



## Safer Recruitment Policy

<b>Written By</b>	<b>Senior Staff, School Office team</b>
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<b>Display on Website</b>	✓
<b>Purpose</b>	The safety and protection of the pupils is always at the forefront of the school's concerns, which is why this policy aims to embed a robust safeguarding culture into the recruitment practices of the school.
<b>Consultation</b>	<b>Governors</b> ✓
	<b>Parents</b> x
	<b>Pupils</b> x
	<b>Staff</b> ✓
<b>Links with other policies</b>	Safeguarding Policy DBS Policy GDPR data protection

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## **Statement of intent**

Burlington Junior School has implemented this policy to assist with recruitment and employee selection. It outlines the school's recruitment procedure and how the school ensures safer recruitment is considered at all levels of the recruitment process.

The safety and protection of the school's pupils is always at the forefront of the school's concerns, which is why this policy aims to embed a robust safeguarding culture into the recruitment practices of the school.

## 1. Legal framework

1.1. This policy has due regard to all relevant legislation including, but not limited to, the following:

1. Rehabilitation of Offenders Act 1974
  - Children Act 1989
  - Education Act 2002
  - Children Act 2004
  - Safeguarding Vulnerable Groups Act 2006
  - The Education (School Teachers' Appraisal) (England) Regulations 2012 (as amended)
  - Sexual Offences Act 2003
  - The School Staffing (England) Regulations 2009
  - Rehabilitation of Offenders Act 1974
  - Education and Skills Act 2008
  - Data Protection Act 2018
  - The General Data Protection Regulation (GDPR)
  - Equality Act 2010
  - Amendments to the Exceptions Order 1975, 2013 and 2020

1.2. This policy has due regard to guidance including, but not limited to, the following:

- DfE (latest version) 'Keeping children safe in education'
- DfE (2021) 'Staffing and employment advice for schools'
- DfE (2020) 'Governance handbook'
- DfE (2022) 'ID checking guidelines for standard/enhanced DBS check applications from 1 July 2021'
- DfE (2021) 'Right to work checks: employing EU, EEA and Swiss citizens'
- DfE (2023) 'Recruit teachers from overseas'
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1.3. This policy operates in conjunction with the following school policies:

- Child Protection and Safeguarding Policy
- DBS Policy
- Data Protection Policy (GDPR)

## 2. Definitions

2.1. **Regulated activity** – includes:

- Teaching, training, instructing, caring for or supervising children if the person is unsupervised, or providing advice or guidance on physical, emotional or educational wellbeing, or driving a vehicle only for children.

- Working for a limited range of establishments (known as ‘specified places’, which include schools and colleges), with the opportunity for contact with children, but not including work undertaken by supervised volunteers.
    - The above definitions are classified as regulated activity if they are undertaken regularly. Some activities are always regulated activities, regardless of frequency or whether they are supervised or not. This includes relevant personal care, or health care provided by, or under the supervision of, a health care professional. Personal care includes helping a child with eating or drinking for reasons of illness or disability, or in connection with toileting, washing, bathing and dressing for reasons of age, illness or disability. Health care means care for children provided by, or under the direction or supervision of, a regulated health care professional.
  - A supervised volunteer who regularly teaches or looks after children is **not** in regulated activity.
- 2.2. **Teaching role** – refers to a role involving planning and preparing lessons and courses for pupils; delivering lessons to pupils; and assessing and reporting on the development, progress and attainment of pupils. These activities are **not teaching work** for the purposes of ‘Keeping children safe in education’ (KCSIE) if the person carrying out the activity does so (other than for the purposes of induction) subject to the direction and supervision of a qualified teacher or other person nominated by the headteacher to provide such direction and supervision.
  - 2.3. **Standard DBS** – this provides information about convictions, cautions, reprimands and warnings held on the Police National Computer, regardless of whether or not they are spent under the Rehabilitation of Offenders Act 1974.
  - 2.4. **Enhanced DBS** – this provides the same information as the standard DBS, plus any additional information held by the police which a chief officer reasonably believes to be relevant and considers ought to be disclosed.
  - 2.5. **Enhanced DBS with barred list check** – this check is required for when people are working or seeking to work in regulated activity with children. This check allows for additional checks to be made as to whether the person appears on the children’s barred list.
  - 2.6. **Children’s barred list** – the DBS maintains a ‘barred list’ of individuals who are unsuitable to work with children and vulnerable adults. In addition, where an enhanced DBS including a barred list check is obtained, the certificate will also detail whether the applicant is subject to a direction under section 128 of the Education and Skills Act 2008 or section 167A of the Education Act 2002.
  - 2.7. **Section 128 check** – this provides for the Secretary of State to direct that a person may be prohibited or restricted from participating in the management of an independent school (which includes academies and free schools). A person

