



Ashgate Specialist Support Primary School
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Headteacher: Diane Wolstenholme B.Ed.Hons

POLICY STATEMENT

Safer Recruitment Policy

Article 3 (best interests of the child). The best interests of the child must be a top priority in all decisions and actions that affect children.

Article 19 (protection from violence, abuse and neglect). Governments must do all they can to ensure that children are protected from all forms of violence, abuse, neglect and bad treatment by their parents or anyone else who looks after them.

Article 23 (children with a disability). A child with a disability has the right to live a full and decent life with dignity and, as far as possible, independence and to play an active part in the community. Governments must do all they can to support disabled children and their families.

Article 34 (sexual exploitation). Governments must protect children from all forms of sexual abuse and exploitation.

Article 36 (other forms of exploitation). Governments must protect children from all other forms of exploitation, for example the exploitation of children for political activities, by the media or for medical research.

Date policy written	Feb 2017
Reviewed	March 2018
Consultation and Ratified	Feb 2019 May 2020 May 2021
Next Review date	May 22



Ashgate Specialist Support Primary School

The Head Teacher, Diane Wolstenholme has ultimate responsibility for safeguarding.

In her absence, the authorised members of staff are Sophie Barton and Claire Redrobe.

KEY SCHOOL STAFF & ROLES

Name	Role	Location and/or Contact Phone Number
Kirsty Brennan	HLTA – Safer Recruitment	0161 359 5322
Michelle Muscovitch	School Business Manager– Safer Recruitment	0161 359 5322
Debbie O'Brien	Administrator – Safer Recruitment	0161 359 5322
Lisa Thompson	Administrator - SCR	0161 359 5322

KEY SCHOOL GOVERNORS

Name	Role
Margaret Blowey	Chair of Governors
Joan Holt	Safeguarding Lead Governor

CHILD PROTECTION AND SAFEGUARDING PROCEDURE

Any concerns about the welfare of any of our pupils should be reported immediately to a Designated Safeguarding Lead or alternatively a member of the Senior Leadership Team.

The Safeguarding Lead will decide whether to make a referral to children's social care; it is important to note that any staff member can refer their concerns to children's social care directly.

All concerns are reported to the safeguarding team and are recorded electronically on CPOMS (our electronic recording system). All staff receive regular training from the designated safeguard lead on reporting concerns. Body maps, meeting notes and incident reports will be recorded on CPOMS with paper documents scanned and upload into individual pupils' records.

Useful contacts:

Children's Services Advice & Guidance Helpline/Referrals: 0161 234 5001

Early Help Hubs: North 0161 234 1973, Central 0161 234 1975, South 0161 234 1977

National Society for the Prevention of Cruelty to Children (NSPCC): 0808 800 5000

Local Authority (LA) Safeguarding in Education Team: 0161 245 7171

MANAGING ALLEGATIONS PROCEDURE

Where there is an allegation that an adult working or volunteering with children has:-

- behaved in a way that has, or may have, harmed a child; or
- possibly committed a criminal offence against or related to a child; or
- behaved towards a child or children in a way that indicates that he/she would pose a risk of harm if they work regularly or closely with children.

The school will immediately contact the Local Authority Designated Officer (LADO) who has a statutory duty to ensure all allegations about safeguarding are handled properly and expeditiously. The school will also contact their HR adviser without delay.

Useful contacts:

Head Teacher: Diane Wolstenholme

Chair of Governors: Margaret Blowey Tel: 0161 962 3546, Email: rhbmeh@aol.com

LADO (sometimes referred to as the Designated Officer or DOLA): 0161 234 1214

NSPCC Whistleblowing Helpline: 08000 280 285

WHISTLEBLOWING PROCEDURE

Our Whistleblowing procedure if staff and volunteers are aware of poor or unsafe practice, a breach of the code of conduct, and or potential failings in our safeguarding regime internally or externally:

- Concerns about malpractice, should be raised in the first instance with your Line Manager. This may be done verbally or in writing.
- If an adult does not feel able to raise the matter with their Line Manager, they will discuss the matter with the Headteacher or other member of the Senior Leadership Team.

Once concerns have been raised, an initial assessment of what action should be taken. This may involve an internal inquiry or a more formal investigation. We will tell you who is handling the matter, how you can contact him/her and whether your further assistance may be needed. If you request, we will write to you summarising your concern and setting out how we propose to handle it.

Head Teacher: Diane Wolstenholme

Chair of Governors: Margaret Blowey Tel: 0161 962 3546, Email: rhbmeh@aol.com

NSPCC Whistleblowing Helpline: 08000 280 285

KEEPING CHILDREN SAFE IN EDUCATION, PART 3 SAFER RECRUITMENT

Advice regarding all aspects of safer recruitment will be adhered to, including pre-employment checks and DBS checks as detailed in KCSiE Part 3 and the DFE definitions of regulated activity.

See:

Appendix 1, KCSiE Part 3 and 4

Appendix 2 'Factual Note on regulated Activity in Relation to Children

This policy will be reviewed annually unless an incident or new legislation or guidance suggests the need for an interim review

Review date	Changes made	By whom
September 2010	Policy created	Diane Wolstenholme
February 2020	Policy reviewed	Sophie Barton
May 2021	Policy reviewed	Diane Wolstenholme

Ratification by Governing Body

Academic year	Date of ratification	Chair of Governors
2019 - 2020	17.03.20	Margaret Blowey
2020 - 2021	11.05.21	Margaret Blowey

