

Safer Recruitment Policy and Procedure

Contents

1.	Introduction and Statutory Frameworks.....	Pages 3-4
2.	Keeping children safe in education	Page 4
3.	Other relevant legislation	Page 4
4.	Purpose of the Safer Recruitment Procedure	Page 5
5.	Regulated activity and DBS checks	Pages 5-7
6.	Recruitment panel members	Pages 7-8
7.	Job descriptions and person specifications	Pages 8-9
8.	Applications forms	Pages 9-10
9.	Advertising and recruitment materials	Pages 11
10.	Longlisting and shortlisting	Pages 11-12
11.	References	Pages 12-14
12.	Interviews and other assessment tools	Pages 14-15
13.	Disqualification by association	Page 15-16
14.	Information sharing	Page 16
15.	Conditional offers of employment	Pages 16-18
16.	Use of Agency workers	Page 19
17.	Use of volunteers	Pages 19-20
18.	Single central register/record	Pages 20-21
19.	Other record keeping and retention of personal data	Pages 21-22
20.	Induction and probation.....	Pages 22-23
21.	A safe culture and on-going vigilance	Page 23

APPENDICES:

Appendix 1 – Supervision guidance

Appendix 2 – Right to work in the UK

SAFER RECRUITMENT POLICY AND PROCEDURE

1. Introduction and statutory frameworks

As set out in our Child Protection and Safeguarding Policy, children and young people have a fundamental right to be protected from harm. Our pupils/students have the right to expect us to provide them with a safe and secure environment – this includes making sure that those people we employ or engage to work with children and young people within our academies or Trust functions are suitable and have been satisfactorily vetted.

Regulations made under Section 157 of the Education Act 2002 state that Proprietors of Independent schools, which includes Academies and Free schools, must make arrangements to safeguard and promote the welfare of pupils under the age of 18.

This procedure has regard to the following statutory/guidance documents/Acts and other WAT policies as follows:

- Keeping Children Safe in Education (September 2018)
- KCSIE incorporates the additional statutory guidance, Disqualification under the Childcare Act 2006 (February 2015)
- Guidance for safer working practice for those working with children and young people in education settings October 2015 (Safer Recruitment Consortium)
- Working Together to Safeguard Children (March 2015) (WT)
- WT refers to the non-statutory advice: Information sharing (March 2015)
- Teacher Misconduct: the prohibition of teachers July 2014
- Education Act 2002 (section 175)
- Education (Independent School Standards) (England) Regulations 2014
- Protection of Freedoms Act 2012
- Equality Act 2010
- Data Protection Act 2018
- Disqualification under the Childcare Act 2006
- Safeguarding and Vulnerable Groups Act 2006
- Police Act 1997
- Police Act 1997 Criminal Records Regulations and Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975
- WAT Child Protection and Safeguarding Policy
- WAT ICT Policy
- Academy Lettings Policy

This procedure applies to all employees and volunteers in varying ways, but specifically:

- Permanent staff and staff under probation
- Temporary agency workers and casual workers
- Central WAT staff
- Peripatetic or local authority staff
- Contractors
- WAT Academy Councillors and Trustees

What about individuals or organisations that rent out our premises outside of school hours?

It does not apply to individuals or organisations who 'rent' out the premises for lettings outside of school hours, however, the academy should ensure its Lettings Policy sets out the Trust's requirements in this regard, i.e. where the individual or organisation is working with children and young people, then those people from the organisation should be DBS/Barred List checked as appropriate and that the organisation should provide the academy with a copy of its Child Protection/Safeguarding policy.

The DfE has made it clear that where a third party hires the academy premises outside school hours, the responsibility for ensuring that safeguarding measures are in place rests with the third-party provider rather than the school/academy. If a safeguarding incident was to occur, the responsibility would fall on the third-party provider rather than the school/academy.

However, it is important to note that a school's reputation could be affected by a safeguarding incident taking place while its premises were let to a third party. Therefore, it is important to work with the hirers to make sure that safeguarding standards are high and to minimise any potential risk. WAT recommends outlining safeguarding expectations in the academy's lettings policy. The policy should then be sent to third parties, who will have to agree with the safeguarding standards they contain and sign and return the document in advance of the booking.

2. Keeping Children Safe in Education – statutory guidance

'Keeping Children Safe in Education' is a statutory guidance document for proprietors of independent schools (including academies and free schools) which sets out the legal duties that schools and colleges must comply with and the minimum checks and vetting procedures that should be undertaken in regard to 'Safer Recruitment'.

