



The Federation of the Church Schools of
Shalfleet and Freshwater & Yarmouth

Together for a Brighter Future

SAFER RECRUITMENT A STATEMENT OF POLICY

Approved by	DD
Portfolio	Staff
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Signed _____ Date _____

INTRODUCTION

The safe recruitment of staff is the first step to safeguarding and promoting the welfare of our children. The Federation of the Church Schools of Freshwater & Yarmouth and Shalfleet is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. This is to be achieved through effective recruitment and retention of competent, motivated staff members who are suited to and competent in their roles. The Federation of the Church Schools of Freshwater & Yarmouth and Shalfleet takes its responsibility for Safer Recruitment seriously. Through our interview, selection process and employment checks, we take reasonable steps to establish whether a person is subject to a prohibition order and then take steps to prevent the employment or engagement of any person who is subject to a prohibition order in such a role.

The purpose of this policy is to set out the minimum requirements of a recruitment process that aims to:

- attract the best possible applicants to vacancies
- deter prospective applicants who are unsuitable for work with children or young people
- identify and reject applicants who are unsuitable for work with children and young people.

STATUTORY REQUIREMENTS

There are some statutory requirements for the appointment of some staff in schools – notably Headteachers and Deputy Headteachers. These requirements change from time to time and must be met.

IDENTIFICATION OF RECRUITERS

The school will ensure at least one member of the appointment panel has successfully received accredited, up to date training in safer recruitment processes.

INVITING APPLICANTS

- Advertisements for posts – whether in newspapers, journals or on-line – will include the statement:

“The Federation of the Church Schools of Freshwater & Yarmouth and Shalfleet is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. This position is subject to an enhanced DBS check.”

The advert should include:

- The school’s commitment to safeguarding and promoting the welfare of children and make clear that safeguarding checks will be undertaken
 - The safeguarding responsibilities of the post as per the job description and personal specification; and
 - Whether the post is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020. Which means that when applying for certain jobs and activities certain spent convictions and cautions are ‘protected’, they do not need to be disclosed to employers, and if they are disclosed, employers cannot take them into account.
- All applicants’ details who were unsuccessful at interview (including application form and interview notes), will only be saved for 6 months after the interview date and will then be shredded.
 - Prospective applicants will be supplied, as a minimum, with the following:
 - Job description and person specification. This should include
 - The skills, abilities, experience, attitude, and behaviours required for the post; and
 - The safeguarding requirements, i.e. to what extent will the role involve contact with children and will they be engaging in regulated activity relevant to children.

- Information pack containing the selection procedure for the post (if time allows)
- An application form which should provide/request information as listed below.
 - Where a role involves engaging in regulated activity relevant to children, schools and colleges should include a statement in the application form or elsewhere in the information provided to applicants that is an offence to apply for the role if the applicant is barred from engaging in regulated activity relevant to children
 - School should also provide a copy of the school's child protection policy and practices and policy on employment of ex-offenders in the application pack or refer to a link on its website
 - School requires the applicant to provide
 - Personal details, current and former names, current address and national insurance number;
 - Details of their present (or last) employment and reason for leaving;
 - Full employment history, (since leaving school, including education, employment and voluntary work) including reasons for any gaps in employment;
 - Qualifications, the awarding body and date of award;
 - Details of referees/references and;
 - A statement of the personal qualities and experience that the applicant believes are relevant to their suitability for the post advertised and how they meet the person specification
- All applicants must complete, in full, an application form.
- School will not accept copies of curriculum vitae in place of an application form.

SHORT-LISTING AND REFERENCES

This process should be completed in line with the current guidance from the Local Authority on the 4LSCP website (www.iowscp.org.uk/) – Safe Recruitment, Selection and Supervision of Staff Guidance.

- Short-listing of candidates will be against the person specification for the post.
- Shortlisted candidates should be asked to complete a self-declaration of their criminal record or information that would make them unsuitable to work with children. Self-declaration is subject to Ministry of Justice guidance on the disclosure of criminal records.

For example:

- If they have a criminal history;
- Whether they are included on the barred list;
- Whether they are prohibited from teaching;
- 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, 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;
- Have been disqualified from providing childcare and,
- Any overseas information
- This information should only be requested from applicants who have been shortlisted. The information should not be requested in the application form to decide who should be shortlisted.
- Applicants should be asked to sign a declaration confirming the information they have provided is true. Where there is an electronic signature, the shortlisted candidate should physically sign a hard copy of the application at point of interview.
- The purpose of a self-declaration is so that candidates will have the opportunity to share relevant information and allow this to be discussed and considered at interview before the DBS certificate is received.