prohibited under section 128 is also disqualified from holding or continuing to hold office as a governor of a maintained school.

- 2.8. **Safer recruitment** – this is the safeguarding and protection of pupils during the recruitment and selection process. Its overall purpose is to help identify and deter or reject individuals who are deemed to be at risk of abusing children

### 3. Roles and responsibilities

- 3.1. The governing board is responsible for:

- Agreeing and monitoring effective policies to ensure recruitment at the school is in accordance with the legislation outlined in section 1.
- Ensuring that staff recruitment is as safe as possible, as well as fair and compliant with the relevant legislation.
- Ensuring appropriate checks have been carried out on staff, volunteers, contractors and agency workers working within the school.
- Ensuring that at least one member of the recruitment panel members have undertaken unconscious bias training before the selection process begins.
- Appointing an appropriate recruitment panel.
- Ensuring that at least one member of the recruitment panel has undergone safer recruitment training.
- Ensuring that all members of the recruitment panel understand their role, i.e. advisory or decision making.
- Monitoring the advertising of vacancies, assessing how they are being advertised and whether the adverts are maximising all of the opportunities to attract the appropriate candidates.
- Benchmarking the success of any advertising methods used, as well as the overall success of the recruitment process.
- Ensuring a member of the governing board and Achieving for Children are on the recruitment panel for a new headteacher.
- Ensuring that all members of the recruitment panel are familiar with their obligations with regards to safer recruitment, as set out in KCSIE.
- Monitoring the school's SCR to ensure that the necessary vetting checks for employees are carried out.
- Ensuring that equal opportunities are established and implemented throughout the recruitment process.
- Ensuring that the salary of the successful candidate is determined.
- Accommodating the needs of new employees and making reasonable adjustments when necessary.

- 3.2. The recruitment panel is responsible for:

- Creating the advert and ensuring it meets all the necessary requirements.
- Shortlisting the potential candidates with the aim of reducing the application field and identifying those with the potential to effectively undertake the role.

- Appropriately delegating responsibility for recruitment to the headteacher.
- Ensuring that the interview addresses leadership ability, team working skills, reasons for interest in joining the school, integrity, understanding of the school's ethos and vision, and why the candidate believes they would be a good fit for the school.
- Ensuring that the interview addresses safeguarding practices.
- Ensuring a member of the school office team is responsible for the entire management of the recruitment process.
- Agreeing with the successful candidate when other members of the school community will be informed about their appointment, including staff members and parents. Ensuring that all references for a shortlisted candidate are obtained prior to interview, properly scrutinised, and that information is not contradictory, unclear, or incomplete, with clarification requested when appropriate.
- Asking previous employers of new staff members whether the individual has been subject to capability procedures in the previous two years.
- Where possible, ensuring that the shortlisting panel and interviewing panel are comprised of the same people.

3.3. The headteacher is responsible for:

- Ensuring appropriate checks have been carried out on prospective staff, volunteers, contractors and agency workers working within the school.
- Ensuring that appropriate supervision of employees/volunteers is organised, and for promoting the safety and wellbeing of pupils generally and throughout the recruitment process.

3.4. During the recruitment process, and especially during the initial stages, the recruitment panel and the headteacher will be watchful of candidates displaying the following characteristics:

- No understanding or appreciation of children's needs
- Expressing that they want the role to meet their needs at the expense of children
- Using inappropriate language in relation to children
- Expressing extreme views or views that don't support safeguarding practices
- Displaying unclear boundaries with children
- Providing vague answers when asked about their experience and being unable to explain gaps in their employment

## **4. Equal opportunities**

4.1. The school will not discriminate against any protected characteristics, such as disability or gender, and will always promote difference and inclusion throughout the school.