The document also states that Proprietors should ensure that all staff read at least Part One of the guidance 'Safeguarding information for all staff' and WAT recommends that this is distributed at induction and/or as part of the recruitment pack sent to potential candidates.

3. Other relevant legislation

Other legislation governs those persons in 'regulated activity' (RA) such as teachers, support staff or volunteers and sets out the requirements for criminal record and barred list checks. The main legislation in this respect is contained within the Safeguarding and Vulnerable Groups Act 2006, the Protection of Freedoms Act 2012, the Equality Act 2010, the Police Act 1997, the Police Act 1997 Criminal Records Regulations and Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended.

The Education (Independent School Standards) (England) Regulations 2014 (which includes academies and free schools) refers to the appointment of staff, use of supply staff/workers, vetting checks and information to be held on the establishment's single, central register (SCR).

4. Purpose of the Safer Recruitment Procedure

It is essential that all parts of the Trust which employ staff or engage volunteers to work with children and young people adopt a consistent and rigorous approach in their recruitment and selection processes with the aim of ensuring that those recruited, whatever their role, are suitable for such an important and responsible position.

The purpose of safer recruitment is ultimately to:

- **Deter:** From the beginning of the recruitment process, it is important to send the right message – that the organisation has a rigorous recruitment process and does not tolerate any form of abuse. Wording in adverts and recruitment information must aim to deter potential abusers.
- **Identify and Reject:** It will not always be possible to deter potential abusers. Therefore, careful planning for the interview and selection stage, in terms of asking the right questions, setting appropriate tasks and obtaining the right information can assist in finding out who is suitable for the role and who is not.
- **Prevent and Reject:** There are no guarantees that even the most robust safer recruitment process will prevent an inappropriate appointment. However, this does not mean it is too late to act. Ensuring that comprehensive induction processes are in place, together with appropriate policies and procedures, raising awareness through staff training and generally developing and maintaining a safe culture within the organisation will all help to prevent abuse or identify potential abusers.

The intention of this Procedure is to ensure that all stages of the recruitment process contain measures to deter, identify, prevent and reject unsuitable people from gaining access to students within the Trust. This Procedure and the practical implementation of recruitment and selection processes also aim to meet all legislative requirements as highlighted in 1, 2 and 3 above and any statutory or other guidance that may from time to time be issued in order to keep children safe, as well as adopting principles of general good practice.

5. 'Regulated Activity' and Disclosure and Barring Service checks

Organisations providing 'Regulated Activity' (RA) in relation to children and young people have specific responsibilities for carrying out appropriate pre-employment checks, including Enhanced Disclosure and Barring Service (DBS) checks and Barred List checks, when recruiting paid employees and workers.

Other people coming into the organisation (e.g. volunteers, including Academy Councillors) who have access to children - may not be in RA if they are '**adequately supervised**' when carrying out an activity with children and therefore a Barred List check would not be necessary (and should not be requested).

The Trust and its academies are responsible for continuing vigilance in relation to staff, workers and any others coming onto the premises and determining whether or not they are working in RA; what access or opportunity for contact with the pupils/students they have, or **should** have; whether they are adequately supervised or not and therefore which type of DBS check is appropriate.

Types of Disclosure and Barring Service (DBS) checks. The DBS is responsible for administering three types of checks:

- **Standard:** this provides information about convictions, cautions, reprimands and warnings held on the Police National Computer (PNC), regardless or not of whether they are spent under the Rehabilitation of Offenders Act 1974. The law allows for certain old and minor matters to be filtered out;
- **Enhanced:** This provides the same information as a standard check, plus any additional information held by the police which a chief officer reasonably believes to be relevant and considers ought to be disclosed;
- **Enhanced with barred list check:** where people are working or seeking to work in regulated activity with children, this allows for additional checks to be made as to whether the person appears on the children's barred list.

The DBS maintains 'barred lists' of individuals who are unsuitable to work with children and vulnerable adults. The DBS lists replace the lists maintained by the former Independent Safeguarding Authority (POCA, POVA and List 99). In addition, where an enhanced check is obtained, and this includes barred list information, the certificate will also include whether the applicant is subject to a direction under section 128 of the Education and Skills Act 2008 or section 167A of the Education Act 2002 prohibiting that individual from taking part in the management of independent educational institutions in England and/or Wales respectively (this includes academies and free schools).