- School should
 - Ensure that at least two people carry out the shortlisting exercise (it is recommended that those who shortlist carry out the interview for a consistent approach);
 - Consider any inconsistencies and look for gaps in employment and reasons given for them; and,
 - Explore all potential concerns.
- Where possible, references will be taken up before the selection stage, so that any discrepancies can be probed during the selection stage.
- References will be sought directly from the referee. References or testimonials provided by the candidate will never be accepted.
- Where necessary, referees will be contacted by telephone or e-mail in order to clarify any anomalies or discrepancies. A detailed written note will be kept of any such exchanges.
- Where necessary, previous employers who have not been named as referees will be contacted in order to clarify any anomalies or discrepancies. A detailed written note will be kept of any such exchanges.

EMPLOYMENT HISTORY AND REFERENCES

- Referees will be asked specific questions about:
 - the candidate's suitability for working with children and young people
 - any disciplinary warnings, including time-expired warnings, that relate to the safeguarding of children
 - the candidate's suitability for this post
- School should:
 - Not accept open references e.g. to whom it may concern;
 - Not rely on applicants to obtain their reference;
 - Ensure any references are from the candidate's current employer and have been completed by a senior person with appropriate authority (if the referee is school or college based, the reference should be confirmed by the headteacher/principal as accurate in respect to disciplinary investigations);
 - Obtain verification of the individual's most recent relevant period of employment where the applicant is not currently employed;
 - Secure a reference from the relevant employer from the last time the applicant worked with children (if not currently working with children), if the applicant has never worked with children, then ensure a reference from their current employer
 - Always verify any information with the person who provided the reference;
 - Ensure electronic references originate from a legitimate source;
 - Contact referees to clarify content where information is vague or insufficient information is provided;
 - Compare the information on the application form with that in the reference and take up any discrepancies with the candidate;
 - Establish the reason for the candidate leaving their current or most recent post; and,
 - Ensure any concerns are resolved satisfactorily before appointment is confirmed.

When asked to provide references schools should ensure the information confirms whether they are satisfied with the applicant's suitability to work with children and provide the facts (not opinions) of any substantiated safeguarding allegations but should not include information about allegations which are unsubstantiated, unfounded, false, or malicious.

Further advice about obtaining references can be obtained from the Advisory, Conciliation and Arbitration Service (ACAS) website.

- School employees are entitled to see and receive, if requested, copies of their employment references.

THE SELECTION PROCESS

- Selection techniques will be determined by the nature and duties of the vacant post, but all vacancies will require an interview of short-listed candidates.
- Interviews will be face to face or over video call should COVID restrictions be in place
- Candidates will always be required to:
 - ✓ explain satisfactorily any gaps in employment
 - ✓ explain satisfactorily any anomalies or discrepancies in the information available to recruiters
 - ✓ declare any information that is likely to appear on a DBS disclosure
 - ✓ demonstrate their capacity to safeguard and protect the welfare of children and young people
- Those interviewing should agree structured questions. These should include:
 - Finding out what attracted the candidate to the post being applied for and their motivation for working with children;
 - Exploring their skills and asking them for examples of experience of working with children which are relevant to the role; and,
 - Probing any gaps in employment or where the candidate has changed employment or location frequently, asking about the reasons for this.
- The interviews should be used to explore potential areas of concern to determine the applicant's suitability to work with children. Areas that may be concerning and lead to further probing include:
 - Implication that adults and children are equal;
 - Lack of recognition and/or understanding of the vulnerability of children; and,
 - Indicators of negative safeguarding behaviours.
- Any information about past disciplinary action or allegations should be considered in the circumstances of the individual case.
- Pupils/students should be involved in the recruitment process in a meaningful way. Observing short listed candidates and appropriately supervised interaction with pupils/students is common and recognised as good practice.
- All information considered in decision making should be clearly recorded along with decisions made.

EMPLOYMENT CHECKS

All offers of appointment should be conditional until all satisfactory completion of the mandatory pre-employment checks.

All schools must:

- Verify a candidate's identity, it is important to be sure that the person is who they claim to be, this includes being aware of the potential for individuals changing their name. Best practice is checking the name on their birth certificate, where this is available.
- Obtain an enhanced DBS check
- 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
- Verify the person's right to work in the UK, including EU nationals. If there is uncertainty about whether an individual needs permission to work in the UK, then schools should follow advice on the GOV.UK website;
- If the person has lived or worked outside the UK, make further checks the school consider appropriate
- Verify professional qualifications, as appropriate. The Teaching Regulation Agency's (TRA) Employer Access Service should be used to verify any award of qualified teacher status (QTS), and the completion of teacher induction or probation.