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1 INTRODUCTION

- 1.1 This policy has been developed to embed safer recruitment practices and procedures throughout Ashgate Specialist Support Primary School and to support the creation of a safer culture by reinforcing the safeguarding and well-being of children and young people in our care. This policy applies to employees, supply staff, contractors, volunteers and visitors.
- 1.2 This policy complies with guidance outlined in DfE, KCSiE 2019 and recruitment guidance issued by Manchester LA (Appendix 12). It has been ratified by the Governing Body in May 2020 and will be reviewed annually.
- 1.3 We know that safer recruitment processes alone are not enough to safeguard children. We will apply the learning from research and serious case reviews to help us create and maintain a culture within our school that will help deter, prevent, and detect inappropriate or abusive behaviour. Important elements of a safe culture include:
- an 'open and no secrets' culture where adults and children feel safe and supported to raise concerns and trust that they will be taken seriously and acted upon appropriately
 - belief that it 'could happen here'
 - setting acceptable standards of behaviour and guidance for safer working practices
 - setting clear procedures for reporting concerns and whistleblowing
 - a strong commitment to safeguarding children and an ongoing culture of vigilance
 - policies and procedures are put into practice and are effective
 - induction, regular training and probationary periods.
- 1.4 This policy reinforces the conduct outlined in the Safer Recruitment Consortium, 'Guidance for Safer Working Practice for those Working with Children and Young People in Education Settings', May 2019 as well as the school's Whistleblowing Policy. All staff and volunteers are expected to be familiar with this guidance and all successful candidates for paid or volunteer employment will be made aware of these documents as part of their induction. We also expect all staff and volunteers to discuss with the Headteacher any relationship or association, either in school, out of school or online, that may have implications for the safeguarding of children in school.
- 1.5 This policy is an essential element in creating and maintaining a safe and supportive environment for all pupils, staff and others within the school community and aims to ensure both safe and fair recruitment and selection of all staff and volunteers by:
- attracting the best possible candidates or volunteers to vacancies
 - deterring prospective candidates or volunteers who are unsuitable from applying for vacancies
 - identifying and rejecting those candidates or volunteers who are unsuitable to work with children and young people.

- 1.6 Ashgate Specialist Support Primary School is committed to using disciplinary procedures that deal effectively with those adults who fail to comply with the school's safeguarding and child protection procedures and practices.
- 1.7 As an employer we are under a legal duty to refer any allegation of abuse against a member of staff or volunteer to the LADO within one working day of the allegation being made. A referral will be made if a teacher or member of staff (including volunteers) has:
- behaved in a way that has harmed a child, or may have harmed a child
 - possibly committed a criminal offence against or related to a child
 - behaved towards a child or children in a way that indicates he or she would pose a risk of harm if they work regularly or closely with children
 - conducted an act which is deemed inappropriate and may impact on the school's reputation or confidence in staff's ability to safely work with children.
- 1.8 As an employer we are under a legal duty to refer to the Disclosure and Barring Service (DBS), any member of staff who, following disciplinary proceedings, is dismissed because of misconduct towards a pupil and we may refer any concerns we have before the completion of this process. We will adhere to the guidance set out in KCSiE, 2019, Part 4 'Allegations of Abuse Made Against Teachers and other Members of Staff' (Appendix 3), including where a member of staff leaves or is dismissed.
- 1.9 The Headteacher and / or Safeguarding Leads / Business Manager will check for updated relevant information about staff every 3 years. The [DBS online update service](#) will be used where existing staff have subscribed to this service and have given their consent for the status to be rechecked.

2 ROLES AND RESPONSIBILITIES

- 2.1 The Governing Body of the school will:
- ensure the school has effective policies and procedures in place for the safe and fair recruitment and selection of staff and volunteers in accordance with DFE guidance and legal requirements
 - monitor the school's compliance with them. Describe monitoring arrangements e.g. quality assurance of the single central record, ensuring completion of safer recruitment checklists for each new appointment, ensuring that at least one member of each recruitment panel has completed Safer Recruitment training and that those responsible for the management and oversight of the single central record have completed relevant training. Section 9 summarises the requirements in school of the single central records.

2.2 The Headteacher will:

- ensure that the school operates safe and fair recruitment and selection procedures which are regularly reviewed and updated to reflect any changes to legislation and statutory guidance
- ensure that all appropriate checks have been carried out on staff and volunteers in the school
- monitor any contractors and agencies compliance with this document
- promote the safety and well-being of children and young people at every stage of this process.

3 INVITING APPLICATIONS

3.1 All advertisements for posts of regulated activity, paid or unpaid, will include the following statement:

“Ashgate Specialist Support Primary School is committed to safeguarding children and young people. All post holders are subject to appropriate vetting procedures as outlined in Part 3 of DfE, KCSiE 2019 (Appendix 1), this includes a satisfactory Disclosure and Barring Service Enhanced with barred list information check”.

3.2. All applicants will receive a pack containing the following when applying for a post:

- a statement of the school’s commitment to ensuring the safety and well-being of the pupils
- job description and person specification, this will include reference to the responsibility for and qualities required to safeguard and promote the welfare of all children
- the school’s Child Protection Policy
- the school’s Safer Recruitment Policy
- the selection procedure for the post
- equal opportunities monitoring form
- self-disclosure of criminal history in relation to unprotected cautions and convictions (to be returned in a separate sealed envelope marked ‘confidential - disclosure’ and name of candidate)
- an application form that requests the following information:
 - personal details
 - age
 - full education, training and employment history
 - explanation of any gaps
 - appropriate referees (including current or most recent employer)
 - personal statement
 - signed and dated declaration

3.3 Prospective applicants must complete, in full, and return a signed application form.

Incomplete application forms will not be accepted and must be returned to the applicant where the deadline for completed forms has not passed.