If an academy knows or has reason to believe that an individual is barred, it commits an offence if it allows the individual to carry out any form of Regulated Activity (RA).

All employees and paid workers in schools and academies providing education are in Regulated Activity and the Trust/academy must ensure that an Enhanced DBS with Barred List check is carried out. This will include all categories of staff and workers, as all, even if not directly involved in teaching or supervising children, will have the opportunity for contact.

This will also normally include **Agency supply workers**. For **visiting staff/workers**, such as supply workers in Regulated Activity, it is for the providing organisation (i.e. the Agency) to carry out the relevant checks - the 'hirer' (i.e. the academy or Trust) then obtains written confirmation from the hirer that this has been done and records the outcome in their Single Central Register/Record (SCR).

Supervised volunteers, including Academy Councillors and Trustees, are not normally in regulated activity. However, it is for the organisation to decide what their role involves and their opportunity for contact with children and will depend upon whether they are being 'adequately supervised' in accordance with statutory supervision guidance published by the DfE (*see Appendix 1*).

- If persons are adequately supervised when carrying out an activity that would fall within Regulated Activity, then they will **not** be in Regulated Activity and only an Enhanced DBS check should be requested. (There is no entitlement to ask for a Barred List check for volunteers who are not working in Regulated Activity).
- If they are not adequately supervised, then they **are** in Regulated Activity and a Barred List check in addition to an Enhanced DBS would be required.

Contractors carrying out work of a temporary or occasional nature, e.g. maintenance (but not teaching, training etc.) are not normally in Regulated Activity and would therefore only require an Enhanced DBS check. However, for long-term regular contracted work a decision needs to be made about whether individuals have the opportunity for contact (e.g. in a similar way to academy site staff) and can be deemed to be in Regulated Activity. Should this be the case, then an additional Barred List check would be required.

If a contractor is self-employed then the academy should consider obtaining a DBS check, as self-employed people are not able to make an application directly to the DBS on their own account.

Decisions must be made on a case-by-case basis, considering the relevant and prevailing circumstances at the time. Contractors not checked by their own employers must be supervised and under no circumstances should a contractor, in respect of whom no checks have been obtained, be allowed to work unsupervised or engage in Regulated Activity.

Academies should always check the identity of contractors and their staff on arrival at the academy.

As **trainee teachers** can undertake regulated activity, sometimes unsupervised, an enhanced DBS certificate and barred list check must be obtained. Where trainees are salaried (employed) this is the responsibility of the employer. Where trainee teachers are fee-funded it is the responsibility of the initial teacher training provider to carry out the necessary checks.

Barred List checks by the DBS may be required on some people who supervise a child under the age of 16 on a **work experience placement**. Consideration would need to be given to the specific circumstances of the work experience, in particular whether the person providing the teaching/training/instruction/supervision to the child will be unsupervised and providing the teaching/training/instruction frequently (at least once a week, or, on more than three days in a 30 day period, or overnight). If the person working with the child is unsupervised and the same person is in frequent contact with the child, the work is likely to be Regulated Activity. If so, the employer providing the work experience should be asked to ensure that the person providing the instruction or training is not a barred person.

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

There is no entitlement to request DBS or Barred List checks on **Visitors** (e.g. children's relatives or other visitors attending a sports day). A professional judgement must be made at the relevant time about the need to escort or supervise them.

If volunteers/visitors are carrying out **ad-hoc or one-off volunteering activities** etc., they will not normally be subject to an Enhanced DBS check. (See also section 16 'Use of Agency Workers' and section 17 'Use of Volunteers').

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

6. Recruitment panel members

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

The recruitment and selection process, in particular interviews, will be carried out by two or more people. Wherever possible, Appointments Panels will consist of an odd number of at least three people – this is so that there can be a majority decision in cases of dispute.

Panel members will be appropriately trained or briefed. In accordance with statutory requirements, at least one member of the Panel will have successfully completed Safer Recruitment training within the past 3 years. Wherever possible, all Panel members will be involved throughout all stages of the recruitment and selection process but, in any event, a Panel member trained in safer recruitment must be involved throughout.

7. Job descriptions and person specifications

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

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

In general, all Job descriptions will normally contain:

- The post title and grade/scale details
- The main purpose of the job
- To whom the job reports
- The number of staff directly line managed
- The main tasks or duties to be carried out
- The scope of the job to indicate its position within the organisation
- General statements relevant to all positions, such as requirements relating to equal opportunities and health and safety.

