



PENWORTHAM GIRLS' HIGH SCHOOL

Safer Recruitment Policy
(February 2022)
Updated Annually
Next review: Spring 2023

THE MISSION

**To prepare articulate, questioning, tolerant and
independent women for the future**

pgh *Success*

Contents:

Statement of intent

1. Legal framework
2. Definitions
3. Roles and responsibilities
4. Equal opportunities
5. Planning, advertising and shortlisting
6. Invitation to interview
7. Pre-interview checks
8. Requesting references
9. Checking references
10. Providing references
11. Previous disciplinary action
12. Confidentiality
13. Digital footprints
14. The interview
15. After the interview
16. Remote recruitment
17. Pre-appointment checks
18. Right to work checks
19. Identification checking process
20. After the pre-appointment checks
21. Single central record (SCR)
22. Safer recruitment training
23. Safeguarding
24. Monitoring and review

Appendices

- a) Flowchart of Disclosure and Barring Service Criminal Record Checks and Barred List Checks

Aims and Values of the School

Aims and Values



Statement of Intent

Penwortham Girls High School is committed to safeguarding and promoting the welfare and well-being of its pupils and expects all staff and volunteers to share this commitment. The school has created a culture of safe recruitment and adopted recruitment procedures that help deter, reject or identify people who might pose a risk of harm to children.

The safety and protection of the school's pupils are 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:

- 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 UK General Data Protection Regulation (UK GDPR)
- Education Act 2002
- 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 (2021) 'Keeping children safe in education 2021' (KCSIE)
- DfE (2018) 'Staffing and employment advice for schools'
- DfE (2020) 'Governance handbook'
- DfE (2020) 'Schools COVID-19 operational guidance'
- DfE (2020) 'Changes to checks for EU sanctions on EEA teachers from 1 January 2021'
- DfE (2021) 'Basic check ID checking guidelines from 1 July 2021'
- DfE (2021) 'Recruit teachers from overseas'
- DfE (2021) 'Right to work checks: employing EU, EEA and Swiss citizens'
- DfE (2021) 'Right to work checks: an employer's guide'

1.3. This policy operates in conjunction with the following school policies:

- Safeguarding Policy
- Records Management Policy
- Data Protection Policy
- Equality Policy
- ICT Acceptable Use Policy

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.
- Engaging in intimate or personal care or healthcare or any overnight activity, even if this happens only once.

Regulated activities do not include:

- Paid work in specified places which is occasional and temporary and does not involve teaching or training.
- Supervised activities which are paid in non-specified settings.
- A supervised volunteer who regularly teaches or looks after children.

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 a member of the board is on the recruitment panel for a new headteacher.
- 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.
- Ensuring that the DPO reviews this policy and that any recruitment data that is kept is in accordance with the Records Management Policy.

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.
- Ensuring that appropriate supervision of employees/volunteers is organised, and for promoting the safety and wellbeing of pupils generally and throughout the recruitment process.
- 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.
- Appointing a chairperson who will be 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.

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 appropriate checks have been carried out on staff, volunteers, contractors and agency workers working within the school.
- 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.

3.5 The DPO is responsible for:

- Ensuring that all references are handled in line with the Data Protection Policy and relevant legislation.

3.6 The DSL is responsible for:

- Deciding when it is appropriate or necessary to disclose any safeguarding concerns or allegations as part of a reference.

3.7. 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 do not 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. When recruiting, the school will adhere to its Equality Policy.
- 4.2. The school will not discriminate against any protected characteristics, such as disability or gender, and will always promote difference and inclusion throughout the school.
- 4.3. 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.
- 4.4. The headteacher will review recruitment procedures annually to ensure they are accessible and do not directly or indirectly discriminate against candidates.
- 4.5. 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 governing body and 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.
 - Ensure that application packs, where relevant, state that applicants must be willing to sign the staff disqualification declaration.
- 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 a chairperson, who is responsible for the management of the entire recruitment process, and at least two other members of staff, with a member of the core 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 recruitment panel 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 will be replied to promptly.

5.11. Interviews will be arranged for the shortlisted candidates.

5.12. Vacancies will be advertised through external media with due consideration to the school's Equality Policy, ensuring that the advertisement reaches a wide range of groups.

5.13. Advertisements will contain a statement of commitment to ensuring equal rights.

5.14. Advertisements will include a job description, person specification and detail the closing date.

5.15. The contact numbers of the appointing officer and details of the application process will be clearly outlined.

5.16. Application forms will be accessible on the school's website.

5.17. When an advert receives a response, the recruitment panel will ensure that candidates receive the application pack.

