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In line with the statutory duties under the Safeguarding Vulnerable Groups Act 2006, the DfE Keeping Children Safe in Education guidance and the Protection of Freedoms Act 2012 to safeguard children, the Trust is required to carry out a number of checks on all staff, whether they are permanent, temporary, casual, voluntary, school-based supply or agency-based supply.

This policy does not form part of any employee's terms and conditions of employment and is not intended to have contractual effect. It is provided for guidance to all members of staff at the Trust who are required to familiarise themselves and comply with its contents. The Trust reserves the right to amend its content at any time.

## **1. Purpose**

The aims of the Safer Recruitment Policy are as follows:

- To ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position;
- To ensure safeguarding and promoting the welfare of children and young people is an integral factor at each stage of the recruitment and selection process;
- To adopt a safer recruitment process, which helps to promote a safe culture and compliments other 'safety' elements such as health and safety and Trust's security;
- To attract and recruit suitable skilled and motivated staff to help raise standards and reduce the risk to children and young people;
- To ensure those who are responsible for each stage of the recruitment process demonstrate a professional approach to dealing honestly, efficiently and fairly with all applicants;
- To ensure that no job applicant is treated unfairly on any grounds of a protected characteristic;
- To ensure compliance with all relevant recommendations and guidance including the recommendations of the DfE in the "Keeping Children Safe in Education" guidance and the Code of Practice published by the Disclosure and Barring Service;
- To ensure that the Trust meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks.

Employees involved in the recruitment and selection of staff are responsible for familiarising themselves, and complying with, the provisions of this policy.

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The measures described in this policy will be applied to all who are employed to work at the Trust and incorporated within the scope of this policy are staff employed by contractors, supply staff, volunteers and the like who work at the Trust.

## **2. Personal Data – Single Central Record**

CIT Central and each school within the Trust holds a central record incorporating all employed staff (and others) who have contact with children. School central records are available to the Senior Leadership Team, the Chair of Governors and the Governor responsible for Safeguarding within each school. The CIT central record is available to the Senior Leadership Team.

The record details a range of checks as set out by the DfE, and it is the Substantive Headteacher's responsibility to ensure the SCR meets all the statutory requirements. The responsibility for the maintenance of this record is with the HR Senior Administrator, but this function can be delegated to a member of the Senior Leadership Team.

## **3. Equal Opportunities**

Fairness in how we recruit and select our employees plays a significant part in creating an equal opportunities environment. Our aim is that every internal and external applicant who applies for a position within the Trust is considered against criteria, which relates only to the requirements of the job.

## **4. The Recruitment and Selection Procedure**

### i) Advertising

Adverts for vacancies will demonstrate the Trust's commitment to safeguarding in recruitment and vetting procedures, protecting every potential applicant from unfair practice and meeting our safeguarding obligations. Promoting commitment to safeguarding and child protection can act as a deterrent to would-be abusers. Thought will be given to wording, pictures and images used to ensure that they could not be considered discriminatory.

The following information will usually be included in the text of the advert:

- Name of Trust (and individual school or Head Office)
- Post title
- Hours of work
- Grade or Scale
- Salary (actual salary for part-time)
- Permanent or Fixed term stating duration if fixed term
- Brief details about what the job entails and type of skills and experience required including responsibility for safeguarding
- Confirmation that an Enhanced DBS Disclosure will be required.
- Contact details
- Closing date

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#### ii) Job Descriptions & Person Specification

Job Descriptions will define the purpose, duties and responsibilities of the post, and the Person Specification will define the qualifications and experience needed to perform the job, with particular attention to working with vulnerable groups. The Job Description and Person Specification will make reference to the Trust's commitment to safeguarding.

All posts at the Trust will be subject to the appropriate Enhanced DBS Disclosure.

#### iii) Application Pack

The importance of Safeguarding and protecting children will be promoted throughout the recruitment process to deter unsuitable candidates. The Application Pack will normally include the following: Application Form, Job Description, Person Specification, copy of the ad, accompanying letter and Candidates Information document.