3.4 Positions working with children are exempt from the provisions of the Rehabilitation of Offenders Act 1974 (as amended 2013). Therefore, applicants will be asked to disclose any

criminal history. This information will be requested as part of the application process but on a separate form submitted at the same time (to be returned in a separate sealed envelope marked 'confidential - disclosure' and name of candidate). This information will only be considered by the recruitment panel after the short-listing stage. Applicants will be given the opportunity to discuss any relevant information disclosed prior to the interview. Self-disclosure does not remove the requirement to obtain a DBS certificate.

- 3.5 Candidates submitting an application form completed on-line will be asked to sign the declaration on their application form if called for interview. This declaration will ask candidates to confirm the following:
- that the information submitted on their application form is complete and accurate
 - that they understand any offer of employment is subject to satisfactory references and vetting checks including a satisfactory DBS certificate and check of the Barred list
 - a satisfactory medical report, if appropriate
 - that they have not been disqualified from working with children, cautioned or sanctioned in this regard. See Appendix 5 for model letter.
- 3.6 A curriculum vitae cannot be accepted in place of a completed application form.

4 IDENTIFICATION OF THE RECRUITMENT PANEL

- 4.1 At least one member of the Selection and Recruitment Panel will have successfully completed training in 'Safer Recruitment' that covers as a minimum, the requirements set out in DfE, KCSiE 2019. In light of the pace of change in statutory guidance, namely DfE, KCSiE 2019, it is good practice and strongly recommended by Manchester City Council that Safer Recruitment training is refreshed every three years.
- 4.2 If there are other members of the panel who have not yet completed safer recruitment training, it will be the responsibility of the trained panel member to brief the panel on the principles and requirements of safer recruitment practice prior to the process commencing.
- 4.3 Effective and safe recruitment can be a lengthy process, sufficient time and resource will be allocated to ensure safer recruitment practice is fully implemented.

5 SHORT LISTING AND REFERENCES

- 5.1 At least two members of the recruitment panel will carry out the short-listing process. Candidates will be short listed against the person specification for the post. Applications will be scrutinised and any discrepancies, anomalies and or gaps in employment will be noted and explored if the candidate is shortlisted.
- 5.2 We will ensure that two written satisfactory references are obtained, one of which must be from the applicant's current or most recent employer. References will be requested at the short-listing stage and where possible obtained prior to interview. This would allow any concerns they raise to be explored further with the referee and taken up with the candidate at interview. Conditional offers will only be made to the preferred candidate after two satisfactory references have been obtained. Detailed written records will be kept of any verbal exchanges about the content of the reference with either the candidate and or the referee.

- 5.3 Open references will not be accepted. References will be sought directly from the referee and from a senior person who is able to provide information specifically relating to disciplinary matters and suitability to work with children and who has the appropriate authority to provide a professional reference on behalf of the organisation. Where this is not the case for the named referee, a senior person within the organisation will be contacted directly to confirm the content of the reference and asked to provide any additional information specifically relating to disciplinary matters and suitability to work with children.
- 5.4 Where necessary, previous employers who have not been named as referees may be contacted in order to clarify any such anomalies or discrepancies. Detailed written records will be kept of such exchanges.
- 5.5 Electronic references will be verified for authenticity, this may include:
- checking referee contact details against those listed on the organisation's website
 - only accepting professional email addresses
 - telephone contact
 - checking Companies House.
- 5.6 Referees will be sent a reference request and asked specific questions about the following:
- the candidate's suitability to work with children and young people
 - any disciplinary warnings, including current and live and or time-expired warnings, relating to the safeguarding of children and young people
 - the candidate's suitability for the post.
 - applicant's current position and salary
 - sickness record
 - attendance record (In accordance with the Equality Act 2010, referees will only be asked for information relating to absence or sickness record after the preferred candidate has been selected unless the post has an exception)
 - disciplinary record.
- 5.7 All appointments are subject to satisfactory references, vetting procedures and DBS clearance.

6 INVITATION TO INTERVIEW

- 6.1 Candidates called to interview will receive:
- a letter confirming the interview and details of the selection techniques
 - a request to bring the required proof of identification, including photo ID, that will be needed for an ID check as part of the DBS application process should they be offered the post
 - a request to bring original certificates of any qualifications required for the post
 - details of the interview day including details of the panel members
 - further copy of the person specification
 - details of any tasks to be undertaken as part of the interview process
 - the opportunity to ask any questions and or seek clarification about the selection process prior to the interview

7 THE SELECTION PROCESS

- 7.1 Selection techniques will be determined by the nature and duties of the post but all vacancies will require a planned and formal interview of short-listed candidates. To allow the best opportunity to assess a candidate's suitability for the role, a range of selection tools may be used in addition to an interview. This may include:
- lesson observations
 - opportunities to assess the candidate's interaction with staff and children
 - presentations
 - role play
 - group exercises
 - written exercises
 - aptitude/ability tests
 - personality questionnaires.
- 7.2 Interviews will always be face-to-face or in exceptional circumstances, conducted via the use of technology e.g. Skype. Interviews will include value-based and probing questions to inform the panel's assessment of the candidate's suitability to safeguard and promote the welfare of all children. Value based interviewing helps to assess the values, motives and attitudes of applicants. It focuses on how and why decisions are made and helps to explore reasons for their behaviour. All questions will be pre-planned by the panel and designed to invite evidence-based responses rather than theoretical responses.
- 7.3 Written notes will be taken by the panel to record the questions asked and responses given by candidates.
- 7.6 Candidates will be required to:
- explain any gaps in employment
 - explain satisfactorily any anomalies or discrepancies in the information available to the panel
 - declare and explain any information that is likely to appear on the DBS disclosure
 - demonstrate their ability to safeguard and protect the welfare of children and young people.