As all work in an academy or similar setting involves responsibility for the safeguarding of children, the job description will also make clear:

- The extent of the post holder's contact with children and young people and, in line with the establishment's commitment to the health, safety and welfare of children, the general responsibility for safeguarding every student/pupil.

Person Specification - The person specification describes the profile of the ideal person to fill the job requirements. It is essential to the recruitment and selection process as it is used for drawing up the advertisement, long/shortlisting and the interviewing and selection process. It sets out the criteria against which candidates will be assessed and includes the core areas for the focus of interview questions or tasks.

Person specifications drawn up will outline:

- Any qualifications required for the post
- Knowledge, skills and abilities required to carry out the duties of the post
- Any specific training requirements
- The need for awareness of, and commitment to, equal opportunities issues
- The need for commitment to the promotion of health and safety at work
- The need for commitment to the protection and safeguarding of children at all times.

The person specification will clearly indicate whether the stated criteria are:

- Essential – relating only to those areas without which the job cannot be performed; or
- Desirable – not essential to carrying out the duties, but which would be valuable. These may assist in the final selection process if several candidates all meet the essential criteria.

It will also indicate how the criteria will be assessed, i.e. on the application form, at interview and/or through a task set as part of the selection process.

Person specifications will also include statements to the following effect:

“Applicants called for interview should note that the interview itself (and/or any additional tasks to be performed, if applicable) will, as appropriate to the role:

- (i) *Focus on the requirements to carry out the duties of the job, as described*
- (ii) *Explore issues relating to the safeguarding and promoting the welfare of children, including:*
 - *Motivation to work with children and young people*
 - *Ability to form and maintain appropriate relationships and personal boundaries with children and young people*
 - *Emotional resilience in working with challenging behaviours*
 - *Attitudes to use of authority and maintaining discipline.*
- (iii) *Be used to explore any relevant issues arising from references received.”*

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

8. Application forms

A Woodard Academies Trust application form, whether embedded online or in document format, should be used for recruitment to all posts. CVs should not be accepted. Application forms are employer-led, requiring specific information from all applicants. Information included in CVs are left to the discretion of individual applicants and contain only information that they choose to provide.

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

Volunteers will be required to complete an application form in order to provide personal details, details of previous employment, voluntary work and other activities, general information about their reasons for applying for voluntary work and signed declarations about any criminal record and the accuracy of information provided.

Declaration of unspent and relevant spent criminal offences - The purpose of requiring a self-disclosure as part of the application form is to give candidates an opportunity to share relevant information about any convictions or cautions at an early stage. Disclosed information will not be used as a criterion for short-listing. Fair and objective assessment criteria will be applied.

Information on self-disclosures will only be used in relation to short-listed candidates and will not automatically rule someone out. A full DBS check must still be carried out on making a conditional offer and the two sets of information compared.

Note that applicants will only be asked about 'unspent and relevant spent' convictions, cautions, reprimands and warnings and these will be the only ones appearing on Disclosure certificates. Other minor, older offences will be filtered out after the relevant time period.

Those offences to be declared include:

- **Cautions** relating to an offence from a list (see link below) agreed by Parliament
- **Cautions** given less than 6 years ago (where the individual was over 18 years old at the time of the caution)
- **Cautions** given less than 2 years ago (where the individual was under 18 years old at the time of the caution)
- **Convictions** relating to an offence from a prescribed list (see link below)
- **Convictions** that resulted in a custodial sentence (regardless of whether served)
- **Convictions** given less than 11 years ago (where the individual was over 18 years old at the time of the conviction)
- **Convictions** which did not result in a custodial sentence given less than 5.5 years ago (where the individual was under 18 years old at the time of the conviction).

Irrespective of the above list, if individuals have more than one conviction then **ALL** convictions must be declared.

It is not possible to capture a definitive list of all equivalent offences under the law of all other jurisdictions. Where an individual is aware that they have committed an offence overseas which may be equivalent they should seek independent expert or legal advice to ensure that they provide information that is truthful and accurate.

The numbered list referred to above includes a range of offences which are serious and which relate to sexual offending, violent offending and/or safeguarding. It is never appropriate to withhold details of offences on this list. A list of offences which **must always** be declared has been derived from the legislation and can be accessed using the following link:

<https://www.gov.uk/government/publications/dbs-list-of-offences-that-will-never-be-filtered-from-a-criminal-record-check>

9. Advertising and recruitment materials

The job advertisement provides potential applicants with their first impression of the organisation. An important part of the message of the advert is to inform anyone viewing it that the organisation is fully committed to safeguarding and protecting the welfare of children and young people. In these circumstances, all advertisements will include a statement to the effect that:

“All academies and services within WAT are committed to safeguarding and promoting the welfare of children and young people. Therefore, all workers, employees and volunteers are expected to share this commitment.”

