



Introduction

This policy provides guidance for all managers in all agencies involved in the recruitment of staff and/or volunteers to work with children to ensure they meet their obligations under safeguarding and attain a safer, more robust recruitment process. Safeguarding seeks to ensure children and young people are protected from harm. As the Richard Inquiry Report into the deaths of Holly Wells and Jessica Chapman points out:

'...for those agencies whose job it is to protect children and vulnerable people, the harsh reality is that if a sufficiently devious person is determined to seek out opportunities to work their evil, no one can guarantee that they will be stopped. Our task is to make it as difficult as possible for them to succeed...'

It is therefore vital that managers understand there is a risk that abuse could happen in their organisation and there is a need for a culture of openness, transparency and vigilance to be created. Additionally, those who raise concerns should be left in no doubt that support in raising concerns will be offered and the commitment to take action is assured.

Purpose

Everyone has a responsibility to safeguard children and this policy aims to proactively safeguard and promote the welfare of children and young people so that the need for action to protect children from harm is reduced. This model policy and procedures seeks to embed safer recruitment practices throughout the borough's organisations and ensure managers, employees and candidates for employment are aware of the minimum standards used for recruiting and selecting staff.

This policy reinforces the Code of Conduct and Whistleblowing policies which all employees are expected to be familiar with. All successful candidates for paid or volunteer employment will be made aware of these policies when their placement commences.

It is important that we provide staff and volunteers with opportunities to reflect on practice and to feel able to self-report and challenge others - working towards staff thinking 'what if I'm right?' rather than 'what if I'm wrong?'

Defining the Role

The recruiting manager has the responsibility to ensure each job is accurately and realistically defined every time a post goes out to advert. The criteria for short listing and interviewing will be based on the job description, person specification and competencies. It is therefore vital these documents are meticulous. Managers must be clear whether a Disclosure and Barring Service (DBS) check is required for a particular post and at what level. Schools should refer to Paragraphs 117-119 of Keeping Children Safe in Education 2019 [here](#) for more information.

A list of categories that represent the professions, offices, employments, work and occupations that are known as the exceptions to the Rehabilitation of Offenders Act 1974 are available by clicking here [DBS](#) website. The application pack must contain a safeguarding statement.



Application Form

Application forms must be used, in preference to CVs (Curriculum Vitae). CVs only contain information applicants want you to know, which may exclude other relevant information. Application packs must contain guidance stating this, and instructions on how to complete the application form. This ensures that the data being supplied is consistent and information the organisation requires. Application forms must require as a minimum the following information:

- Personal details and National Insurance number;
- Relevant academic/professional/vocational qualifications, date and awarding body;
- Full chronological history of full or part time employment since leaving secondary school, including:
 - Voluntary work, education and training;
- Reasons for leaving jobs;
- Any gaps which must be clearly accounted for;
- Two referees, one of which must be the current or most recent line manager.

The Rehabilitation of Offenders Act 1974 does not apply to posts which involve working with, or to have access to children, young people and/or vulnerable adults or their records. Therefore any convictions, cautions, bind-overs that would normally be considered 'spent' must be declared when applying for this type of post. Qualification, Education and Professional certificates must be provided.

Selection Process

Managers must short list having regard to the extent to which candidates meet the person specification and competencies that were available with the job details. To create the shortlist the interviewing panel must score each applicant against the person specification for the job. Managers must scrutinise applications, identify any inconsistencies and be cautious about missing or vague information. At the interview, managers must take the opportunity to investigate gaps in the employment history and/or any disclosures of criminal history. The Recruiting manager must give consideration to:

- The interview panel; which must consist of at least two people who are directly employed by the organisation and at least one of whom has received safer recruitment training.
- The assessment criteria and method of assessment (including presentations) which must be considered based on the requirements of the person specification;
- The content and number of questions, the evidence looked for in the answer, who will ask each question and what weighting (if any) will need to be decided;
- The pass mark required, (as decided by the interviewing panel);
- The timescale for making a decision and who will give feedback to the candidates at the end of the process;
- Whether candidates could visit the working environment as part of the process. This can assist candidates in understanding the working context and environment. During any visit all candidates must be afforded the same opportunities.