8 EMPLOYMENT CHECKS

- 8.1 Pre employment vetting checks are a vital part of safer recruitment practice. An offer of appointment will be conditional and subject to satisfactory checks required for the role as set out in DfE, KCSiE 2019 and outlined in the Appendix 4. Where applicable to the role and or candidate, checks include:
- proof of identity
 - enhanced DBS check
 - children's barred list check

- proof of professional status
- proof of qualifications (original certificates)
- mental and physical fitness (completion of a confidential health questionnaire)
- proof of eligibility to live and work in the UK
- overseas criminal record checks
- EEA Check
- teacher's sanctions and prohibitions checks
- section 128 check
- disqualification from childcare self-declaration
- satisfactory references.

8.2 An enhanced DBS certificate which includes barred list information, will be required for most appointments. In summary, a person will be considered to be engaging in regulated activity if, as a result of their work, they:

- will be responsible, on a regular basis in a school or college, for teaching, training, instructing, caring for or supervising children; or
- will carry out paid, or unsupervised unpaid, work regularly in a school or college where that work provides an opportunity for contact with children; or
- engage in intimate or personal care or overnight activity, even if this happens only once.

8.3 A 'safer recruitment checklist' (Appendix 3) will be used throughout the process to record the progress of checks. As part of the quality assurance process, the Headteacher or nominated member of the Senior Leadership Team will counter-sign the checklist upon completion and prior to employment commencing.

8.4 In exceptional circumstances, where the enhanced DBS certificate has not yet been received, employment may commence subject to:

- completion of all other checks including a separate barred list check
- completion of a written risk assessment
- appropriate supervision arrangements in place
- signed agreement by the Headteacher.

8.5 In cases where 'unprotected' information about criminal history is disclosed on the DBS certificate and or as part of the self-disclosure, a risk assessment (Appendix 8) will be completed to inform the decision whether to withdraw a conditional offer or to appoint. As part of this process, consideration will be given to the following factors:

- Nature, seriousness and relevance
- How long ago it occurred
- If it was a one-off or part of a history
- Circumstances of it being committed
- Change of personal circumstances of the applicant
- Country of conviction
- Decriminalisation

9 RECORDS & INFORMATION SHARING

- 9.1 Interview notes will be retained for a period of 6 months after the interview and then destroyed, unless a complaint has been lodged about the recruitment process. In this case, notes will be retained as long as is necessary in order to fully investigate and resolve.
- 9.2 Notes of the interview with the successful candidate will be placed in the personnel file and stored for the duration of the employment and afterwards in accordance with our retention policy.
- 9.3 With the exception of the DBS Certificate, copies of documents used to verify the successful candidate's identity, evidence of their right to work in the UK and required qualifications will be retained in their personnel file.
- 9.4 We will not retain copies of DBS certificates for more than 6 months.
- 9.5 Evidence of all checks will be recorded in our Single Central Record.
- 9.6 We maintain a Single Central Record in electronic form in accordance with KCSiE 2019 with the following minimum information:-
- Identity check
 - Barred list check
 - An enhanced DBS check
 - A prohibition from teaching check
 - Further checks on persons who have lived or worked outside the UK
 - Professional qualification checks
 - A check to establish the person's right to work in the UK
 - For agency or third party staff, whether written confirmation has been received that the employment business supplying the member of supply staff has carried out relevant checks and obtained the appropriate certification and the date that confirmation was received and whether any enhanced DBS certificate check has been provided in respect of the member of staff.

10 TRAINEE AND STUDENT TEACHERS

- 10.1 Where applicants for initial teacher training are salaried by us, we will ensure that all necessary checks are carried out and will record evidence of those checks on the school's single central record.
- 10.2. Where trainee teachers are fee-funded, we will obtain written confirmation from the initial teacher training provider that it has carried out all required checks, and that the trainee has been judged by the provider to be suitable to work with children. We will carry out identity checks when the individual arrives at school to ensure that the person presenting themselves for work is the same person on whom the checks have been made. Confirmation of checks from the provider will be retained and may be recorded on the school's single central record.

11 VOLUNTEERS

- 11.1 As set out in this policy, we will always apply safer recruitment principles and practice to volunteers working in our school. The level of checks undertaken for each volunteer will be informed by the level of supervision in place, the type and frequency of the activity undertaken and the outcome of a written risk assessment (Appendix 5).

- 11.2 Where checks have not been undertaken, we will never leave a volunteer unsupervised or allow them to work in regulated activity.
- 11.3 To ensure full compliance with the law, we will only obtain an enhanced DBS certificate with barred list check information for volunteers who are in regulated activity.
- 11.4 Where a volunteer is not considered to be in regulated activity, we will complete a written risk assessment to inform our decision about which level of checks are required, which we will keep securely in our files. Examples of the types of checks that may be undertaken on volunteers who are not in regulated activity may include, proof of identity, enhanced DBS certificate, employment and training history and references. As part of our risk assessment process, we will consider:
- the nature of the work with children
 - what we know about the volunteer, including formal or informal information offered by staff, parents and other volunteers
 - motivation to volunteer
 - whether the volunteer has other employment or undertakes voluntary activities where referees can advise on suitability
 - whether the role is eligible for an enhanced DBS check.
- 11.5 Confirmation of checks will be retained and may be recorded on the school's single central record.

12 INDUCTION

- 12.1 As part of their induction training on day one, all staff, volunteers and visitors who are new to the school will receive information at the appropriate level on:
- the school's Child Protection Policy and procedures
 - guidance on safe working practices and code of conduct
 - the school's Supporting Children's Behaviour Policy
 - who the designated safeguarding leads are and their role
 - safeguarding responsibilities for children missing education
 - DfE, KCSiE, 2019 Part 1 and Annex A.
- 12.2 All staff and regular volunteers will undergo a period of monitoring and where appropriate a probation period. This will include regular meetings with their induction tutor and line manager. Safeguarding and any other appropriate training will also be arranged and completed during the induction period.
- 12.3 Upon completion of the induction process, an induction checklist will be signed by both parties and a copy placed in the Personnel file.