OR

“XXX academy is committed to safeguarding and promoting the welfare of children and young people. Therefore, we expect all workers, employees and volunteers to share this commitment”.

Other general statements applicable to all posts may also be included in the wording of advertisements, e.g.

“All appointments are subject to satisfactory pre-employment checks, including a satisfactory Enhanced criminal records with Barred List check through the Disclosure and Barring Service (DBS). CVs will not be accepted”

Prospective applicants for posts will be able to access the following materials in recruitment packs or on recruitment portals:

- Woodard Academies Trust Application form
- WAT Job description and Person specification
- Safer Recruitment Procedure (based on relevant information from this document) – for example, information on the completion of application forms, requirements for references, interviews/tasks details and pre-employment checks etc., as relevant and appropriate
- Applicant Privacy Notice
- A link to the Woodard Academies Trust Child Protection and Safeguarding Policy
- A link to the Woodard Academies Trust Code of Conduct
- Interview arrangements and/or selection procedure for the post
- Any relevant general information relating to the organisation, academy etc.
- Any other relevant details or documentation.

10. Longlisting and shortlisting

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

Long/shortlisting will be conducted by the interview Panel. It will always be carried out by at least two people and preferably three in cases of dispute.

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

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

- Ensure consistency - assess each application against the criteria, including criteria specific to working with children – use of a grid is recommended for this purpose
- Take time to properly scrutinise the applications
- Consider whether each application is fully completed – if not, it may be returned to the applicant for completion or discarded from the process
- Highlight any gaps (in employment or other areas of concern) to be explored further should the candidate be long/shortlisted
- Look for evidence provided against the criteria set out in the person specification and the job description
- Apply the long/shortlisting criteria equally
- Normally only long/shortlist those applications that meet all the essential criteria set out in the person specification. However, if this is not clear in relation to any applications, it may be decided to long/shortlist and explore the issues further at interview.

If a greater than anticipated number of applicants all meet the essential criteria for the post, it may be decided to use any specified desirable criteria to make a selection for the long/shortlist.

In times of recruitment challenge and shortage, rolling shortlisting and applicant meetings are acceptable and often essential. Safer Recruitment practice should not be compromised.

11. References

References are an important part of the process of gathering as much information as possible about potential new recruits.

Testimonials from applicants will not be accepted (e.g. 'to whom it may concern'). Two references will always be obtained directly from the candidate's employer(s) – it is not for the candidate to supply them or source their supply – Woodard Academies Trust must contact the former employer directly. Application forms will normally request the following in relation to referees provided:

- One referee must be the current or last employer
- If the employer is/was a school, then the referee provided must be the Headteacher or Principal
- Where the applicant is not currently working with children but has done so in the past, the second referee should be the employer by whom s/he was most recently employed in work with children.
- In rare cases, it may be that a third reference is required where a second reference could not be obtained, or a faith reference is also required for example.

References will normally be obtained following the long/shortlisting process (as applicable) and prior to interview. This will enable comparisons to be made with the information provided on the individual's application form and for any issues to be explored at interview. The application form will ask applicants if they are willing to allow referees to be contacted prior to interview.

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

A **Woodard Academies Trust Reference Questionnaire** will normally ask about:

- ✓ Capacity in which the applicant is/was employed, dates, quality of work, relationships with colleagues, parents and pupils, strengths, areas for development, honesty, punctuality and reliability etc.
- ✓ Any current disciplinary/capability warnings, or such warnings which were current at the time of leaving
- ✓ Any disciplinary/capability action that is/was pending or unresolved
- ✓ Where the request relates to a teacher, any capability proceedings within the last two years
- ✓ The details of any expired warnings that relate to the safety and welfare of children or young people or behaviour towards children or young people
- ✓ Reason(s) for leaving if no longer in that employment
- ✓ Any convictions, cautions or pending prosecutions that the referee may be aware of
- ✓ Whether the referee would re-employ
- ✓ Whether the applicant is recommended for the WAT post.

Referees will be provided with a copy of the job description and person specification for the post.