In addition:

- School must ensure that an applicant to be employed to carry out teaching work is not subject to a prohibition order issued by the Secretary of State by the GTCE, before its abolition in March 2012;
- Before employing a person to carry out teaching work in relation to children, colleges must take reasonable steps to establish whether that person is subject to a prohibition order issued by the Secretary of State
- All schools providing childcare must ensure that appropriate checks are carried out to ensure that individuals employed to work in reception classes, or in wraparound care for children up to the age of 8, are not disqualified from working in these settings under the 2018 Childcare Disqualification Regulations.

All successful applicants are required to

- ✓ provide photo proof of identity
- ✓ complete an enhanced DBS disclosure application and receive satisfactory clearance, with barred list check as appropriate or
- ✓ provide a DBS certificate which is less than three years old with the Isle of Wight Local Authority as employer and with no more than 3 months gap in employment.
- ✓ provide actual certificates of qualifications – the use of the Teacher Services System can verify – QTS, teacher induction and probation periods
- ✓ provide proof of eligibility to live and work in the UK
- ✓ All new employees (including those changing roles) must complete and return a health declaration form.

APPLICANT MOVING FROM PREVIOUS POST

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
- 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 another 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.

SECRETARY OF STATE SECTION 128 DIRECTION

A section 128 direction prohibits or restricts an unsuitable individual from participating in the management of an independent school, including academies and free schools. An individual who is subject to a section 128 direction is unable to:

- Take up a management position in an independent school, academy, or in a free school as an employee
- Be a trustee of an academy or free school trust; a governor or member of a proprietor body of an independent school; or,
- Be a governor on any governing body in an independent school, academy or free school that retains or had been delegated any management responsibilities.

The Department of Education view is that roles involving, or very likely to involve, management of a school includes (but are not limited to) headteachers, principals, deputy/assistant headteachers, governors and trustees.

A person subject to a section 128 direction is also disqualified from holding or continuing to hold office as a governor of a maintained school.

INDIVIDUALS WHO HAVE LIVED OR WORKED OUTSIDE OF THE UK

Individuals who have lived or worked outside the UK must undergo the same checks as all other staff in school. This includes obtaining (via the applicant) an enhanced DBS certificate even if the individual has never been to the UK. In addition, school must make further checks they think appropriate so that any relevant events that occurred outside the UK can be considered. Following the UK's exit from the EU, the same approach for any individuals who have lived or worked outside the UK regardless of whether or not it was in a EEA country or the rest of the world.

These checks could include, where available:

- Criminal record checks for overseas applicants – Home Office guidance and for teaching positions
- Obtaining a letter (via the applicant) from the professional regulating authority in the country (or countries) in which the applicant has worked confirming that they have not imposed any sanctions or restrictions, and or that they are aware of any reason why they may be unsuitable to teach.
- Where available, such evidence can be considered together with information obtained through other pre-appointment checks to help assess their suitability
- Where this information is not available school should seek alternative methods of checking suitability and or undertake a risk assessment that supports informed decision making on whether to proceed with the appointment

(EEA) ECONOMIC AREA REGULATING AUTHORITY TEACHER SANCTIONS OR RESTRICTIONS

From 01 January 2021 the TRA Teacher Services system no longer maintains a list of those teachers who have been sanctioned in EEA member states.

CHILDCARE DISQUALIFICATION

- Childcare disqualification is an additional requirement to the general safeguarding arrangements provided under the DBS regime, which apply to all children.
- The childcare disqualification arrangements apply to staff working with young children in childcare settings, including, primary schools, nurseries and other childcare provision
- For members of staff working in this environment, school should carry out checks under the Childcare Disqualification Regulations 2018

SUITABILITY ASSESSMENT

Where any information about past disciplinary action or allegations is disclosed it should be considered as part of the suitability assessment. All risk assessments and suitability assessments will be recorded.

INDUCTION

All staff who are new to the school will receive induction training that will include the school's safeguarding policies and guidance on safe working practices.

Regular meetings will be held during the first 3 months of employment between the new employee(s) and the appropriate manager(s).

In addition, guidance is available from the school's HR provider Strictly Education.