Self-Disclosure

Interview invitation letters must include a self-disclosure opportunity. These give candidates an opportunity to share relevant information at an early stage, and allow information to be discussed and considered before any DBS checks come back. This is also a method of deterring unsuitable candidates. Offences that are declared must be individually explored. The contents of self-disclosure must not be used to shortlist unless it is obvious an offence will have an effect on the candidate's ability to carry out the role. If a candidate who declares a self-disclosure is successful the recruitment process can be continued if appropriate and comparisons made with the DBS check once received.

Interviews

These should include:

- Introductions;
- The interview questions and responses recorded;
- Candidates have the opportunity to ask questions and find out about the job and their prospective employer. Probe gaps/frequent changes in employment/vagueness/areas of concern.
- Close:

Explain the next stage in the process, when they will hear from you

Ensure identification and qualifications have been verified as original documents and that they are bona fide and take photocopies;

Confirm the process for taking up references, obtaining medical clearance and Disclosure and Barring Service (DBS) checks, where appropriate. Managers must make it clear any offer of employment to a candidate would be subject to these being satisfactory. Where ever appropriate, the recruitment and selection process should not just consist of an interview. A variety of selection and/or presentation processes can be adopted providing qualified examiners are used when required. The interview should be scored and documents retained for 6 months after the interview.

Documents

For every candidate interviewed, managers should complete an original document inspection.

Recruitment of Ex-Offenders

Criminal **Recruitment** records will be taken into account for recruitment purposes only when the conviction is relevant. Having an 'unspent' conviction will not necessarily be a bar to employment. This will depend on the circumstances and background to the applicant's offence(s).



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Summary of pre employment checks (See Keeping Children Safe in Education 2019)

Any offer of appointment made to a successful candidate, including one who has lived or worked abroad, must be conditional on satisfactory completion of the necessary pre-employment checks.

- verify a candidate's identity. Identification checking guidelines can be found on the GOV.UK website;
- obtain (via the applicant) an enhanced DBS certificate (including barred list information, for those who will be engaging in regulated activity)
- obtain a separate barred list check if an individual will start work in regulated activity before the DBS certificate is available;
- verify the candidate's mental and physical fitness to carry out their work responsibilities. A job applicant can be asked relevant questions about disability and health in order to establish whether they have the physical and mental capacity for the specific role

In addition:

- schools must ensure that a candidate to be employed to carry out teaching work is not subject to a prohibition order issued by the Secretary of State, or any sanction or restriction imposed (that remains current) by the GTCE before its abolition in March 2012; and
- independent schools, including academies and free schools, must check that a person taking up a management position is not subject to a section 128 direction made by the Secretary of State.

Where an enhanced DBS certificate is required, it must be obtained from the candidate before, or as soon as practicable after, the person's appointment.

Overseas checks

DBS checks won't show overseas convictions. To check for criminal records overseas you need to read this <https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>

There is no requirement for a school to obtain an enhanced DBS certificate or carry out checks for events that may have occurred outside the UK if, during a period which ended not more than three months before the person's appointment, the applicant has worked:

- in a school in England, in a post: which brought the person regularly into contact with children or young persons; or to which the person was appointed on or after 12th May 2006 and which did not bring the person regularly into contact with children or young persons; or
- in an institution within the further education sector in England, or in a 16-19 Academy, in a post which involved the provision of education which brought the person regularly into contact with children or young persons.



For a college there is no requirement to obtain an enhanced DBS certificate or carry out checks for events that may have occurred outside the UK if, during a period which ended not more than three months before the person's appointment, the applicant has worked in:

- a school in England in a position which brought him regularly into contact with persons aged under 18; or
- another institution within the further education sector in England, or in a 16 to 19 Academy, in a position which involved the provision of education and caring for, training, supervising or being solely in charge of persons aged under 18.

Disclosure and Barring Service (DBS) checks

DBS checks must be carried out on positions that involve regular contact with children, young people or vulnerable adults/vulnerable groups. Managers must ensure when completing 'Section X' of the DBS form (Evidence of identity seen by the employer/volunteering organisation/registered body) that original documents are provided and photocopies retained for the personal file. Further guidance on acceptable documentation is available on the DBS website.