### **5. During the Recruitment Process**

The interview will assess the merits of each candidate in various ways against the job requirements and will explore their suitability to work with children. A face-to-face interview will always be carried out as part of the recruitment process. In exceptional circumstances, video calling is acceptable.

The Interview panel will consist of a minimum of **two** interviewers, one of whom will have the Safer Recruitment qualification. Interview paperwork must identify who the Safer Recruitment interviewer was and state the expiry date of their qualification.

### **6. Conditional Offer of Employment**

Any offer of employment will be conditional on the satisfactory completion of the following:

- The receipt of at least two satisfactory references\*;
- Satisfactory Enhanced DBS Disclosure and where the appointee has lived outside the United Kingdom within the last 5 years, a certificate of good conduct (or equivalent) if applicable;
- Confirmation of the candidate's medical fitness (through a pre-employment health check);
- Verification of qualifications by the individual by providing original certificates;
- Verification of professional status where required;
- Verification that the candidate has not been prohibited from teaching or carrying out teaching work by the Teacher Regulations Agency where relevant;
- Verification that the candidate has not been prohibited from carrying out management work where relevant;
- Verification of the candidate's identity;
- Verification of the candidate's right to work in the UK.

A record will be kept to show that the above checks have been carried out for all employees.

\* References are applied for following a job offer. One of which must be from the applicant's current or most recent employer. If the current/most recent employment does/did not involve

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work with children, then the second referee should be from the employer with whom the applicant most recently worked with children. Neither referee should be someone known to the applicant solely as a friend unless exceptional circumstances apply. All referees will be asked whether they believe the applicant is suitable for the job for which they have applied and whether they have any reason to believe that the applicant is unsuitable to work with children or young people.

Where a previous employer will only provide a factual reference (ie confirming dates worked, role only, etc), this will be followed up by requesting if they know of any reason why the applicant cannot work with children.

All referees will be sent a copy of the Job Description and Person Specification for the role that the applicant has applied for. If the referee is a current or previous employer, they will also be asked to confirm the following:

- the applicant's dates of employment, salary, job title/duties, reason for leaving, performance, sickness and disciplinary record;
- whether the applicant has ever been the subject of disciplinary procedures involving issues related to the safety and welfare of children (including any in which the disciplinary sanction has expired);
- whether any allegations or concerns have been raised about the applicant that relate to the safety and welfare of children or young people or behaviour towards children or young people;
- The Trust will only accept references obtained directly from the referee and it will not rely on references or testimonials provided by the applicant or on open references or testimonials;
- The Trust will compare all references with any information given on the application form. Any discrepancies or inconsistencies in the information will be taken up with the applicant before any appointment is confirmed.

The details of checks will be reported to the police and/or the Disclosure and Barring Service (DBS) and/or LADO if:

- The DBS disclosure shows that an applicant has been disqualified from working with children;
- An applicant has provided false information in, or in support of, his or her application; or
- There are serious concerns about an applicant's suitability to work with children gained from other legitimate information sources (e.g. references).

## **7. Pre-employment Checks**

### Criminal Record Check

Should DBS clearance be delayed and employment commence before it is received, the Trust may undertake a Risk Assessment on the prospective member of staff concerned and make arrangements as appropriate for the member of staff to be paired with or supervised by

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another member staff who has received DBS clearance.

## **8. Volunteers, Agencies and Agency Staff**

The Trust expects supply/temporary worker agencies/contractors that are used by the Trust to register with the Enhanced DBS Disclosure on their own account and to follow this policy or their own comparable policy. Proof of registration will be required before the Trust will commission services from any such organisation.

The agency must provide evidence of the checks carried out on their central record.

The agency must also ensure that the supply staff member is aware that they have to bring in their DBS Certificate, proof of qualifications (e.g. QTS Certificate) and identification documents (proving their name, date of birth and address) on the first day of their supply work for the Trust.

