



Safer Recruitment POLICY

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School Name

St. Andrew’s Southgate

Updated

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**MODEL SAFER RECRUITMENT POLICY
FOR USE BY MAINTAINED SCHOOLS, PRUs, ACADEMIES AND OTHERS**

IMPORTANT NOTE RELATING TO TERMINOLOGY USED IN THIS DOCUMENT

This model Safer Recruitment Policy may be adopted by maintained schools, PRUs, Academies, Free schools and/or other Independent schools and colleges. Therefore, where the words ‘**Headteacher**’, ‘**Governing Body**’, ‘**Governors**’ or ‘**school**’ are used in this document, this should also be interpreted (and can be adapted, as appropriate) to mean, or read, **Principal, Chief Executive, Head of School, Proprietor, PRU Management Committee, Members, Directors, Board of Trustees, Local Governing Body, Governing Board, PRU, Academy or Academy Trust** etc., as relevant to the type of school and structure in place.

INTRODUCTION AND STATUTORY REQUIREMENTS

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

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

The Department for Education (DfE), has issued statutory guidance ‘**Keeping Children Safe in Education**’ (**KCSIE**) under Section 175, Education Act 2002, the Education (Independent School Standards) (England) Regulations 2014, the (Non-Maintained Special Schools) (England) Regulations 2015 and the Education and Training (Welfare of Children) Act 2021. Schools and Colleges must have regard to the guidance when carrying out their duties to safeguard and promote the welfare of children. This means that they should comply with it unless exceptional circumstances arise.

‘School’ means all schools whether maintained, non-maintained or independent schools (including academies, free schools and alternative provision academies) and maintained nursery schools and pupil referral units. ‘College’ means further education colleges and sixth-form colleges, as established under the Further and Higher Education Act 1992, Institutions designated as being within the further education sector and providers of post 16 Education as set out in the Education and Training (Welfare of Children) Act 2021, 16-19 Academies, Special Post-16 institutions and Independent Training Providers. For colleges, the guidance relates to their responsibilities towards children who are receiving education or training at these institutions.

KCSIE contains information on what schools and colleges **should** do, unless there is good reason not to, and sets out the legal duties with which schools and colleges **must** comply. It includes safeguarding information for all staff, the management of safeguarding and responsibilities of governing bodies and proprietors, safer recruitment and dealing with allegations of abuse made against teachers and other staff.

KCSIE should be read and followed by governing bodies of maintained schools (including maintained nursery schools) and colleges, proprietors of independent schools (including academies, free schools and alternative provision academies) and non-maintained special schools, management committees of pupil referral units (PRUs) and senior leadership teams.

The above persons should ensure that **all staff** in their school or College who work directly with children **read at least Part One of KCSIE, ‘Safeguarding information for all staff’**. Those staff who do not work directly with children should **read either Part One or Annex A** (a condensed version of Part One) as considered appropriate to their role. The above persons should also ensure that mechanisms are in place to assist staff to **understand and discharge their role and responsibilities** as set out in

Part One or Annex A. In addition, **Annex B 'Further Information'** contains additional information about specific forms of abuse and safeguarding issues and **should be read by School and College Leaders and staff working directly with children.**

KCSIE should be read alongside the DfE's statutory guidance '**Working Together to Safeguard Children**' which applies to all organisations and agencies who have functions relating to children, including all types of school. 'Working Together to Safeguard Children' covers action by all such organisations and partners to protect children from risks of harm in the home or in the community. Statutory guidance on 'Keeping Children Safe in Education', 'Working Together to Safeguard Children' and Child Protection Policies and Procedures in place within individual establishments are inextricably linked. Safer Recruitment is a vital factor in keeping children safe within the education environment.