DBS Update checks

Ofsted does not require DBS checks to be carried out after the first one unless there is a change in role of the member of staff. The necessary checks are those that were in force at the time the appointment was made. However, it would be good safeguarding practice to ask staff to join the DBS update service, which they can do at the point an application for a new DBS check is made, enabling future status checks to be carried out to confirm that no new information has been added to the certificate since its issue. This allows for portability of a certificate across employers.

Before using the Update Service, schools or colleges must:

- obtain consent from the applicant to do so;
- confirm the certificate matches the individual's identity; and
- examine the original certificate to ensure that it is for the appropriate workforce and level of check, e.g. enhanced certificate/enhanced including barred list information.

The school can subsequently carry out a free online check. This would identify whether there have been any changes to the information recorded, since the initial certificate was issued and advise whether the individual should apply for a new certificate. Individuals will be able to see a full list of those organisations that have carried out a status check on their account. Further information about the update service, including when updated information can be used, can be found at . <https://www.gov.uk/dbs-update-service>

Ofsted's Inspecting Safeguarding in Early years,, Education and Skills can be read here https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/828763/Inspecting_safeguarding_in_early_years_education_and_skills.pdf



Disqualification by association

Under the 2018 regulations, schools are **no longer** required to establish whether a member of staff providing, or employed to work in childcare, is disqualified by association. Regulation 9 does not apply to staff in a relevant school setting. Disqualification by association is only relevant where childcare is provided in domestic settings (for example where childminding is provided in the home) or under registration on domestic premises, including where an assistant works on non-domestic premises up to 50% of the time under a domestic registration. Accordingly, schools are **not entitled** to ask their staff questions about cautions or convictions of someone living or working in their household. Schools should review their staffing policies and safer recruitment procedures, and make changes accordingly.

It's important that schools follow the safer recruitment procedures set out in part 3 of KCSIE. Schools and local authorities should also ensure that their safeguarding policies fully comply with KCSIE, and are clear about the expectations they place on staff, including where their relationships and associations both within and outside of the workplace (including online) may have implications for the safeguarding of children in school.

In support of this schools should take an opportunity, for example through performance management or other staff discussions, to create the right culture and environment so that staff feel comfortable, where it's appropriate, to discuss matters outside of work, which may have implications for the safeguarding of children in the workplace. These discussions can help schools safeguard their employees' welfare and contribute to their duty of care towards their staff. Where appropriate, it'll help schools identify whether arrangements are needed to support these staff. These discussions can also help schools manage children's safety, providing them with information that will help them consider whether there are measures that need to be put in place to safeguard children (for example by putting arrangements in place to stop or restrict a person coming into school where a potential risk to children has been identified).

Schools should consider providing training to governors and staff with management responsibilities in this important area.

Dealing with convictions

If a DBS is returned with details of convictions HR advice must be sought. Consideration will be given to the Rehabilitation of Offenders Act and also:

- The nature, seriousness and relevance of the offence;
- How long ago the offence occurred;
- One-off or history of offences;
- Circumstances surrounding the offence;
- Changes in circumstances;
- Country in which the offence occurred;
- Decriminalisation and remorse.



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Retaining information provided by the DBS

DBS documents must be destroyed a maximum of six months after the appointment is made. The information recorded must be:

Record of receipt	Information on decisions made	Reference number	Date of issue	Standard or Enhanced check
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Keep other documents used to verify the successful candidate's identity, right to work and required qualifications for the personnel file.

Information must be readily available for inspectors, to ensure the correct recruitment procedures are being followed. Details of discussions with staff about criminal or other declarations must be retained on personal files. You can read more about handling DBS information here:

<https://www.gov.uk/government/publications/handling-of-dbs-certificate-information/handling-of-dbs-certificate-information>

The Single Central Record

Your SCR must record information for:

- **All** staff who work at the school (including supply staff and teacher trainees on salaried routes)
- For independent schools, academies and free schools, all members of the proprietor body (i.e. the members and trustees of the trust in academies and free schools)

Where applicable, schools must record:

- Identity checks
- Barred list checks
- Enhanced DBS checks
- Prohibition from teaching checks (for those carrying out teaching work)
- [Section 128 checks](#) (for maintained school governors and for those in management positions in an independent school, academy or free school)
- Further checks on people who've lived or worked outside the UK, including checks for restrictions or sanctions imposed by a European Economic Area (EEA) regulating authority
- Checks of professional qualifications (for example, qualified teacher status) <https://www.gov.uk/guidance/teacher-status-checks-information-for-employers>
- Checks to establish individuals' right to work in the UK

In respect of these checks, the SCR must record:

- Whether each check has been carried out, or a certificate obtained
- The date on which each check was carried out, or the certificate obtained



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Supply staff

For supply staff, schools must also record:

- Whether they have written confirmation that the employment business supplying the member of supply staff has carried out the relevant checks and obtained the appropriate certificates
- Whether any enhanced DBS check certificate has been provided
- The date that confirmation was received (independent schools/academies/free schools and non-maintained special schools should also include the date on which any certificate was obtained)

Andrew Hall, Safeguarding Consultant's, Recruitment Checklist

Event	Notes	Date Completed
Planning	Timescales Person specification/Job Description including expectation to follow all safeguarding procedures Application Form (state no CVs accepted) Include commitment to safeguarding on all recruitment materials, including website Applicant Pack created, including safeguarding information Statement that DBS/other vetting checks will be completed	
Vacancy Advertised		
Applications received	Scrutiny of dates, gaps, discrepancies and link to Person Spec./JDs	
Short-listing	At least two people involved Judged against standard criteria	
References requested	Request directly from appropriate referee Ask specific safeguarding questions	
References received	Scrutinised against information given on application form Note issues of concern to be followed up at interview or with referee	
Invitation to interview sent out	Include full instructions for the day, including request to bring along proof(s) of identity, evidence of qualifications and right to work in UK. For teachers, proof of QTS. (Current DBS if applicable or check DBS Update Service)	
Interview day - applicants	Copies of documents taken and any issues noted and shared with interview panel for clarification.	

	Any lack of documents queried and panel agree whether to interview or not.	
Interview day – panel	Panel must include at least one person who has completed Safer Recruitment training Panel must include people who are authorised to appoint staff Panel to have met prior to interviewing and have discussed the questions and assessment criteria The same people interview every candidate	
Interview	Check any discrepancies in application form/ references/ identity/qualification evidence Check suitability to work with children Explore safeguarding/child protection understanding Record made of questions/answers	
Conditional offer of employment made	Made clear to successful applicant that the offer of employment is conditional on successful vetting and other per-employment checks (eg. medical) (and for non-teaching posts, a probationary period)	
Records of Interview information filed	For unsuccessful candidates - kept from date of appointment of successful candidate plus 6 months (include name of interviewers with safer recruitment training) For successful candidate – placed in personnel file and kept until termination of employment plus 6 years (include name of interviewers with safer recruitment training) Evidence of Right to work in UK – kept until termination of employment plus not less than two years Any copies of DBS Certificates – must not be kept for longer than 6 months Copies of other evidence may be kept on file until termination of employment plus 6 years	
Enhanced DBS form completed online or on paper	For all staff and governors.	
DBS Barred List requested	For staff or governors in regulated activity only.	
Health Form completed and requested		
Prohibition from teaching check completed	Using Teaching Regulation Agency portal	
Prohibition from management check	(Not needed in maintained schools; only required in independent/academies/free schools) Known as Section 128 check and completed via Teacher Services	
Disqualification under the Childcare Act check	For all staff working with under-5s; or 5 – 8 year olds out-of-school hours, eg. after-school clubs. Self-declaration	

QTS Check for teachers (May not apply in academies, independent or free schools)	Confirmation of qualified teacher status, including confirmation that where relevant the probationary period has been completed. Confirmation statutory induction completed. Checked via Teaching Regulation Agency portal	
Overseas Checks	Not prohibited or restricted from teaching by another EU country. Completed via Teaching Regulation Agency portal. Police check/Certificate of Good Conduct obtained according to school policy. For overseas trained teachers, letter that NARIC has agreed equivalence of qualification with UK standards	
Single Central Record	All relevant checks recorded on the Single Central Record	
Induction completed	Must include: Behaviour Policy Child Protection Training Code of Conduct or Staff Behaviour Policy Read 'Keeping children safe in education'	