VOLUNTEERS

- The school welcomes volunteers from our community to support its staff and enrich the experiences for our children. Regular volunteers who work 1:1 with children or in small groups

- are required to either submit a current/valid DBS or complete a new DBS application and be cleared through this process before they are allowed to do so.
- Under no circumstances should a volunteer on whom no checks have been obtained be left unsupervised or allowed to work in regulated activity.
- Whilst volunteers play an important role and are often seen by children as being safe and trustworthy adults, the nature of voluntary roles varies, so schools and colleges should undertake a written risk assessment and use their professional judgement and experience when deciding what checks, if any, are required.

The risk assessment should consider:

- the nature of the work with children, especially if it will constitute regulated activity, including the level of supervision (see paragraphs 292-293 about supervision);
- what the establishment knows about the volunteer, including formal or informal information offered by staff, parents and other volunteers;
- whether the volunteer has other employment or undertakes voluntary activities where referees can advise on their suitability; and
- whether the role is eligible for a DBS check and if it is, what level is appropriate. Details of the risk assessment should be recorded.⁹⁶ When should a DBS with barred list be obtained for volunteers?

Schools or colleges should obtain an enhanced DBS check (which should include children's barred list information) for all volunteers who are new to working in regulated activity with children, i.e. where they are unsupervised and teach or look after children regularly, or provide personal care on a one-off basis in schools and colleges.

Employers are not legally permitted to request barred list information on a supervised volunteer, as they are not considered to be engaging in regulated activity.

It is for schools and colleges to determine whether a volunteer is considered to be supervised. Where an individual is supervised, to help determine the appropriate level of supervision, schools and colleges must have regard to the statutory guidance issued by the Secretary of State (replicated at Annex F).

For a person to be considered supervised, the supervision must be:

- by a person who is in regulated activity relating to children;
- regular and day to day; and
- reasonable in all the circumstances to ensure the protection of children.

Existing volunteers

- Volunteers engaging in regulated activity do not have to be re-checked if they have already had a DBS check (which includes barred list information) unless the school or college have any concerns.

SUPPLY STAFF

- Written notification from any agency, or third-party organisation must be obtained to confirm that they have carried out the checks on an individual who will be working at the school or college that the school would otherwise perform. DBS check, school must ensure that the written notification confirms the certificate has been obtained. The school must receive a copy of the DBS certificate from the agency.
- Identifying checks must also be made to ensure the person presenting themselves for work is the same person on whom the checks have been made

CONTRACTORS/VISITORS/VOLUNTEERS

- Where schools and colleges use contractors to provide services, safeguarding requirements must be made clear in the contract between the organisation and the school or college.
- School should ensure that any contractor, or any employee of the contractor, who is to work at the school or college, has been subject to the appropriate level of DBS check. Contractors engaging in regulated activity relating to children will require an enhanced DBS check (including children's barred list information).
- For all other contractors who are not engaging in regulated activity relating to children, but whose work provides them with an opportunity for regular contact with children, an enhanced DBS check (not including children's barred list information) will be required.⁹³ In considering whether the contact is regular, it is irrelevant whether the contractor works on a single site or across several sites. In cases where the contractor does not have opportunity for regular contact with children, schools and colleges should decide on whether a basic DBS disclosure would be appropriate.
- Under no circumstances should a contractor on whom no checks have been obtained be allowed to work unsupervised or engage in regulated activity relating to children. Schools and colleges are responsible for determining the appropriate level of supervision depending on the circumstances.
- If an individual working at a school or college is self-employed, the school or college 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.
- Schools should always check the identity of contractors on arrival at the school.

TRAINEE/STUDENT TEACHERS

- Where applicants for initial teacher training are salaried by the school, the school or college must ensure that all necessary checks are carried out. If these trainee teachers are engaging in regulated activity relating to children (which in most cases by the nature of the work, they will be), an enhanced DBS check (including children's barred list information) must be obtained.
- 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 provider that it has carried out all pre-appointment checks that the school or college would otherwise be required to perform, and that the trainee has been judged by the provider to be suitable to work with children.
- There is no requirement for the school to record details of fee-funded trainees on the single central record. However, schools may wish to record this information under non statutory information.
- Schools have different types of visitors, those with a professional role i.e. educational psychologists, social workers etc. those connected with the building, grounds maintenance, children's relatives or other visitors attending an activity in school such as a sports day.
- Schools should not request DBS checks or barred list checks, or ask to see existing DBS certificates, for visitors such as children's relatives or other visitors attending a sports day.