KCSIE should also be read alongside DfE advice on '**What to do if you are worried a child is being abused – Advice for Practitioners**'

There is also specific legislation governing those persons in 'regulated activity' (see below) and requirements to carry out criminal records and barred list checks. The main legislation in this respect is contained within the:

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

The purpose of safer recruitment is ultimately to:

This *school* will act in accordance with the statutory requirements relating to **'Regulated Activity' (RA) relating to children which can be defined as follows:**

- (i) **Unsupervised activities in any setting – including teaching, training, instructing, caring for (see iii) below), supervising, providing advice or guidance on physical, emotional or educational well-being, or driving a vehicle only for children**
- (ii) **Work for a limited range of establishments ('specified places') with the opportunity for contact with children, e.g. schools, colleges, children's homes, children's centres, childcare premises (but not work by supervised volunteers)**

Work/activities in (i) and (ii) above must be carried out 'regularly' to be included within RA. 'Regular' means carried out by the same person frequently (once a week or more often) or intensively (on 4 or more days in a 30-day period) or overnight (if carried out – even once - at any time between 2am and 6am and with an opportunity for face-to-face contact with children). Day to day management or supervision on a regular basis of a person providing the above regulated activity for children is also within the definition of regulated activity for children. However, **some activities are always regulated activities, regardless of their frequency or whether they are supervised or not**, such as those below.

- (iii) **Relevant personal care, or health care provided under the supervision of a healthcare professional, even if done only once.** ('Personal care' includes helping a child with eating and 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).

(iv) **Registered child-minding and foster carers.**

NOTE: Regulated Activity will **NOT** be:

Schools should ensure that any contractor, or employee of a **Contractor**, who is to work there has been subject to the appropriate level of DBS check. Contractors carrying out work of a temporary or occasional nature, e.g. maintenance (but not teaching, training etc.) are not normally in RA. However, where contractors are engaging in RA, an Enhanced DBS certificate, including Barred List information will be required. For others who are not engaging in RA, but whose work provides them with an opportunity for regular contact with children, an Enhanced DBS check (WITHOUT Barred List information) will be required. In considering whether the contact is regular, it is irrelevant whether the contractor works on a single site or across several sites. For longer term, regular contracted work, a decision needs to be made about whether individuals have the opportunity for contact in a similar way to school site staff and can be deemed to be in RA. Decisions must be made on a case-by-case basis, taking into account the relevant and prevailing circumstances at the time. Under no circumstances should a contractor in respect of whom no checks have been obtained be allowed to work unsupervised or engage in RA. Schools are responsible for determining the appropriate level of supervision depending upon the circumstances. If a contractor is self-employed, the school should 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 identity of contractors and their staff should always be checked on arrival.

As **trainee teachers** are likely to be engaging in RA an enhanced DBS certificate with barred list check must be obtained. Where trainees are salaried (employed) this is the responsibility of the employer. Where trainee teachers are fee-funded it is the responsibility of the initial teacher training provider to carry out the necessary checks. Schools should obtain written confirmation from the training provider that it has carried out all pre-appointment checks that the school would otherwise be required to perform, and that the trainee has been judged by the provider to be suitable to work with children.

Schools organising work experience placements should ensure that policies and procedures are in place to protect the children from harm. Barred List checks by the DBS may be required on some **adults who supervise a child under the age of 16 on a work experience placement**. Consideration should be given to the specific circumstances of the work experience, in particular the nature of the supervision and the frequency of the activity being supervised, to determine what, if any, checks are necessary. These considerations would include whether the person providing the teaching, training, instruction and/or supervision to the child will be unsupervised and providing the teaching, training and/or instruction frequently (at least once a week or on more than three days in a 30 day period, or overnight). If the person working with the child is unsupervised and the same person is in frequent contact with the child, the work is likely to be regulated activity. If so, the employer providing the work experience should be asked to ensure that the person providing the instruction or training is not a barred person. Schools are not able to request an enhanced DBS check with Barred List information for staff supervising children aged 16 to 17 on work experience.

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

There is no entitlement to request DBS or Barred List checks on **Visitors** (e.g. children's relatives or other visitors attending a sports day). A professional judgement must be made at the relevant time about the need to escort or supervise them. For visitors attending in a professional capacity, ID should be checked and assurance obtained that the visitor has had the appropriate DBS check. Careful consideration should be given to the suitability of any external organisations attending the school for the provision of information, resources or speakers.

Where a school places a pupil with an **alternative provision provider**, the school continues to be responsible for the safeguarding of the pupil. The school should obtain written confirmation from the provider that appropriate safeguarding checks have been carried out on individuals working at

the establishment, i.e. those checks that the school would otherwise perform in respect of its own staff.