5.18. The school will never accept a CV alone, only completed application forms.

5.19. When shortlisting candidates for an interview, all application forms will be considered.

5.20. At least two members of the recruitment panel will be involved in the shortlisting process.

5.21. Candidates who are shortlisted will meet all the essential aspects of the person specification requirements.

5.22. The school will ensure that the shortlisting process is as systematic as possible, and that the recruitment panel reads through all applications. Each member of the panel will create their own shortlist which will then be collated and discussed.

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

5.24 Shortlisted candidates will be asked to complete a self-declaration of their criminal record or disclosure of any information making them unsuitable to work with children.

5.25 Only those candidates who have been shortlisted will be asked to disclose any relevant information including:

- Whether they are included on the barred list.
- Whether they are barred from teaching.
- Information of any criminal offences committed.
- If they are known to the police and children's social care services.
- Whether they have been disqualified from providing childcare.
- Any relevant overseas information.

5.26 Applicants will need to sign a declaration which confirms that the information they have provided is true.

5.27 When shortlisting candidates, the school will:

- Ensure that at least two people carry out the shortlisting proceedings (these two people will ideally also conduct the interview).
- Assess whether there are any inconsistencies or gaps in the candidate's employment and consider the reasons given for them.
- Explore any further potential concerns.

5.28 Requests for further information from candidates will be replied to promptly.

5.29 Interviews will be arranged for the shortlisted candidates.

6. Invitation to interview

6.1 Before interview invitations are sent, the recruitment panel will ensure that application packs are sent and include the following:

- A copy of the advertisement
- A comprehensive job description
- A comprehensive person specification
- Any equal rights material, e.g. an equal opportunities statement
- A brief outline of the school, its values and aims

6.2 Once a shortlist has been confirmed, the candidates to be invited for interviews will be contacted by the appointing officer and suitable interview times will be decided. 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.

7. Pre-interview checks

- 7.1. The recruitment panel will complete the necessary pre-interview checks.
- 7.2. 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 forms

8. Requesting References

8.1 Once a candidate, including an internal candidate, has been shortlisted for a position, references will be requested and scrutinised by the recruitment panel. Any concerns will be resolved satisfactorily prior to confirming an appointment. References will always be requested directly from the referee and from a senior person with appropriate authority (e.g. headteacher and line manager), rather than a colleague.

8.2 References will be requested in from the candidate's current employer – if they are unemployed, verification of their most recent period of employment and reasons for leaving will be obtained from their previous employer. Wherever possible, at least one reference will be from employment through which the candidate worked with children.

8.3 If the applicant has never worked with children, ensure that a reference from their current employer is received.

8.4 If the candidate is a school leaver or has not been in work for over two years, a character reference will be requested.

8.5 When a candidate is applying for a teaching role (including the role of headteacher), information about the details of any capability procedures in the previous two years that they may have been subject to, and the reasons for these, will be requested from their current or former employer.

8.6 Concerns raised following a candidate's reference(s) will be explored further with the referee where appropriate and discussed with the candidate at interview.

8.7 Open references, e.g. 'to whom it may concern' testimonials, and unverified information provided by the candidate as part of the application process, will not be relied upon.

8.8 Electronic references will be checked to ensure that they originate from a legitimate source.

9. Checking references

9.1 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.

9.2 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.

9.3 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.

9.4 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. All references provided by members of staff will be shared with the headteacher.

10. Providing references

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

10.2 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.

10.3 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.

10.4 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.

10.5 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.

10.6 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.

11. Content of references

11.1 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.

11.2 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.

11.3 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.

12. Previous disciplinary action

12.1 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.

12.2 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.

12.3 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.

12.4 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.

12.5 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.

13. Confidentiality

13.1 Personal data relating to references will be handled in line with the Data Protection Policy. All references will be properly addressed and marked private and confidential.

13.2 Information relating to an individual's health and sensitive personal data, e.g. information relating to the individual's ethnicity, religion or trade union membership, will not be disclosed as part of a reference unless 'express consent' has been received from the individual for this purpose.

13.3 The person requesting a reference will be offered the opportunity to see it before it is sent, unless the headteacher decides this is not appropriate; however, the school is aware that ultimately, they cannot prevent the person receiving a copy in line with the Data Protection Act. If the person raises comments about the reference before it is sent, the member of staff responsible for the reference will consider the comments and, if they decide to leave it unchanged, record the reason(s) behind their non-agreement.

14. Digital Footprints

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

15. The interview

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

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

15.3. 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.

15.4. Candidates shortlisted for interview will be given the opportunity to complete a self-disclosure form upon arrival for their interview. The form is given to the chairperson in a sealed envelope prior to the candidate entering their interview.

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

15.6. The interview will always comprise a face-to-face interview; however, the recruitment panel may also request that candidates complete a practical task related to the advertised post.

16. After the interview

16.1. 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.