12 GOVERNORS

- 12.1 Governors would not normally engage in regulated activity and therefore an enhanced DBS check without Barred list information will be the appropriate level of check. Where a governor is undertaking additional duties, for example, unsupervised and regular volunteer work with children, an enhanced DBS check with barred list information will be obtained. We will also check that governors are not prohibited from management (section 128 check).

Confirmation of checks will be retained and may be recorded on the school's single central record.

13 AGENCY AND THIRD PARTY STAFF

- 13.1 We will only use those agencies which operate a Safer Recruitment Policy and supply written confirmation that all relevant checks in line with DfE, KCSiE, 2019 have been satisfactorily completed. Any information disclosed as part of the DBS check will be treated confidentially.
- 13.2 For those undertaking regulated activity, we will also request written confirmation that the agency or organisation have safeguarding policies in place and annual safeguarding training appropriate to the role.
- 13.3 Manchester City Council apply safer recruitment practice and undertake vetting checks relevant to posts appointed to within Children's Services.
- 13.4 We will carry out identity checks when the individual arrives at school to ensure that the person presenting themselves for work is the same person on whom the checks have been made. Confirmation of checks from the agency will be retained and recorded on the school's single central record.

14 CONTRACTORS

- 14.1 We will ensure that any contractor, or any employee of the contractor, including those who are self-employed, who is to work at Ashgate Specialist Support Primary School, has been subject to the appropriate level of DBS check as set out in the flowchart, in KCSiE 2019, Part 3. Contractors engaging in regulated activity will require an enhanced DBS certificate (including barred list information). For all other contractors who are not engaging in regulated activity, but whose work provides them with an opportunity for regular contact with children, an enhanced DBS check (not including barred list information) will be required.
- 14.2 Contractors who have not had any checks will not be allowed to work unsupervised or engage in regulated activity.
- 14.3 Where confirmation of checks has been obtained, we will carry out identity checks when the individual arrives at school to ensure that the person presenting themselves for work is the same person on whom the checks have been made.
- 14.4 Confirmation of checks will be retained and may be recorded on the school's single central record.

15 VISITORS

- 15.1 All visitors will be asked to report to reception. Upon arrival, visitors will be asked who they are seeing and what the purpose of the visit is. All visitors will be provided with a Safeguarding leaflet which outlines a summary of safeguarding arrangement, support with behaviour and personal care and dress code. Unchecked visitors will always be escorted and or supervised. Members of staff will be made aware of adults who are unchecked and informed that they should be supervised at all times.
- 15.2 We have adopted Manchester City Council procedures to ensure that there is no risk to children from visitors and we exercise diligence and prevent any organisation or speaker

from using our facilities to disseminate extremist views or radicalise pupils and staff. Arrangements are in place to ensure this e.g. sourced from reputable organisations, pre-agreed content.

16 ALTERNATIVE PROVISION

- 16.1 Where we have children accessing education with an alternative provision provider, we will always satisfy ourselves of the safeguarding arrangements in place. As part of our ongoing safeguarding responsibilities for all our children, we will obtain written confirmation from the alternative provider that safer recruitment checks have been carried out on individuals working at the establishment in accordance with their legal duties under KCSiE, 2019.

17 ADULTS WHO SUPERVISE CHILDREN ON WORK EXPERIENCE

- 17.1 We will ensure that the placement provider has policies and procedures in place to protect children from harm. We will consider the specific circumstances of the work experience, and in particular to the nature of the supervision and the frequency of the activity being supervised, to determine what, if any, checks are necessary. These considerations will include the level of supervision of the person providing the work experience and the placement frequency. We will request written confirmation from the employer that a barred list check has been undertaken where it is considered the person supervising the placement is in regulated activity.

APPENDICES

APPENDIX 1 Part 3 and 4 KCSiE 2019

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APPENDIX 2 Factual Note on Regulated Activity in Relation to Children

Regulated activity means:

An activity that involves regular and close contact with children or vulnerable adults. This will usually be paid work but in a minority of circumstances, may also include volunteering

Such activities include:

Any activity of a specified nature, which involves contact with children or vulnerable adults frequently, intensively and/or overnight.

Any activity allowing contact with children or vulnerable adults that is in a specified place frequently or intensively.

Fostering and childcare.

Any activity that involves people in certain defined positions of responsibility.

In these definitions 'frequently' means the activity takes place once a week or more and 'intensive' means an activity that takes place on four or more days in a 30-day period.

'Overnight' means between 2am – 6am.

Intimate or personal care will always be regulated activity, even if it happens only once or is undertaken by a volunteer.

All paid work in schools will be regulated activity.

Appendix 3

Safer recruitment checklist

(based on a version developed by Wigan Safeguarding Children Board)