Arrangements are often made by schools for their children to have learning experiences where, for short periods, the **children may be provided with care and accommodation by a host family to whom they are not related. This is known as 'homestay'**. In some circumstances, such arrangements may amount to 'private fostering'. Further guidance about these arrangements and the responsibilities arising from the link with RA are set out in Keeping Children Safe in Education, (KCSIE) 'Annex E: Host Families – homestay during exchange visits'. Guidance on private fostering can be found at: <https://www.gov.uk/government/publications/children-act-1989-private-fostering>

***** The DfE's factual notes on 'Regulated Activity in relation to Children: Scope' and 'Statutory Guidance: Regulated Activity (Children) – Supervision of Activity with Children which is Regulated Activity when Unsupervised' are available on the website www.gov.uk to provide full information on RA and Supervision. Supervision guidance is also included as Annex F within KCSIE.***

In accordance with the above requirements and guidance, this *school* will take appropriate steps to ensure that all those employees, paid workers and any others deemed to be in RA, are subject to the highest level of checks including, for new recruits, a full Enhanced DBS with Barred List Check, or as required at the time of recruitment. Others not in RA will normally be required to undergo an Enhanced DBS without Barred List check if they have regular involvement with pupils but are adequately supervised. However, if they are carrying out ad-hoc or one off volunteering activities etc., they will not normally be subject to an Enhanced DBS check. (See also 11. below 'Use of Agency Workers' and 12. 'Use of Volunteers').

For any persons deemed not to be in RA, steps will be taken to ensure that adequate supervision and/or protocols to ensure the safety of pupils at all times, are in place, in accordance with statutory guidance and general good practice. An appropriate level of checks, in addition to the requirements set out above, will be carried out in relation to all new recruits.

Notwithstanding the above, the *school* will ensure that all Governors have an Enhanced DBS check (with Barred List check if in RA, otherwise without Barred List check), in accordance with legislative requirements.

'REGULATED ACTIVITY' (RA) - ADULTS

IN RELATION TO ADULTS AND DISCLOSURE AND BARRING SERVICE CHECKS

The definition of Regulated Activity (RA) in relation to adults identifies activities provided to any adult which, if any adult requires them, will mean the adult is considered vulnerable at that particular time. In other words, an adult is considered vulnerable at any time s/he requires RA to be provided to him or her. An adult is a person aged 18 years or over.

Organisations providing RA in relation to adults have specific responsibilities for carrying out appropriate pre-employment checks, including Enhanced DBS with Barred List check, when recruiting paid employees and workers. They must also ensure that they receive written confirmation that similar checks have been carried out by Agencies and other employers who may deploy or hire workers to them where such individuals will be in RA. This is an essential part of the process of ensuring 'safer recruitment' when recruiting to RA roles involving either children or vulnerable adults.

For most schools, an Adult Workforce DBS and Barred List will not apply. Even where some schools may have pupils aged 18+, they are not likely to fall within the definition or criteria relating to RA with adults as they will not be considered 'vulnerable' at that time. **However, there will be some Special and, possibly, some Secondary schools where there may be adults considered to be vulnerable at a particular time due to certain activities that they need to be provided to them.** From the categories of RA relating to adults set out below, Category 2 - 'Providing Personal Care' is

the most likely to impact on these schools. Where this is the case, any employees/workers likely to be working with adults, as well as children, in RA would require both Children's and Adult's Workforce DBS and Barred List checks to be carried out.

'Regulated Activity' relating to adults is defined below

There are **SIX categories** of RA provided to adults (Note that these exclude any activities carried out in the course of family relationships and personal, non-commercial relationships):

1. Providing Health Care

The provision of **health care by any health care professional** to an adult, or the provision of health care to an adult under the direction or supervision of a health care professional, is classed as regulated activity. Examples of roles falling within this category would include Doctors, Nurses, Therapists, Counsellors.

2. Providing Personal Care

(Note – this category is the most likely to impact on some Special and Secondary schools, where they may employ or engage persons to work with adults [18 and over] considered to be vulnerable because they require regulated activity to be provided)

- **Anyone who provides an adult with** physical assistance with eating or drinking, going to the toilet, washing or bathing, dressing, oral care or care of the skin, hair or nails because of the adult's age, illness or disability, is in regulated activity.
- **Anyone who prompts and then supervises an adult who**, because of their age, illness or disability, cannot make the decision to eat or drink, go to the toilet, wash or bathe, get dressed or care for their mouth, skin, hair or nails without that prompting and supervision, is in regulated activity.
- **Anyone who** trains, instructs or provides advice or guidance which relates to eating or drinking, going to the toilet, washing or bathing, dressing, oral care or care of the skin, hair or nails to adults who need it because of their age, illness or disability, is in regulated activity.