- 4.2. The school will, where necessary, make reasonable adjustments to ensure the interview is accessible to all candidates. Candidates should inform the school of any reasonable adjustments that they need when they receive the invitation for an interview.
- 4.3. The governing board will review recruitment procedures when reviewing this policy to ensure they are accessible and do not directly or indirectly discriminate against candidates.
- 4.4. Candidates will not be asked about their health or any disabilities before a job offer is made, unless one of the following exemptions applies:
  - Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments)
  - Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment
  - Positive action to recruit people with disabilities
  - Equal opportunities monitoring (which will not form part of the decision-making process)

## **5. Planning, advertising and shortlisting**

- 5.1. Once a vacancy has been identified, the school will allow an appropriate amount of time for planning and structuring the recruitment process.
- 5.2. The headteacher will:
  - Decide on the recruitment timeframe.
  - Decide who will be involved in the process and what their roles will be, e.g. who forms the recruitment panel and who will lead interviewing.
  - Prepare the documents that will be provided to applicants, including the job description, person specification and application form – ensuring that these documents contain a clear message about safeguarding, the checks that will be carried out and that references will be sought.
- 5.3. The job information and associated documents will be published online.
- 5.4. The full requirements of the role will be clearly explained, including any employment vetting requirements such as a DBS check.
- 5.5. The recruitment panel will comprise of at least two other members of staff, with the headteacher or member of the Senior Leadership team usually being one of these.
- 5.6. The recruitment panel will be an odd number so majority votes can be cast.



- 5.7. At least one member of the recruitment panel will have successfully completed up-to-date safer recruitment training.
- 5.8. The Headteacher or SLT member will create the advertisement.
- 5.9. The recruitment panel will ensure the advertisement includes the following requirements:
  - Information specific to the role on offer and the school as a whole
  - The benefits of the role are highlighted
  - The advertisement is relevant to the target audience
  - The advertisement is communicated directly and concisely, and includes a clear call to action
  - Applications can be submitted electronically
- 5.10. Requests for further information from applicants are replied to promptly.
- 5.11. All applications are replied to with a letter notifying candidates whether they have been shortlisted or not.
- 5.12. Interviews are arranged for the shortlisted candidates.
- 5.13. Vacancies will be advertised through external media, such as Eteach, ensuring that the advertisement reaches a wide range of groups.
- 5.14. Advertisements will contain a statement of commitment to ensuring equal rights.
- 5.15. Advertisements will include a job description, person specification and detail the closing date.
- 5.16. The contact numbers of the appointing officer and details of the application process will be clearly outlined.
- 5.17. Application forms will be accessible on the school's website.
- 5.18. When an advert receives a response, the recruitment panel will ensure that candidates receive the application pack.
- 5.19. The school will never accept a CV alone, only completed application forms.
- 5.20. When shortlisting candidates for an interview, all application forms will be considered.
- 5.21. At least two members of the recruitment panel will be involved in the shortlisting process.
- 5.22. Candidates who are shortlisted will meet all the essential aspects of the person specification requirements.
- 5.23. The school will ensure that the shortlisting process is as systematic as possible, and that the recruitment panel read through all applications. Each

member of the panel will create their own shortlist which will then be collated and discussed.

- 5.24. Applicants will be assessed against the same shortlisting criteria to ensure a fair process.