In exceptional circumstances, the Trust may use its only Enhanced DBS account to obtain a DBS.

The Trust reserves the right to terminate the contract with the agency and send home an agency staff member without notice should these terms of safe recruitment practice be breached by the agency or the member of agency staff. In this instance, the Trust will not be liable for any charges connected to the booking.

All Volunteers who have direct contact with children on a regular basis will undergo a Risk Assessment and may be required to have a DBS check. The Headteacher/Head of site will assess the need on an individual basis.

## **9. Rehabilitation of Offenders Disclosure**

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

In view of the fact that all positions within the Trust will amount to "regulated positions", all applicants for employment must declare all previous convictions, cautions, reprimands or warnings (except those which are "protected" as defined in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013). A failure to disclose a previous conviction, caution, reprimand or warning may lead to an application being rejected or if failure is discovered after employment has started, may lead to summary dismissal on the grounds of gross misconduct. A failure to disclose a previous conviction may also amount to a criminal offence.

Under the relevant legislation, it is unlawful for the Trust to employ anyone who is included on the lists, maintained by the DfE and the Department of Health, of individuals who are considered unsuitable to work with children or young people. In addition, it will also be unlawful for the Trust to employ anyone who is the subject of a disqualifying order made on being convicted or charged with the following offences against children: murder,

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manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence.

It is a criminal offence for any person who is disqualified from working with children to attempt to apply for a position within the Trust, if:

- the Trust receives an application from a disqualified person;
- is provided with false information in, or in support of an applicant's application; or
- the Trust has serious concerns about an applicant's suitability to work with children, it will report the matter to the Police, DBS and/or the DfE.

## **10. Assessment Criteria**

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the Trust will consider the following factors before reaching a recruitment decision:

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

If the post involves regular contact with children, it is the Trust's normal policy to consider it high risk to employ anyone who has been convicted at any time of any the following offences:

- against adults: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence;
- against children or adults: serious class A drug-related offence, robbery, burglary, theft, deception or fraud.

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

If the post involves some driving responsibilities, it is the Trust's normal policy to consider it a high risk to employ anyone who has been convicted of drink driving within the last 10 years, unless the conviction is spent.

## **11. Assessment Procedure**

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the Trust will carry out a risk assessment by reference to the criteria set out above. The assessment form must be signed by the Headteacher/Head of site of the Trust before a position is offered.

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If an applicant wishes to dispute any information contained in a Disclosure, he/she can do so by contacting the DBS directly. In cases where the applicant would otherwise be offered a position were it not for the disputed information, the Trust will, where practicable, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the Disclosure information.

## 12. Retention and Security of Disclosure Information

The Trust's policy is to observe the guidance issued or supported by the DBS on the use of Disclosure information.

In particular, the Trust will:

- store Disclosure information and other confidential documents issued by the DBS in locked, non-portable storage containers, access to which will be restricted to members of the Trust's senior leadership team and the Headteacher/Head of site's personal assistant;
- not unreasonably retain Disclosure information or any associated correspondence for longer than is necessary;
- ensure that any Disclosure information is destroyed by suitably secure means such as shredding; and
- Prohibit the photocopying or scanning of any Disclosure information.

## 13. Retention of Records

If an applicant is appointed, the Trust will retain any relevant information provided on their application form (together with any attachments) on their personnel file. The file will be live and updated as required. The contents will remain in storage for up to 7 years following a resignation, and 15 years following ill health retirement or dismissal and indefinitely if dismissed following a disciplinary/safeguarding investigation.

If the application is unsuccessful, all documentation relating to the application will normally be confidentially destroyed after 6 months, unless the applicant specifically requests the Trust to keep their details on file.

Written By: Ann White		Reviewed By: SLT
Signed:		Signed:
Date: May 2019		Date: July 2019