(There is one exception to the above. Excluded from RA is any physical assistance provided to an adult in relation to the care of their hair when that assistance relates only to the cutting of the adult's hair. This is to ensure that hairdressers who cut the hair of patients and residents in hospitals and care homes are not engaging in regulated activity.)

Illustrative examples:

(i) A care assistant in a care home who cuts and files an adult's nails to keep the nails short and safe, because the adult cannot do it themselves (for example, because they cannot see well enough) would be engaging in regulated activity.

(ii) A beauty therapist who attends a day care centre once a week and provides manicures for anyone who would like one, instead of for people who need them because of their age, illness or disability, is not engaging in regulated activity).

3. Providing Social Work

The activities of regulated social workers in relation to adults who are clients, or potential clients, are regulated activities. These activities include assessing or reviewing the need for health or social care services, and providing ongoing support to clients.

4. Assistance with General Household Matters

Anyone who provides day to day assistance to an adult because of their age, illness or disability, where that assistance includes at least one of the following, is in regulated activity:

- managing the person's cash,
- paying the person's bills, or

- shopping on his/her behalf.

5. Assistance in the Conduct of a Person's Own Affairs

A person is in RA if s/he provides assistance in the conduct of an adult's own affairs by virtue of various legislation governing - lasting power of attorney, enduring power of attorney, being appointed as an adult's deputy, being an Independent Mental Health or Mental Capacity Advocate, providing independent advocacy services or receiving payments on behalf of the adult.

6. Conveying

Any drivers or assistants who transport an adult because of his/her age, illness or disability to or from places where the adult has received, or will be receiving, health care, relevant personal care or relevant social work are in regulated activity.

This does not include licensed taxi drivers (even though they do require a DBS disclosure) or drivers who undertake trips for purposes other than to receive health care, personal care or social work.

In relation to the above categories, note that:

- A person whose role includes the day to day management or supervision of any person who is engaging in RA, is also in RA.
- There is no requirement for a person to carry out the activities a certain number of times before they are engaging in RA. Any time a person engages in the activities in the categories set out, s/he is engaging in RA.

It should be noted that the above is only a summary for reference for any Special and/or Secondary school who may employ or engage workers who deal with adults deemed to be vulnerable, in addition to the children at their establishments. Full details of 'Regulated Activity (Adults)' has been produced by the Department of Health and can be located at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/216900/Regulated-Activity-Adults-Dec-2012.pdf

In accordance with the above requirements and guidance, this *school* will take appropriate steps to ensure that all those employees/workers deemed to be in RA, are subject to the highest level of checks including, for new recruits, a full Enhanced DBS with Barred List Check, or as required at the time of recruitment.

RECRUITMENT PANEL MEMBERS

Panel members will be appointed or selected in accordance with any requirements set out in the School Staffing, Further Education Providers, Independent School Standards, Funding Agreements, other relevant Regulations and/or as otherwise determined by the *Governing Body*.

The recruitment and selection process, in particular interviews, will be carried out by two or more people. Wherever possible, Appointments Panels will consist of an odd number of at least three people. Panel members will be appropriately trained or briefed and will normally have received safer recruitment training covering, as a minimum, the content of Part Three of Keeping Children Safe in Education. In any event, **in accordance with statutory requirements, at least one of the persons conducting an interview will have successfully completed safer recruitment training.** Wherever possible, all Panel members will be involved throughout all stages of the recruitment and selection process but, in any event, a Panel member trained in safer recruitment will be involved throughout.

JOB DESCRIPTIONS AND PERSON SPECIFICATIONS

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

Job Description - The general layout of job descriptions for all posts including support staff and teachers will be very similar but may also need to reflect any local or national requirements. For example, the statutory School Teachers' Pay and Conditions Document sets out the contractual framework for all teachers in terms of their professional responsibilities and duties. However, additions may be made, for example, in terms of any generic requirements such as equal opportunities and responsibilities for safeguarding, and specific requirements relating to TLR payments or other job requirements where applicable.