Pre-interview	Initials	Date
Planning – timetable decided: job specification and description and other documents to be provided to applicants, reviewed and updated as necessary. Application form seeks all relevant information and includes relevant statements about references etc.		
Vacancy advertised – (where appropriate) advertisement includes reference to safeguarding policy, that is, statement of commitment to safeguard and promoting welfare of children and need for successful applicant to be DBS checked.		
Applications on receipt – Scrutinised – any discrepancies/ anomalies / gaps in employment noted to explore if candidate considered for		
Interview Panel – should be briefed and at least 1 member suitability trained in safer recruitment.		
Shortlist prepared and interview	Initials	Date
References – Seeking – sought directly from referee on shortlisted candidates; ask recommended specific questions; including any previous safeguarding allegations.		
Reference – on receipt checked against information on application; scrutinise; any discrepancy/issue of concern noted to take up with referee and/or applicant.		
Invitation to interview – includes all relevant information and instructions.		
Interview arrangements – at least 2 interviewers; panel members have authority to appoint; have met and agreed issues and questions/assessment criteria/standards.		
Interview – explores applicant’s suitability for work with children as well as suitability for the requirements of the post.		
Any self-disclosed criminal history or issues of suitability – check information would not be filtered / protected, discuss context with candidate at interview, record what was discussed, seek additional		
Note – Identity and qualifications of successful applicant verified on the day of interview by scrutiny of appropriate original documents; copies of documents taken and placed on file.		
Conditional offer of appointment – offer of appointment is made on conditional satisfactory completion of the following pre-appointment checks and consideration of a probationary period.		
References - receive and check (If not obtained and scrutinised previously) any issues are clarified with referee and/or candidate. <u>Electronic references</u>		
Identity & Qualifications (If that could not be verified at interview)		
Evidence of right to work in the UK – refer to https://www.gov.uk/legal-right-work-uk for guidance.		

	Initials	Date
<p>DBS Certificate – Apply for relevant level of DBS, which will be sent back to the applicant. Applicant should then present the original certificate to the recruiting manager. The recruiting manager should make a note on the Single Central Record of the date it was seen by them.</p> <p>Any disclosed information relevant to suitability should be compared with the self-disclosure.</p> <p>For applicants who are signed up to the DBS update service, permission must be sought from the candidate to view the certificate by the recruiting manager. If it isn't at the appropriate level or the disclosure details have changed, a new DBS must be obtained.</p>		
<p>Barred list check – check the candidate is not barred from taking up the post (this check should only be undertaken for those working in regulated activity, more guidance at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/550197/Regulated_activity_in_relation_to_children.pdf).</p>		
<p>Qualified Teacher Status (QTS) – (for teaching posts in maintained schools) the teacher has obtained QTS or is exempt from the requirement to hold QTS (for teaching posts in FE colleges), the teacher has obtained a PGCE or Certificate of Education (Cert. Ed) or FE</p>		
<p>Prohibition – (for teaching posts) the teacher has not been included in the prohibition list, interim prohibition list or subject to GTCE</p>		
<p>Prohibition from management (independent/free schools/academies and maintained school governors) – anyone appointed to a management position is not barred from management by the Secretary of State</p>		
<p>Health – Ensure the candidate is medically fit to take up the post. This requirement can be satisfied by using a self-</p>		
<p>Disqualification from childcare – (for relevant posts only) go to https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/528473/Disqualification_under_the_childcare_act_June2016.pdf for more guidance on who is bound by the disqualification rules.</p>		
<p>Employing individuals who have lived or worked outside the UK – These individuals must undergo the same checks as any other candidate, as well as further checks so that relevant events that occurred outside the UK can be considered. For teaching posts, this will include a check of the EEA list.</p> <p>Please refer to the following for further guidance on overseas criminal checks: https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants</p>		
Appointment and probationary period	Initials	Date
<p>Induction – include the following:</p> <ul style="list-style-type: none"> - Appropriate level of safeguarding and child protection training - Name and how to contact the DSL - Whistleblowing - Pupil behaviour policy - Safe working practice / staff code of conduct - Health & Safety in the workplace - Setting emergency evacuation procedures - Any other relevant CPD 		

APPENDIX 4

Pre-appointment checks

Identity: importance of verifying the successful applicant's identity by reference to original documents. Candidates invited to interview should be asked to bring with them the necessary documents to verify their identity that will satisfy the requirements of the DBS in respect of the application for a disclosure.

DBS barred list: under the Protection of Freedoms Act 2012 schools have a legal duty to check that any person being appointed to work in regulated activity is NOT barred from working with children or – where applicable – working with vulnerable adults. This check must be done before the person commences in post even if they start pending a DBS certificate.

DBS certificate: the successful applicant should be asked to complete an application for an enhanced DBS certificate and produce the required supporting documentation straight away. Everybody employed to work in a school is required by law to undertake an enhanced disclosure. Since 2016, all newly appointed governors (of maintained / VC schools) must undertake an enhanced DBS certificate². Existing governors without enhanced DBS were required to undertake a new check by September 2016. Governors are not in regulated activity and should not be checked against the barred list.

Qualifications: the successful applicant should be required to provide original certificates or diplomas for all the academic or vocational qualifications required for the post, plus any that are relevant to the post. The documents should be checked to ensure that they refer to the applicant and it is also important to verify them with the awarding body.

Status: it is a requirement for some posts that the applicant is licensed or registered with a professional body. For example, in order to be employed as a teacher in a maintained school, a person must usually have been awarded qualified teacher status and be registered with the relevant general teaching council.

Prohibition All those appointed to undertake 'teaching work' must be checked against the prohibition list and interim prohibition list before commencing in post. Schools can check these lists via the Teachers Services website. 'Teaching work' includes qualified / unqualified teachers and HLTAs but not teaching assistants – see *Keeping children safe in education* for more information. When recruiting teachers, it is important to also check for any past General Teaching Council for England (GTCE) sanction.

Prohibition from participation in management – anyone appointed to a management position in an independent school, academy or free school as an employee, trustee or proprietor must now be checked to ensure they have not been barred from management of an independent school³ by the Secretary of State. This check will usually be done as part of their enhanced DBS (state that the person is in 'management of an independent school' on the DBS application) or – if the person is not in regulated activity – via Teachers Services. This should be included as a column on the SCR in relevant schools.

NB KCSiE 2019 makes clear that inclusion on s128 also prohibits an individual from serving as a governor of a maintained school – members of governing bodies must therefore be checked against the s128 list.