## 6. Invitation to interview

- 6.1. Before interview invitations are sent, the appointing officer will ensure that application packs are sent and include the following:
- A comprehensive job description
  - A comprehensive person specification
  - An application form
  - An invite to browse the school website for further information
- 6.2. Once a shortlist has been confirmed, the applicants to be invited for interviews will be contacted by the appointing officer and suitable interview times will be decided.
- 6.3. The recruitment panel will ensure that all shortlisted candidates receive information about the interview arrangements, how they will be conducted, the areas that will be explored and what documents they should bring.
- 6.4. Upon inviting candidates to interview, the appointing officer will state that the successful candidate's identity will be checked and, where appropriate, the necessary pre-appointment checks will be carried out.
- 6.5. Where possible, the appointing officer will obtain two references before interviewing candidates to allow for any concerns to be explored with the referee and discussed with the candidate.
- 6.6. One of the references will be from the candidate's most recent employer.
- 6.7. Where a candidate is not currently employed, verification of their most recent period of employment and reasons for leaving will be obtained from the employer.
- 6.8. References will be from a senior member of staff and not a colleague.
- 6.9. Open testimonials will not be relied upon, nor will information that has been provided by the candidate without verifying the information.
- 6.10. Electronic references will be vetted to ensure they originate from a credible source.
- 6.11. References from internal candidates will also always be scrutinised before interview.
- 6.12. Permission will be sought from the candidates before the recruitment panel contacts referees.

- 6.13. Information about past disciplinary action or allegations that are disclosed will be considered carefully when assessing the applicant's suitability for the post.
- 6.14. The candidate's current employer will be asked for details of any capability history in the previous two years, including the reasoning.

## 7. Remote recruitment

The school will follow all the requirements set out in this policy when recruiting remotely, changing only the in-person nature of the interview, and implementing the necessary additional steps to support this. The ICT technician will research and select a suitable online platform through which online interviews may take place, taking into account ease of use, privacy measures and suitability for the purposes of online interviews. Online interviews will be conducted in line with the school's ICT and Electronic Devices Policy and Data Protection Policy at all times.

Staff members conducting an online interview will ensure they understand how to operate the various relevant functionalities of the online interview platform, e.g. how to share their screen, prior to the interview commencing. Staff members conducting an online interview will ensure privacy settings are adjusted appropriately on the provider's site or application.

The school will be aware of, and have due regard for, the potential risks associated with online communication, e.g. ease of anonymity, and will ensure it takes suitable precautions, e.g. encrypting data where possible. The school will ensure that any tasks set for candidates during the interview are compatible with the online nature of the interview, e.g. they do not require the exchange of physical paper resources.

The school will communicate its expectations to candidates regarding the use of the online platform in good time prior to the interview. These expectations will include, but will not be limited to, the following:

- The candidate will participate in the interview with both the video camera and microphone features enabled at all required times
- The candidate will participate in the interview in a suitable setting – a quiet area with a neutral background
- The candidate will keep personal information which is not relevant to the recruitment process private, e.g. their email password, and will not ask the staff members conducting the interview to share any such private information
- Where necessary, the candidate will be aware that the school will record the online interview, and that they will be required to consent to this in order for the interview process to continue

When recording an online interview, prior permission will be acquired from the candidate in writing via [email](#) and all members of the interview will be notified before the interview commences via [email](#), and again once they have joined the interview before recording commences. If the candidate does not provide

consent to recording the interview, the school will consider whether the online interview can still take place in line with school's safeguarding and records management responsibilities.

The school will not discriminate against candidates who are recruited remotely; they will be considered fairly alongside any candidates who are not recruited remotely.

If a candidate refuses to interview remotely, the school will consider whether alternative arrangements for an in-person interview are possible, having due regard to the school's equality duties at all times. If this is not possible, then the school will sensitively inform the candidate that the remote interview process is a requirement of the application process, and have a considerate and good-natured discussion with the candidate as to whether they can continue with the recruitment process at this time. The school will direct candidates towards the DfE's advice on '[Attending your first remote interview](#)' prior to the interview.

## 8. Pre-interview checks

- 8.1. The appointing officer will complete the necessary pre-interview checks.
- 8.2. Pre-interview checks will include the following:
  - Requesting two references from each shortlisted candidate directly from the referees – where possible, one reference will be obtained relating to the role in which the candidate worked with children
  - Verifying that the candidate has qualifications or experience relevant to the post
  - Checking references against application forms and noting down discrepancies or concerns, and following up these concerns with referees
  - Checking and, where necessary, following up candidates' self-declaration on the application form
  - An online search is carried out on candidates who have been shortlisted for an interview and any areas of concern are followed up at the interview.

