will be determined by the nature and duties of the post but all vacancies will require an interview of short-listed candidates.

8.2 Interviews will always be face-to-face, in exceptional circumstances this may be by video call. Interviews may include additional interview techniques such as observation or exercises.

8.3 Candidates will be required to:

- Explain any gaps in employment
- Explain satisfactorily any anomalies or discrepancies in the information available to the panel
- Declare any information that is likely to appear on the DBS disclosure
- Demonstrate their ability to safeguard and protect the welfare of children and young people and their ability and willingness to promote fundamental British values

9. Employment Checks

9.1 An offer of appointment will be conditional and all successful candidates will be required to:

- Verify their identity
- Obtain (via the applicant) an enhanced Disclosure and Barring Service (DBS) certificate, including barred list information for those who will be engaging in regulated activity (see definition below). We will not keep a copy of this for longer than 6 months
- Obtain a separate barred list check if they will start work in regulated activity before the DBS certificate is available
- Verify their mental and physical fitness to carry out their work responsibilities
- 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
- Verify their professional qualifications, as appropriate
- Ensure they are not subject to a prohibition order if they are employed to be a teacher

- 9.2 Further additional checks will be carried out, as appropriate, on candidates who have lived or worked outside of the UK, including (where relevant) criminal records checks or their equivalent overseas police check for any individual who within the last five years has lived or worked outside the United Kingdom, whether they are a British citizen or not.

However, five years is a guide and we may carry out any further checks that we think appropriate so that any relevant events that occurred outside the UK can be considered.

- 9.3 We will check that candidates taking up a management position are not subject to a prohibition from management (known as a Section 128 Check) direction made by the secretary of state. This check applies to:
- CEO and any central post on the senior leadership team
 - Headteachers
 - Teaching posts on senior leadership teams
 - Teaching posts which carry a departmental head role;
 - Support staff posts on a senior leadership team; and
 - We will assess on a case by case basis whether the check should be carried out when appointments are made to teaching and support roles which carry additional responsibilities.
 - It also applies to appointments to the Trust's Board of Directors and Local Governing Bodies.
- 9.4 The relevant information is contained in the enhanced DBS disclosure certificate (which we obtain for all posts that amount to regulated activity). It can also be obtained through the Teaching Regulation Agency Teacher Services system. We will use either, or both, methods to obtain this information.
- 9.5 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 while taking into account the 2020 amendments to the Rehabilitation of Offenders Act 1974 [exceptions] Order 1975 [2013 and 2020]. Information and examples for schools on which cautions or convictions are now protected and will not be disclosed are detailed here: <https://hub.unlock.org.uk/wp-content/uploads/What-will-be-filtered-by-the-DBS.pdf>
- 9.6 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.
- 9.7 "Regulated activity" means a person who will be:
- Responsible, on a regular basis in a Trust setting, for teaching, training, instructing, caring for or supervising children; or
 - Carrying out paid, or unsupervised unpaid, work regularly in a Trust setting where that work provides an opportunity for contact with children; or
 - Engaging in intimate or personal care or overnight activity, even if this happens only once and regardless of whether they are supervised or not

9.8 All checks will be:

- Confirmed in writing
- Documented and retained on the personnel file
- Recorded on our Single Central Record
- Followed up if they are unsatisfactory or if there are any discrepancies in the information received.

8.3 Employment will commence subject to all checks and procedures being satisfactorily completed.

10. Induction

10.1 All staff and volunteers who are new to the Trust will receive information on our Safeguarding and Child Protection Policy and procedures and guidance on safe working practices which would include guidance on acceptable conduct/behaviour. These expectations will form part of new staff members' induction training.

10.2 All successful candidates will undergo a period of induction and will:

- Meet regularly with their induction tutor or their line manager
- Attend appropriate training including generalist child protection training

11. Volunteers

11.1 We will:

- Never leave an unchecked volunteer unsupervised or allow them to work in regulated activity
- 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
- Obtain an enhanced DBS check with barred list information for all volunteers who are new to working in "regulated" activity
- 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

12. Contractors

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

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

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

- 12.3 We will not keep copies of such checks for longer than 6 months.
- 12.4 Contractors who have not had any checks will not be allowed to work unsupervised or engage in regulated activity under any circumstances.
- 12.5 We will check the identity of all contractors and their staff on arrival at Trust premises.
- 12.6 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](#).
- 12.7 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.

13. Trainee/student teachers

- 13.1 Where applicants for initial teacher training are salaried by us, we will ensure that all necessary checks are carried out.
- 13.2 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.
- 13.3 In both cases, this includes checks to ensure that individuals are not disqualified under the [2018 Childcare Disqualification Regulations and Childcare Act 2006](#).

14. Supply Staff Agency and third-party staff

- 14.1 We will only use those agencies which operate a safer recruitment policy and supply written confirmation that all relevant checks have been satisfactorily completed. Any information disclosed as part of the DBS check will be treated confidentially. These agencies should be able to demonstrate that their staff have received appropriate safeguarding training.
- 14.2 We will carry out identity checks when the individual arrives at a Trust school or premises.

15. Staff working in alternative provision settings

- 15.1 Where we place a pupil with an alternative provision provider, we will obtain written confirmation from the provider that they have carried out the appropriate safeguarding checks on individuals working there that we would otherwise perform.

16. Adults who supervise pupils on work experience

- 16.1 When organising work experience, we will ensure that policies and procedures are in place to protect children from harm.
- 16.2 We will also consider whether it is necessary for barred list checks to be carried out on the

individuals who supervise a pupil under 16 on work experience. This will depend on the specific circumstances of the work experience, including the nature of the supervision, the frequency of the activity being supervised, and whether the work is regulated activity.

17. Pupils staying with host families

- 17.1 Where we make arrangements for pupils to be provided with care and accommodation by a host family to which they are not related (for example, during a foreign exchange visit), we will request enhanced DBS checks with barred list information on those people.
- 17.2 Where we are organising such hosting arrangements overseas and host families cannot be checked in the same way, we will work with our partner schools and organisations abroad to ensure that similar assurances are undertaken prior to the visit.