Disqualification under the Childcare Act 2006 – the DfE has updated guidance for schools (31/08/18) which recruiters should ensure they have read and understood. There is insufficient time in this course to cover what is a complex area. Briefly, the Regs apply to anyone working in childcare a) with under 5s or b) in wrap-around care where there are children under 8. In schools, this means nursery and reception classes and applies to room

staff, lunchtime supervisors, etc but NOT office staff, cleaners, or people deployed to the under 5s only occasionally. It will apply to all Head teachers of primary schools and others who manage under 5s childcare. If the school has Ofsted-registered breakfast or after-school care, the Regs apply to this provision. New recruits should be advised of the Regs and asked to confirm that they are not disqualified from childcare. Schools are not required to keep information about disqualification from childcare checks on the SCR but may do so if they wish, bearing in mind that the law⁴ prevents employers from keeping records or details of someone's criminal history.

Disqualification by association has now been disappplied for schools & early years providers (except where the provision is in someone's home) and the guidance makes clear that employers must not ask questions about the people that an employee lives with.

Eligibility to work in the UK: it is an offence to employ someone who is not eligible to work in the UK so proof of eligibility must be checked before the offer of employment is confirmed. Guidance about this is in appendix eight of Safeguarding Children and Safer Recruitment in Education. More detailed information is available on the UK Border Agency website www.ukba.homeoffice.gov.uk

Health and sickness absence record: Until recently this was normally checked, in part at least, in the request for a reference that is sent to the person's current or most recent employer. However, this became unlawful for most types of employment as a result of the Equality Act 2010. Only once the successful candidate has been identified, should employers verify their fitness to undertake the role.

Finally, the appointment should be made conditional on the person satisfactorily completing a probationary period. Exceptions are teachers who have successfully completed their statutory induction period as a newly qualified teacher and who cannot be required to complete a further period of probation.

Checking the Teachers Services website

All schools and FE colleges have a log-in for the Teachers' Services website; although some may delegate the checks to an HR provider, it is essential that Heads and other senior leaders understand the system and how it should be used. Normally, when schools carry out a teacher check by using a teacher's teacher reference number (TRN) and date of birth, any sanctions against the teacher are clearly found in the 'sanctions' section at the bottom of the teacher's record. This includes teachers previously prohibited from teaching by the GTCE. The teacher should be claimed by the school, and their record can be printed and retained in their personnel file.

When a school wishes to carry out a teacher check on unqualified teaching staff who do not have a TRN, it is necessary to look for the name of the teacher in the 5 "blue" lists provided on the right-hand side of the search button (see image below).

The lists are in alphabetical order; the checker should record on the SCR the date on which they checked the Teachers Services website. There is no facility to print these lists and it would be a potential data protection issue to print details of other individuals not employed by the school.

Find a teacher

TRN Date of birth [Clear fields](#)

- Teachers who have failed induction or probation
- General Teaching Council for England (GTCE) sanctions
- Teachers and others prohibited from the profession
- Teachers sanctioned in other EEA member states
- Section 128 barring directions

The DfE clarified in 'Keeping children safe in education' 2018 that prohibition orders made in the past by the GTCE now apply to schools, sixth form colleges, 16 to 19 academies, relevant youth accommodation and children's homes in England, whereas in the days the GTCE was in existence, their prohibition only applied to teaching carried out in maintained schools.

Applicants from overseas

All elements of the recruitment process and the pre-appointment checks should be applied to applicants from overseas in the same way as for applicants resident in the UK, but extra time will need to be allocated to obtaining references, checking applicants' qualifications and possible criminal records. In addition, as noted above, overseas applicants will need to establish that they have the right to live and work in this country.

The DBS can only provide information that is held by police forces in the UK. That may include details of offences committed abroad by UK citizens or residents, but almost invariably will not include details of any offences committed abroad by foreign nationals who have never lived or worked in the UK. The DBS barred lists (and their predecessors including List 99 and the PoCA List) are also primarily made up from referrals about people living or working in this country. Consequently, DBS certificates and Barred List checks are unlikely to provide any information on applicants from overseas who have not previously lived in the UK. Nevertheless, those checks have to be carried out to meet statutory requirements.

In all cases where an applicant has worked or been resident overseas in recent years, the employer should, where possible, obtain a check of the applicant's criminal record from the relevant authority in that country. Not all countries provide that service, but the DirectGov website now includes a list of those countries that do and details of how information can be obtained from other countries, at www.gov.uk/dbs-check-requests-guidance-for-employers#overseas-applicants

The nature and detail of the information provided varies from country to country. The DBS does not have any involvement in applications by individuals to overseas authorities. Employers should also be aware that they would have to arrange for information returned from overseas authorities to be translated into English and they may need to obtain advice about the precise nature of criminal offences in other countries. Offences in other countries do not necessarily correspond to offences in the UK.

The DfE does not issue guidance on which circumstances require these overseas checks, stating that it is for schools to determine. However, with effect from 6th April 2017 the Home Office has confirmed that an overseas criminal check will be completed for everyone in an education role applying for a visa to work in the UK (i.e. from countries outside the EU). The requirement is mandatory to applicants from overseas applying under certain Standard Occupational Classification (SOC) codes, including teaching and school leadership. The requirement to provide an overseas criminal record certificate applies to anyone that has lived abroad for 12 months or more in the last 10 years. Since April 2017 schools have had a statutory duty to inform Tier 2 skilled worker applicants of the need to source and submit overseas criminal certificates as part of their visa application.

You can find an FAQ document about obtaining overseas criminality information here:

[Obtaining Overseas Criminal Record Checks](#)

NOTE In cases where an overseas criminal record check or certificate of good conduct is not possible, particular care must be taken with the other required checks, especially those of identity and qualifications, and obtaining satisfactory references.