## 9. Digital footprints

- 9.1. The school is committed to ensuring that safeguarding is a top priority; therefore, where appropriate, the school may check candidates' social media or other online activity prior to interview.
- 9.2. This process may include a search for the candidate via:
  - Google
  - Facebook
  - LinkedIn

9.3. Any concerns will be addressed during the interview process.

## **10. The interview**

10.1. During the interview process, candidates will be asked standard questions and their responses will be recorded for ease of comparison.

10.2. Any concerns raised through contact with referees will be discussed with the candidate at this stage.

10.3. The recruitment panel will ask open questions to assess the candidate's experience and suitability for the post, and to explore the candidate's motivation towards safeguarding and their suitability to work with children.

10.4. The candidate will be given the opportunity to discuss any concerns or ask any questions.

10.5. The interview will always comprise a face-to-face interview; however, the recruitment panel may also request that candidates complete any of the following exercises:

- Presentations
- Written exercises
- In tray exercise
- Getting the candidate to work in supervised activity with pupils

## **11. After the interview**

11.1. After the interview has been completed, the recruitment panel will:

- Assess all candidates' performance using the same agreed criteria.
- Ask the successful candidate to provide proof of identification and qualifications, and to complete the DBS check as soon as possible.
- Contact and provide feedback to the unsuccessful candidates – feedback will be verbal and based on evidence of their performance against the person specification for the role.

11.2. Interview notes and assessment materials will be held securely for an appropriate amount of time after the interviews, in line with our records management protocol, in case any aspect of the recruitment process is challenged.

11.3. After choosing a successful candidate, the school will:

- Make a conditional offer of employment to the candidate.
- Ask the successful candidate to provide identification and proof of qualifications, if this has not already been done.
- Complete the relevant pre-appointment checks.

- 11.4. Once an offer of employment has been made, the candidate's self-declaration form will be reviewed. If a conviction has been declared, and it is spent or filtered, the offer of employment will not be retracted based on this; however, the school will undertake the relevant assessments to determine whether the candidate is suitable to work in the school.

## **12. Checking references**

References will be checked upon receipt to ensure that all questions have been answered satisfactorily and that information is not contradictory or incomplete. The referee will be contacted to provide further clarification where appropriate, e.g. if some answers are vague or insufficient, or contradictory information has been provided. The reference will be compared for consistency with the information on the candidate's application form. Discrepancies between the reference and the application form will be discussed with the candidate at interview.

Where a reference appears incomplete or other concerns arise, the school will carry out one of the following actions:

- Call the referee to discuss the reference further
- Email the referee the reference for confirmation of its accuracy

The recruitment panel will ensure that any past disciplinary action or allegations disclosed as part of a reference are considered carefully when assessing the candidate's suitability for the role. If this involves safeguarding or potential safeguarding concerns, the DSL will be consulted to help assess the candidate's suitability.

Before making a decision not to appoint a candidate based on an unsatisfactory reference, the recruitment panel will consider if HR advice is necessary. Once the decision is made, the headteacher will record this on the recruitment file as the reason for non-appointment.

All members of staff who provide a reference will be responsible themselves for checking the content to ensure that it only contains factual and verifiable statements. If there is any doubt about whether to include information, caution will be exercised and it will be omitted. Alternatively, advice will be sought from a senior figure, e.g. the headteacher or the chair of governors.

## **13. Providing references**

References will only be provided once written consent has been obtained from the person requesting a reference.

The member of staff providing a reference will follow this policy's procedures and the prospective employer's requests as much as is reasonably possible, e.g. if a pro-forma is provided, they will complete the form. If the reference is not

requested in a specific format, the member of staff will decide the most appropriate method, e.g. a pro-forma or a letter-formatted reference.

The headteacher will decide in exceptional circumstances if a reference cannot be provided or if certain questions asked by the prospective employer cannot be answered, with HR advice sought when appropriate.

Staff members will make the headteacher aware when they have been asked to provide a personal reference, e.g. for a current or former colleague. The staff member will make it clear within the reference that it is a personal one and is not written for or on behalf of the school. The staff member will use their own paper or an email address unaffiliated with the school and ensure that the reference is not linked to the school in any way.

Details of any capability procedures in the previous two years for a teacher (including headteacher) or former teacher at the school, and the reasons for these, will be provided if requested.