However, in general, all job descriptions will normally contain:

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

Profiles for **Volunteer roles** will also be drawn up according to the principles set out above.

APPLICATION FORMS

A suitably-structured, pre-defined application form will be used for recruitment to all posts. CVs will not be accepted. Application forms are employer-led, requiring specific information from all applicants. CVs are left to the discretion of individual applicants and contain only information that they choose to provide.

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

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

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

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

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

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

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

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

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

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

The prescribed list referred to above includes a range of offences which are serious and which relate to sexual offending, violent offending and/or safeguarding. It is never appropriate to withhold details of offences on this list. A list of offences which **must always** be declared has been derived from the legislation and can be accessed using the following link:<https://www.gov.uk/government/publications/dbs-list-of-offences-that-will-never-be-filtered-from-a-criminal-record-check>

Other information that will be required from applicants as part of their self-declaration may include, for example:

Whether they are included on the Barred list;

Whether they are prohibited from carrying out teaching work;

Whether they are prohibited from taking part in the management of an Independent school;

Information about any criminal offences committed in any country in line with the law as applicable in England and Wales (i.e. not the law in their country of origin or where they were convicted);

If they are known to the police and children's social care;

If they have been disqualified from providing childcare; and

Any relevant overseas information.

Applicants will be asked to sign the self-declaration confirming that the information they have provided is true.

In addition to any self-declaration required, further checks will, in any event, be carried out by the *school* at the point of making a conditional offer of a post.

REFERENCES

References are an important part of the process of gathering as much information as possible about potential new recruits and allow employers to obtain factual information to support their selection decisions.

References will normally be obtained following the long/shortlisting process (as applicable) and prior to interview. The application form will ask applicants if they are willing to allow referees to be contacted prior to interview and warned that they may not be shortlisted if not. This decision is at the discretion of the *school*.

Testimonials from applicants will not be accepted. Two references will always be requested directly from the referees.

Application forms will normally require the following in relation to referees provided by the applicant:

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

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

INTERVIEWS AND OTHER ASSESSMENT TOOLS

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

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

(Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018 from:

- **working in early years provision**, inc. education, childcare and/or any supervised activity, both during and outside of school hours, with children up to and including reception age (i.e. from birth to the 1st September following a child's 5th birthday);
- **working in later years childcare settings** outside of school hours for children above reception age but who have not attained the age of eight; or
- being **directly concerned in the management of such early or later years provision**;

Additional note relating to Head teacher and Deputy Head Teacher Appointments

The School Staffing (England) Regulations 2009 applicable to maintained schools require that any candidate selected by a Panel for a Headteacher or Deputy Headteacher position must be recommended to the full Governing Body for appointment. In these circumstances, no conditional offer, verbal or otherwise, will be made to the preferred candidate until the full Governing Body has formally approved the appointment.

Academies/Free schools and others may wish to state any specific arrangements or requirements that may apply to their establishments prior to making a conditional offer of appointment.

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

All employees and workers engaged by the school are deemed to be in 'Regulated Activity' (RA) whatever their role and are, therefore, subject to a full Enhanced with Barred List(s) Check through the DBS. An Enhanced with Barred List check for the Children's Workforce will always be required. In some circumstances, an Enhanced with Barred List check may also be required for the Adult Workforce where an individual is expected to provide RA for adults (18+) as well as undertaking work with children.

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

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

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

USE OF AGENCY WORKERS

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

In order to ensure the safety and welfare of children and young persons, it is essential that Agencies supplying workers to the education sector also adopt robust recruitment and vetting procedures that minimise the risk of employing people who may abuse them, or who are otherwise unsuited to such work.

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

The standard questionnaire issued to Agencies for written confirmation that all necessary checks are carried out before their workers are deployed will include all essential areas of the checking process, i.e. to confirm that they have carried out Enhanced DBS and Barred List(s) checks, checks to meet the childcare disqualification requirements under the Childcare Act 2006 and the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018, Prohibition Order checks, additional checks on people who have lived or worked outside the UK, section 128 Barring Direction checks, Identity and Immigration, Asylum and Nationality Act checks, as well as checks of medical fitness, qualifications, references, reasons for leaving previous positions, command of spoken English, pay and conditions, Employer's Liability, equal opportunities and compliance with Agency Worker Regulations.