European Economic Area (EEA) teacher sanctions

The DfE has issued the following guidance note to schools:

*Employers in England can now use the Teacher Services website (see image on p42) to check for restrictions/sanctions that have been imposed by regulators of the teaching profession in other EEA member states. This information will help employers when making recruitment decisions and should be carried out **in addition to all other safer recruitment pre-appointment checks as detailed in part 3 of 'Keeping children safe in education'**.*

EEA regulator restrictions do not prevent an individual from taking up teaching positions in England, however, employers should consider the circumstances leading to the restriction when assessing a candidate's suitability to be employed. Please note, only EEA restrictions that are determined after 18 January 2016 will be displayed. The Teachers Services website explains how to obtain more detail about EEA restrictions. Since February 2016 Teacher Services displays EEA restrictions as a separate list.

Barred people

Some people are barred by law from working with children. If an individual discloses that he or she is barred or the DBS certificate shows that the person is barred, the person must not be offered employment with children. Previously there were three different barring regimes; following the implementation of the Disclosure & Barring Service this has been replaced with a single barring scheme and a single list incorporating everyone who is barred from working with children.

The DBS also maintains a list of people who are barred from working with vulnerable adults.

Regulated activity means:

An activity that involves regular and close contact with children or vulnerable adults. This will usually be paid work but in a minority of circumstances, may also include volunteering

Such activities include:

Any activity of a specified nature, which involves contact with children or vulnerable adults frequently, intensively and/or overnight.

Any activity allowing contact with children or vulnerable adults that is in a specified place frequently or intensively.

Fostering and childcare.

Any activity that involves people in certain defined positions of responsibility.

In these definitions 'frequently' means the activity takes place once a week or more and 'intensive' means an activity that takes place on four or more days in a 30-day period.

'Overnight' means between 2am – 6am.

Intimate or personal care will always be regulated activity, even if it happens only once or is undertaken by a volunteer.

All paid work in schools will be regulated activity.

Relevance of criminal records

It is very unusual to receive an application from someone who is barred from working with children. However, sometimes an applicant will reveal in the application that he or she has a criminal record for offences that have not resulted in a ban from working with children, but that may nevertheless be a cause for concern. Likewise, the DBS certificate may reveal something that causes concern.

When assessing applicants' criminal records, consider the offence in terms of:

- Nature, seriousness and relevance
- How long ago it occurred
- If it was a one-off or part of a history
Circumstances of it being committed
- Changes in applicant's personal circumstances
- Country of conviction
- Decriminalisation
- Remorse

It is not appropriate for any organisation to have a blanket ban on any particular type of conviction, as each offence will have been committed in different circumstances and these must be taken into account. Assessing a person's convictions using the factors set out above will ensure that each case is assessed fairly on an individual basis and that a decision not to appoint someone on the basis of their convictions can be defended if necessary.

If an individual has an unprotected criminal history, their offence should be discussed with them to obtain information about the factors listed above. Where the applicant has disclosed the information in their application this is best done at interview. But it is important to confirm the information via a DBS certificate before making a final decision. If detailed information cannot be obtained from the applicant and further information is not available from other sources, such as the police, or a previous employer, a decision about the applicant's suitability must be made on the basis of the factors that can be assessed.

APPENDIX 5**Risk assessment for volunteers not engaging in regulated activity****Name of Person:****Date:****Areas to consider**

What is the age group of the pupils that the student / volunteer will work with?	
What are the needs of the pupils within the class?	
How frequently will the student / volunteer be in school?	
What is the connection of the student / volunteer to the school?	
What has led the student / volunteer to want to work in the school?	
Is the volunteer in paid employment or do they work in a voluntary capacity elsewhere with children?	
Can the student / volunteer provide at least one reference from someone other than a family member, including a senior person at the employment or voluntary service named above?	
What information does the school already know about the person?	
Has the person's identity been verified?	
Is the person signed up to the DBS Update Service?	
Has a check been completed on the DBS Update Service?	
Is the person aware of any reason why they should not volunteer to work with children?	

Is the school aware of any reason that the person should not work with children?	
Is this volunteer with children between the hours of 2am and 6am	This is regulated activity and the person must have an Enhanced DBS check
Who will support the student / volunteer in offering guidance regarding their role around school.	
The student / volunteer understands that they are not to be left alone with a child. They will be supported / supervised by a member of staff at all times.	
When will they be given time to read the guidance for student / volunteers?	
Does the student / volunteer have any disabilities or physical / medical needs that may need to be considered when allocating tasks / activities? If answered yes, please give further detail as to how this will be accommodated.	

SLT (Print Name).....

SLT (Signature)

Date.....

To the best of your knowledge has the applicant ever had an allegation made against them, which was founded, in regard to his/her behaviour towards children?

Yes [] No []

If Yes please give full details of the nature and date(s) of the allegation(s), by whom they were investigated, what conclusion was reached as a result of the investigation, whether any action was taken and if so what that was?

Has the applicant been the subject of a disciplinary action in respect of which penalties or sanctions remain in force?

Yes [] No []

If Yes please give full details of the nature and date(s) of the misconduct and of the penalty or sanctions still in force.

Printed name:

Signature:

Position:

Organisation:

APPENDIX 7 Links to relevant school policies and other guidance as applicable

Child protection Policy and procedures

Code of conduct

Behaviour policy

Attendance policy

Intimate care policy

SEND policy

Whistleblowing policy

esafety policy

Other Useful Documents

The Safer Recruitment Consortium is a partnership between four organisations with the safety and wellbeing of children at their heart, DFE, NSPCC & [CAPE](#). Together they have developed the [Guidance for safer working practice for professionals working in education settings 2019](#)

[HM Government, Information sharing guidance for practitioners providing safeguarding services, 2018](#)