If, as part of a settlement agreement, the school has agreed to provide a reference for a member of staff, the headteacher will ensure it is provided in line with the agreement and this policy. In circumstances where new evidence emerges that indicates information provided in the reference is incorrect, the headteacher will decide if the reference is changed or withdrawn, with legal advice sought where necessary, and will notify the employee of any decision first.

The school will ensure that any information provided confirms whether they are satisfied with the applicant's suitability to work with children, and only provide the facts of any substantiated safeguarding concerns or allegations, including a group of low-level concerns about the same individual, that meet the harm threshold.

Any repeated concerns or allegations which do not meet the harm threshold which have been found to be false, unfounded, unsubstantiated, or malicious will not be included in any reference.

## **14. Content of references**

Basic information will always be expected in references received and provided, e.g. skills, knowledge, duties undertaken, experience working with children, and personal characteristics, in addition to any information relating to safeguarding. Further relevant comments will be made as much as is reasonably possible in line with the employer's requests, provided they are verifiable and objective, e.g. through appraisals or attendance records.

References will contain only factual and verifiable information and will not include speculation, e.g. about a former employee's suitability for a job, or hearsay. The person providing the reference will ensure all comments have a factual basis and that an impression is not given which is misleadingly positive or negative.

Performance issues or concerns which have not been discussed or raised with the employee beforehand will not be mentioned.

All members of staff providing references will be made aware that information provided verbally to the prospective employer is subject to the same duties as written information and will avoid making verbal statements. Where it is necessary or appropriate, verbal information will be provided only in line with this policy's procedures, e.g. all statements must be verifiable and objective.

## **15. Previous disciplinary action**

The recruitment panel will ensure that any references requested by the school include a section asking for any past disciplinary action or allegations to be disclosed. Any disclosures will be carefully considered when assessing the candidate's suitability for the role, in line with this policy.

Information from DBS checks will not be included in references provided by the school. Information regarding criminal offences from other sources will not be included, unless the headteacher deems it appropriate and HR advice has been sought.

When providing references, the disclosure of information about past disciplinary action or allegations not relating to safeguarding will be provided where it is deemed appropriate, e.g. it is relevant to the staff member or former staff member's suitability for the role. Information relating to disciplinary action will generally only be disclosed if penalties or sanctions remain in place for the employee.

Allegations which were proven to be false, unsubstantiated or malicious, e.g. relating to misconduct, will not be included in a reference – this includes if it is a history of repeated concerns or allegations which have been found to be false, unsubstantiated or malicious. The member of staff providing the reference will make no comments about their own personal views on the veracity of allegations.

If an allegation exists which has yet to be investigated or an investigation is incomplete, the headteacher will seek HR advice, and legal advice where necessary, on what information, if any, should be provided to the prospective employer.

## **16. Pre-appointment checks**

- 16.1. All appointments will be conditional on satisfactory completion of the necessary pre-appointment checks.
- 16.2. When appointing new staff, the school will complete the following checks:
  - Verify the candidate's identity
  - Obtain an enhanced DBS certificate (via the applicant) and, for candidates engaging in regulated activity, barred list information



- Obtain a separate barred list check if an individual will start work in regulated activity before the DBS certificate is available
  - Verify a candidate's mental and physical fitness to carry out their role
  - Verify the person's right to work in the UK
  - Make further checks on any individual who has lived or worked outside the UK
  - Verify professional qualifications, as appropriate
  - For those in management, trustee or governor roles, a section 128 check will be carried out
- 16.3. The recruitment panel will ensure any candidate employed to carry out teaching work is not subject to a prohibition order or any sanction or restriction imposed (that remains current) by the GTCE before its abolition in March 2012.
- 16.4. If the school has reason to believe that an individual is barred, it is an offence under section 9 of the Safeguarding Vulnerable Groups Act (SVGA) 2006 for the school to allow the individual to carry out any form of regulated activity.
- 16.5. The school will use the Employer Secure Access sign-in portal via the Teaching Regulation Agency Teacher Services web page to check if a proposed governor is barred as a result of being subject to a section 128 direction.
- 16.6. Checks for all prohibitions, directions, sanctions and restrictions will be carried out by using the secure access portal on the Teacher Services' [web page](#).
- 16.7. There is no requirement to obtain an enhanced DBS certificate or carry out checks for events that may have occurred outside the UK if, in the three months prior to their appointment, the applicant has worked:
- In a school in England in a post which brought them into regular contact with children or young persons; or
  - In any post in a school since 12 May 2006 which did not bring the person into regular contact with children or young persons; or