16.2. Interview notes and assessment materials will be held securely for an appropriate amount of time after the interviews, in line with the Records Management Policy, in case any aspect of the recruitment process is challenged.

16.3. 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.

16.4. 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.

17. Remote recruitment

17.1. 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.

17.2. 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.

17.3. Online interviews will be conducted in line with the school's ICT Acceptable Use Policy and Data Protection Policy at all times.

17.4. 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.

17.5. Staff members conducting an online interview will ensure privacy settings are adjusted appropriately on the provider's site or application.

17.6. 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.

17.7. 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.

17.8. 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

17.9. 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.

17.10. 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.

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

17.12. 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 discussion with the candidate as to whether they can continue with the recruitment process at this time.

17.13. The school will direct candidates towards the DfE's advice on 'Attending your first remote interview' prior to the interview.

18. Pre-appointment checks

18.1 All appointments will be conditional on satisfactory completion of the necessary pre-appointment checks. These checks seek to identify whether there is anything that would make the candidate an unsuitable appointment for working with children or as a teacher.

18.2 When appointing new staff, the school will:

- Verify the candidate's identity e.g. checking the name and birth date on a birth certificate.

- Obtain an enhanced DBS certificate (via the candidate) and, for candidates engaging in regulated activity, barred list information.
- Where it has been deemed necessary, obtain an enhanced DBS check with children's barred list information.
- Verify a candidate's ability 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, conduct a section 128 check.

18.4 The school will only obtain a separate barred list check if a newly appointed staff member is engaging in regulated activity before the receipt of an enhanced DBS certificate; or if the individual has worked in a school where they were in regular contact with children and young people in the three months prior to the new staff member's appointment to the school.

18.5 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.

18.6 The recruitment panel will assess all cases fairly and on an individual basis. Where a decision has been made not to appoint somebody because of their conviction(s), it will be clearly documented to enable the school a chance to defend its decision if challenged.

18.7 The school will consider the following when assessing any disclosure information on a DBS certificate:

- The seriousness and relevance to the post which they have applied to
- How long ago the offence occurred
- Whether it was a one-off incident or a history of incidents
- The circumstances around and at the time of the incident
- Whether the individual accepted responsibility for what happened

18.8 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.

18.9 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.

18.10 Checks for all prohibitions, directions, sanctions and restrictions will be carried out by using the secure access portal on the Teacher Services' web page.

18.11 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 candidate has worked:

- In a school in England in a post which brought them into regular contact with children or young people; 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
- [Colleges only] In an institution within the FE sector in England, or in a 16 to 19 academy, in a post which involved the provision of education which brought the person regularly into contact with children or young persons.

Volunteers

18.12 For all volunteers, the school will undertake a written risk assessment and use professional judgement and experience when deciding what checks, if any, will be required. The school reserves the right to request barred list information for all volunteers, regardless of whether they are supervised or not.

18.13 All unsupervised volunteers engaging in regulated activity will be required to provide the school with an enhanced DBS check with a barred list check. 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.

Candidates who have lived outside the UK

[The Teaching Regulation Agency no longer maintains a list of EEA teachers with sanctions. Schools must continue to carry out safer recruitment checks on all candidates and must make any further checks they think relevant.]

18.14 For candidates who have lived outside the UK, all mandatory checks outlined in this policy will be carried out, along with additional checks where necessary, including an enhanced DBS certificate with barred list information for those engaging in regulated activity, even if they have never been to the UK before.

18.15 The school will make any further checks that it deems appropriate so that any relevant events occurring outside the UK can be considered, e.g. obtaining proof of past teaching conduct for any candidate for a teaching position from the professional regulating authority in the country in which they worked, where available.

18.16 If a candidate is unable to provide the correct documentation, they cannot submit a DBS check. This is because the right to work in the UK cannot be established.

18.17 Following the UK's exit from the EU, schools and colleges should apply the same approach for any individuals who have lived or worked outside the UK regardless of whether or not it was in an EEA country or the rest of the world.

Agency and third-party staff

18.18 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. 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.

18.19 The school will obtain a copy of the enhanced DBS certificate from the agency or third-party organisation where it has been obtained before the person is due to commence work and has disclosed any matter or information.

Trainee/student teachers

18.20 The school will ensure that enhanced DBS certificates and barred list checks are obtained on all salaried candidates for initial teacher training who are in regulated activity.

18.21 Where trainee teachers are fee-funded, it is the responsibility of the initial teacher training provider to carry out the necessary checks. The school will obtain written confirmation from the agency that the checks have been carried out.

Existing staff

18.22 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.

18.23 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.

18.24 Referrals to the DBS will be made on conclusion of an investigation where an individual has been removed from regulated activity. Referrals to the DBS will be made as soon as possible after the resignation, removal or redeployment of the staff member.

Contractors

18.25 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). 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. 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.