- Headteachers and principals should use their professional judgment about the need to escort or supervise such visitors.
- For visitors who are there in a professional capacity check ID and be assured that the visitor has had the appropriate DBS check (or the visitor's employers have confirmed that their staff have appropriate checks).
- Whilst external organisations can provide a varied and useful range of information, resources and speakers that can help schools and colleges enrich children's education, careful consideration should be given to the suitability of any external organisations.

MAINTAINED SCHOOL GOVERNORS

- Governors in maintained schools are required to have an enhanced DBS check. It is the responsibility of the governing body to apply for the certificate for any governors who do not already have one.
- Governance is not a regulated activity relating to children, so governors do not need a children's barred list check unless, in addition to their governance duties, they also engage in regulated activity.
- Schools should also carry out a section 128 check for school governors, because a person prevented from participating in the management of an independent school by a section 128 direction, is also disqualified from being a governor of a maintained school.
- The School Governance (Constitution) (England) Regulations 2012 were amended by the School Governance (Constitution and Federations) (England) (Amendment) Regulations 2016 to include this requirement.
- Associate members are appointed by the governing body to serve on one or more governing body committees. The School Governance (Constitution and Federations) (England) (Amendment) Regulations 2016 which make enhanced DBS checks mandatory for maintained school governors do not apply to associate members, and so there is no requirement for them to be checked unless they also engage in regulated activity at their school.

STUDENTS

In respect of fee-funded trainees, the Federation obtains written confirmation from the provider that it (the provider) has carried out all pre-appointment checks that the school or college would otherwise be required to perform.

ADULTS WHO SUPERVISE CHILDREN ON WORK EXPERIENCE

Schools organising work experience placements should ensure that the placement provider has policies and procedures in place to protect children from harm.

Children's barred list checks via the DBS might be required on some people who supervise a child under the age of 16 on a work experience placement. The school or college should consider the specific circumstances of the work experience. Consideration must 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 would include whether the person providing the teaching/training/instruction/supervision to the child on work experience will be:

- unsupervised themselves; and
- providing the teaching/training/instruction frequently (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 relating to children. If so, the school or college could ask the employer providing the work experience to ensure that the person providing the instruction or training is not a barred person.

Schools and colleges are not able to request that an employer obtains an enhanced DBS check with children's barred list information for staff supervising children aged 16 to 17 on work experience.

If the activity undertaken by the child on work experience takes place in a 'specified place', such as a school or sixth form college, and gives the opportunity for contact with children, this may itself be considered to be regulated activity relating to children. In these cases, and where the child doing the work experience is 16 years of age or over, the work experience provider e.g. school or sixth form college should consider whether a DBS enhanced check should be requested for the child in question. DBS checks cannot be requested for children under the age of 16.

RECORD KEEPING

Schools must maintain a single central record of pre-appointment checks. The single central record must cover the following people:

- All staff, including teacher trainees on salaried routes, agency and third party supply staff, even if they work for one day

The Single Central record must indicate whether the following checks have been carried out or certificates obtained, and the date on which each check was completed or certificate obtained. Which includes all staff and volunteers who work at the school which includes:

- identity check
- barred list check
- Enhanced DBS check/certificate
- Prohibition from teaching check
- Further checks on people living or working outside the UK
- Check of professional qualifications
- Check to establish right to work in the United Kingdom

In the case of Supply staff the school will ensure the business supplying the member of staff has carried out the appropriate checks. In the case of Contractors the school will ensure the contractor has cleared the appropriate DBS check.

RETENTION OF DOCUMENTS

Schools do not have to keep copies of DBS certificates in order to fulfil the duty of maintaining the single central record. To comply with the requirements of the Data Protection Act 2018, when a school chooses to retain a copy, there should be a valid reason for doing so and it should not be kept for longer than six months. When the information is destroyed a school may keep a record of the fact that vetting was carried out, the result and the recruitment decision taken if they choose to.

Copies of DBS certificates and records of criminal information disclosed by the candidate are covered by UK GDPR/DPA 2018 Article 10. A copy of the other documents used to verify the successful candidate's identity, right to work and required qualifications should be kept on their personnel file.

DISCIPLINARY

Where a member of staff is suspended or moved out of regulated activity to another post if they meet the harm criteria, the Federation will refer to DBS.

This policy should be read in conjunction with the school's Child Protection Policy, Keeping Children Safe in Education (September 2023 Update) and Working Together to Safeguard Children (2018).