### **Volunteers**

- 16.8. For volunteers, if they are not engaging in regulated activity, an enhanced DBS check will be obtained – a barred list check will not be required.
- 16.9. If volunteers are engaging in regulated activity and are new to the school, an enhanced DBS check with a barred list check will be required.
- 16.10. Existing volunteers in regulated activity do not need to be re-checked if they have already had a DBS check (including barred list information); however, the school may decide to conduct a repeat DBS check.

- 16.11. If a volunteer is not in regulated activity, the school will use its professional judgement, after conducting a risk assessment, to determine whether to seek an enhanced DBS check, but no barred list check will be required.

### **Candidates who have lived outside the UK**

- 16.12. No exceptions will be made for candidates who have lived outside of the UK. All mandatory checks outlined in this policy will be carried out, along with additional checks where necessary.
- 16.13. The DfE's guidance on the employment of overseas-trained teachers will be consulted should an overseas candidate apply for a teaching position.

### **Agency and third-party staff**

- 16.14. In the case of any employee working at the school who is sourced from an agency or third-party organisation, confirmation must be obtained from the organisation, in writing, that all necessary checks have been completed.
- 16.15. Confirmation will also be obtained that the individual who presents for work is the same person on whom all checks have been completed. A copy of photographic identification will generally be kept where appropriate.

### **Trainee/student teachers**

- 16.16. The school will ensure that enhanced DBS certificates and barred list checks are obtained on all salaried applicants for initial teacher training who are in regulated activity.
- 16.17. Where trainee teachers are fee-funded, it is the responsibility of the initial teacher training provider to carry out the necessary checks.
- 16.18. The school will obtain written confirmation from the agency that the checks have been carried out.

### **Existing staff**

- 16.19. If a member of staff moves from a post that was not regulated activity to one that is, the relevant checks will be carried out.
- 16.20. The recruitment panel will carry out further checks where there is a concern about a member of staff's suitability to work with children.
- 16.21. An investigation will be carried out to gather enough evidence to establish if an allegation has a foundation. The employer of the school will ensure they have sufficient information to meet the referral duty criteria in 11.23 of this policy.
- 16.22. The school will refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult where:
- The harm test is satisfied in respect of that harm.

- The individual has received a caution or conviction for a relevant offence, or if there is reason to believe that the individual has committed a listed relevant offence.
- The individual is deployed to another area of work not in regulated activity, or where they have been suspended.

16.23. Referrals to the DBS will be made on conclusion of an investigation where an individual has been removed from regulated activity.

16.24. Referrals to the DBS will be made as soon as possible after the resignation, removal or redeployment of the staff member.

### **Contractors**

16.25. The school will ensure that any contractor, or any employee of the contractor, has been subject to the appropriate level of DBS check. Contractors engaging in regulated activity will require an enhanced DBS certificate (including barred list information).

16.26. For all other contractors who are not engaging in regulated activity, but whose work provides them with an opportunity for regular contact with children, an enhanced DBS check (not including barred list information) will be required.

16.27. Under no circumstances will a contractor in respect of whom no checks have been obtained be allowed to work unsupervised or engage in regulated activity.

16.28. If a contractor is self-employed, the school will consider obtaining the DBS check, as self-employed people are not able to make an application directly to the DBS on their own account.

16.29. The school will always check the identity of contractors and their staff on arrival.

### **Adults who supervise children on work experience**

16.30. If the school is organising work experience placements, the school will ensure that the placement provider has policies and procedures in place to protect children from harm.

16.31. Barred list checks by the DBS might be required on some people who supervise a child under the age of 16 on a work experience placement. In such cases, the school will consider the specific circumstances of the work experience. Consideration will be given in particular to the nature of the supervision and the frequency of the activity being supervised, to determine what, if any, checks are necessary. These considerations will include whether the person providing the teaching/training/instruction/supervision to the child on work experience will be:

- Unsupervised themselves.
- Providing the teaching/training/instruction/supervision frequently (more than three days in a 30-day period or overnight).