18.26 The school will set out its safeguarding requirements in the contract between the contractor's organisation and the school.

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

Adults who supervise children on work experience

18.28 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.

18.29 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).

18.30 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. 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

18.31 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.

18.32 The governing board may request an enhanced DBS certificate without a barred list check on an individual as part of the appointment process for governors. An enhanced DBS certificate (which will include a barred list check) will only be requested if the governor will be engaging in regulated activity; this also applies to volunteer governors.

18.33 Associate members will not be asked to undertake a DBS check.

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

19. Right to work checks

[EU, EEA, or Swiss citizens need to provide evidence of lawful immigration status in the UK. Individuals from these areas will no longer be able to use their passport or national ID as proof of right to work. Schools will need to check candidate's right to work online. The UK operates a points-based immigration system which affects how schools employ teachers who are not UK or Irish nationals. All overseas nationals, including those from the EEA and Switzerland, arriving in the UK from 1 January 2021 come under the new system.]

19.1 The school will obtain evidence that all candidates for a position have the right to work in the UK by either conducting a manual document-based check, or by using the government's online portal. This will be done before a candidate is offered a position.

19.2 When conducting a manual, document-based check, the school will ensure that the documents received from candidates are acceptable in line with government guidance, and from the appropriate list: List A for candidates with a permanent right to work in the UK, or List B for candidates with a temporary right to work in the UK.

19.3 The school will obtain proof of candidates' immigration status in the UK.

19.4 The school will contact the Home Office in the event that a statutory excuse must be established in the following circumstances:

- The candidate provides a document confirming receipt of an application to EUSS on or before 30 June 2021
- The candidate provides a non-digital certificate of application confirming receipt of an application to the EUSS on or after 1 July 2021
- The school has checked a digital certificate of application and has been directed to the Home Office's Employer Checking Service
- The candidate provides an Application Registration Card stating the holder is permitted to undertake the work in question
- The school is satisfied it has not been provided with any acceptable documents because the candidate has an outstanding application with the Home Office made before their previous permission expired, or has an appeal or review pending against the Home Office's decision and cannot provide evidence of their right to work as a result
- The school considers that it has not been provided with any acceptable documents, but the person presents other information indicating they are a long-term resident of the UK, i.e. having arrived before 1988.

19.6 The school will not make assumptions about a person's right to work in the UK, or their immigration status, on the basis of their race, ethnicity, nationality, length of residence in the UK or background. All candidates, including British citizens, will have their right to work in the UK checked.

19.7 Where a candidate's right to work is time-limited, the school will conduct a follow-up check in advance.

20. Identification checking process

20.1 When checking the validity of identifying documents, the school will ensure that this is done in the presence of the holder, e.g. in person or via a live video link. In both cases, the school will be in physical possession of the original documents. The school will only accept valid, current and original documentation in its physical form. The school will not accept photocopies or documentation printed from the internet e.g. internet bank statements.

20.2 The school will request documents with photographic identity, such as a passport, and compare this against the candidate's likeness. The school will not accept documents that are not in the candidate's current name as recorded on the application form.

20.3 The school will ensure that the candidate declares all previous name changes and provides documentary evidence to support the name change. If the candidate is unable to provide evidence to support the name change, the school will hold a discussion with the candidate about the reasons why, before validating their identity.

20.4 The school will compare the candidate's address history with any other information the candidate has provided, such as their CV.

20.5 The school will ensure that all letters and statements provided by the candidate are recent e.g. within a three-month period.

20.6 The school will keep a dated record of every document that has been checked for the duration of the candidate's employment and for a further two years after they have left the school. This will be either as a hard copy or in a scanned format which cannot be manually altered, e.g. JPEG or PDF document, and will be made available to the appropriate authorities if and when requested.

21. After the pre-appointment checks

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

- Agree a start date with the candidate.
- Destroy the completed self-declaration forms.
- 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.

22. Single central record (SCR)

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

22.2. 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.

22.3. 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

22.4. 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.

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

23. Safer recruitment training

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

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

23.3. Staff and governors involved in the recruitment process will have an awareness of information regarding the following:

- The recruitment and selection process
- Pre-appointment and vetting checks, regulated activity and recording of information
- Other checks that may be necessary for, staff, volunteers and others

- How to ensure the ongoing safeguarding of children and legal reporting duties on employers

24. Safeguarding

24.1 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.

24.2 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.

24.3 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.

24.4 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.

25. Monitoring and review

25.1. This policy is reviewed annually by the governing board and the headteacher.

25.2. Any changes made to this policy will be communicated to all members of staff and relevant stakeholders.

25.3. All members of staff are required to familiarise themselves with all processes and procedures outlined in this policy as part of their induction programme.

25.4. The next scheduled review date for this policy is February 2023.

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