Where an Agency has obtained an Enhanced DBS certificate before the person is due to begin work at the *school*, which has disclosed any matter or information, or any information was provided to the Agency, the school will obtain a copy of the certificate from the Agency.

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

USE OF VOLUNTEERS

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

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

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

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

as others who work in regular contact with children/pupils, such as volunteers (including volunteer Governors). All members of the Governing Body will also be recorded, whether or not they come into regular contact with children/pupils. *Where the school is an Academy, Free school or other independent school, relevant checks on all members of the Proprietor Body/members and trustees of the Academy Trust will also be recorded.*

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

The details of an individual will be removed from the 'live' SCR once they no longer work at the *school*. However, the information will be retained in an archive.

OTHER RECORD KEEPING AND RETENTION OF PERSONAL DATA

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

Retention of Data relating to Unsuccessful Applicants

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

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

Retention of Data for Successful Applicants

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

The personnel file will normally contain the following information:

*accused.” A copy should also be “provided to the person concerned, where agreed by children’s social care or the police”, as well as “a declaration on whether the information will be referred to in any future reference. The purpose of the record is to enable accurate information to be given in response to any future request for a reference. It will provide clarification in cases where future DBS checks reveal information from the police about an allegation that did not result in a criminal conviction and it will help to prevent unnecessary re-investigation if, as sometimes happens, an allegation re-surfaces after a period of time.” The guidance also requires that **“Schools and Colleges have an obligation to preserve records which contain information about allegations of sexual abuse for the Independent Inquiry into Child Sexual Abuse (IICSA), for the term of the inquiry”.... All other records should be retained at least until the accused has reached normal pension age or for a period of 10 years from the date of the allegation if that is longer.”***

*Note also that the DfE guidance referred to above states **in relation to references** “Cases in which an allegation was proven to be false, unfounded, unsubstantiated or malicious should not be included in employer references. Any repeated concerns or allegations which have all been found to be false, unfounded, unsubstantiated or malicious should also not be included in any reference”. Substantiated allegations should be included in references, provided that the information is factual and does not include opinions.”*

*In relation to **low-level concerns**, KCSIE states that “all low-level concerns should be recorded in writing. The record should include details of the concern, the context in which the concern arose, and action taken. The name of the individual sharing their concerns should also be noted, if the individual wishes to remain anonymous then that should be respected as far as reasonably possible.” It is for the school to “decide where these records are kept but they must be kept confidential, held securely and comply with the Data Protection Act 2018 and the UK General Data Protection Regulation.” Also “it is for schools and colleges to decide how long they retain such information but KCSIE recommends that it is retained at least until the individual leaves their employment.”*

KCSIE also states that “low-level concerns should not be included in references unless they relate to issues which would normally be included in a reference, for example, misconduct or poor performance. A low-level concern that relates exclusively to safeguarding should not be referred to in a reference. However, where a low-level concern (or group of concerns) has met the threshold for referral to the LADO and found to be substantiated, it should be referred to in a reference.”

The school will at all times comply with the statutory KCSIE guidance in respect of record keeping and retention in relation to both allegations and low-level concerns raised against staff and others.

DATA PROTECTION

The *school* will collect and process personal data in full compliance with its obligations under the General Data Protection Regulation (GDPR) (EU) 2016/679 and the Data Protection Act 2018 by keeping the personal data of employees and workers up-to-date, by storing and destroying it securely, by not collecting or retaining excessive amounts of data, by protecting your personal data from loss, misuse, unauthorised access and disclosure and by ensuring that appropriate measures are in place to protect personal data.

The *school* will keep the personal data of employees and workers confidential and share it only with persons with a genuine need to know, such as the Local Authority, Department for Education (DfE), Disclosure and Barring Service (DBS) and/or the Teaching Regulation Agency (TRA), in relation to relevant matters. The *school* may also share the personal data of employees and with other third parties, but only where this is necessary to comply with a legal obligation or is permitted under UK law.

For further information relating to the Data Protection arrangements, employees/workers should refer to the *school’s* Privacy Notice and other associated documents. These can be located on the *school’s* website or otherwise by contacting the *school* office.

INDUCTION

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

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

Copies of policies will be provided as appropriate.

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

A SAFE CULTURE AND ON-GOING VIGILANCE

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

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

STEPS IN THE SAFER RECRUITMENT PROCESS - APPENDIX 1