16.32. 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. In this case, the school will ask the employer providing the work experience to ensure that the person providing the instruction or training is not a barred person.

16.33. If the activity undertaken by the child on work experience takes place in a 'specified place', such as the school, and gives the opportunity for contact with children, this may itself be considered regulated activity. In these cases, and where the child is 16 years of age or over, the work experience provider will consider whether a DBS enhanced 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.

### **Governors**

16.34. Governors will have an enhanced criminal records certificate from the DBS. Governance is not a regulated activity and so governors will not need a barred list check unless, in addition to their governance duties, they also engage in regulated activity.

16.35. Associate members of the Governing Body will also be asked to undertake a DBS check.

16.36. Governors will be subject to a section 128 direction check.

## **17. After the pre-appointment checks**

17.1. Once the pre-employment checks have been completed, the recruitment panel will:

- Agree a start date with the candidate.
- Submit contractual paperwork, including the completed DBS check, copies of identification, references, proof of qualifications, pre-employment medical enquiry form, P45, application/equal opportunities and emergency contacts.
- Add the required details of the checks carried out to the school's SCR.

## **18. Single central record (SCR)**

18.1. The school will maintain and regularly update the SCR.

18.2. All new employees will be added to the record, which will include:

- All staff (including supply staff) who work at the school.
- All others who work in regular contact with children in the school or college, including volunteers.

18.3. The bullet points below set out the minimum information that must be recorded in respect of staff members (including teacher trainees on salaried routes). The record will indicate whether the following checks have been carried out or

certificates obtained, and the date on which each check was completed/certificate obtained:

- An identity check
- A barred list check
- An enhanced DBS check
- A prohibition from teaching check
- Further checks on people living or working outside the UK, including checks for European Economic Area (EEA) teacher sanctions and restrictions
- A check of professional qualifications
- A section 128 check
- A check to establish the person's right to work in the UK
- For those in management, trustee or governor roles, a section 128 check

18.4. For supply staff, the school will include whether written confirmation has been received that the employment business supplying the member of supply staff has carried out the relevant checks and obtained the appropriate certificates, and the date that confirmation was received and whether any enhanced DBS check certificate has been provided in respect of the member of staff.

18.5. If checks are carried out on volunteers, this will be recorded in the SCR.

## **19. Safer recruitment training**

19.1. At least one member of the recruitment panel will have completed formal safer recruitment training.

19.2. As a measure of good practice, the school will ensure that this training is renewed every three years.

## **20. Safeguarding**

For references provided to the school, the candidate's suitability will always be assessed with particular regard paid to their suitability to work with children. The DSL will be consulted where appropriate.

The DSL will recognise the school's duty to disclose safeguarding concerns overrides any other duties to an employee, and ensure the school complies with its safeguarding obligations. The DSL will ensure records are kept of all allegations against staff in line with the most up-to-date version of KCSIE.

For all safeguarding allegations, excluding those proven to be malicious, a clear and comprehensive summary of the allegation, details of how the allegation was followed up and resolved, and a note of any action taken, and decisions reached, will be kept on the confidential personnel file of the accused member of staff. Accurate information based on these records will be given in response to future requests for a reference, where appropriate. Safeguarding information will not be given in circumstances where the allegation was found to be false, unsubstantiated or malicious – this includes if it is a history of repeated concerns

or allegations which have been found to be false, unsubstantiated or malicious. The member of staff providing the reference will make no comments about their own personal views on the veracity of allegations.

## **21. Monitoring and review**

- 21.1. This policy is reviewed every 4 years by the governing board and the headteacher.
- 21.2. Any changes made to this policy by the governing board and headteacher will be communicated to all members of staff.
- 21.3. All members of staff are required to familiarise themselves with all processes and procedures outlined in this policy as part of their induction programme.
- 21.4. The next scheduled review date for this policy is January 2028.

## Flowchart of Disclosure and Barring Service Criminal Record Checks and Barred List Checks