Sometimes, a referee may not be willing to complete a standard reference questionnaire. This may be because some organisations have a policy of providing references only in a certain format, or because a standard reference has been agreed as part of a settlement agreement (previously known as a compromise agreement). In these circumstances, it is at the discretion of the academy or WAT central HR team to decide whether to accept this situation or to not proceed any further with the application. This may depend upon other information received or other checks that can be carried out.

References requested prior to interview, or prior to a conditional job offer being made, will NOT ask about attendance or **health-related matters**. However, health-related questions may be asked of referees when a conditional offer of the post has been made. Therefore, a supplementary request for further information from referees may be made at that stage.

It should be noted that the Equality Act 2010 limits the circumstances in which a prospective employer can ask health-related questions of either a referee or the applicant before a conditional job offer is made. Questions may only be asked at an early stage to help to:

- Decide whether any reasonable adjustments need to be made for the applicant to be able to participate in the selection process
- Decide whether an applicant can carry out a function that is essential (intrinsic) to the job
- Monitor diversity among people making applications for jobs
- Take positive action to assist disabled people
- Clarify that a candidate does have a disability where the job genuinely requires the jobholder to have a disability.

Where any of these circumstances apply, information will be provided in the recruitment materials, requested as part of the application form/process and/or requested of referees, only as relevant to the circumstances.

References will be obtained prior to interview wherever possible and, on receipt, the Interview Panel and/or those who carried out the long/shortlisting will scrutinise the references to:

- Confirm whether, or not, all questions have been answered satisfactorily and whether there are any statements or issues that need to be further explored with the referee e.g. if the answers provided are vague.
- Compare the information provided by the applicant with that provided by referees. Any inconsistencies, discrepancies or concerns will be followed up with referees and/or applicants prior to interview, or as part of the interview process, as appropriate.

12. Interviews and other assessment tools

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

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

- A set of basic questions to ask of all long/shortlisted candidates, prepared in advance. However, supplementary follow-up questions are likely to be needed at the interview itself as a means of probing for additional information. These questions will depend upon initial responses given by individual candidates
- Inclusion of appropriate questions relating to the safeguarding and welfare of children. This will depend upon the type and level of the post, but all posts have responsibility in this area and it is important, therefore, to test motives, attitudes, awareness and understanding in this area.
- Preparation of any additional questions that the Panel will need to ask of individual applicants about their applications, for example, gaps in employment history or any other concerns.
- Agreement by Panel members on the responses they are seeking to their questions and the type of responses that would cause concern.
- Agreement by panel members of who is to ask questions, take notes etc. Questions may be asked by one or all Panel members, with notes being taken of responses.

A grid will normally be used for questions to be asked, the expected and actual responses.

Other assessment and selection methods, in addition to an interview, may also be used. The nature of these additional tools will depend upon the type and level of the post. Other assessment methods may include, for example:

- Presentations
- Role plays
- Group exercises
- Observation (of teaching or activity with a class or group of pupils)
- Written tests

- Other data analysis exercises
- Meet and greet with team
- Interview with Student Council
- In-tray exercises
- Ability to use systems and applications where appropriate, etc.

Assessment and selection methods in addition to an interview are useful in obtaining a range of information about individuals, including assessing their interaction with others, both adults and pupils, team work, skills and abilities to carry out particular tasks.

Appropriate selection methods will be discussed and considered by the Panel, as relevant. Panel members or support staff administering the tasks will be well-briefed and/or trained in their use.

Interview invitations to long/shortlisted candidates will normally include the following:

- Details of date, time, venue
- Direction and/or map, together with details of parking arrangements
- Where/who to report to on arrival
- Likely length of the interview and information about any tests or exercise to be included in the process
- Details of the scope of the interview (to be based on the person specification and to include exploration of each candidate's suitability to work with children, together with any issues arising from the application form or references)
- Details of documents that candidates will need to bring with them, e.g. proof of identity, documents for the Immigration, Asylum and Nationality check, qualification certificates etc.
- A request that candidates let the academy/or WAT central team know should they have any special requirements, or need any adaptations, to enable them to access the interview and selection process.
- A request that candidates inform the academy/WAT of their intention to attend, or otherwise, together with the necessary contact details.
- Electronic communication is encouraged for speed and efficiency.

13. Disqualification by Association

Supplementary advice issued by DFE and amended in July 2018, requires that schools must not employ staff who have been disqualified from childcare. Childcare means working with children in EYFS and in Breakfast or After School Clubs attended by children up to the age of 8 years. Staff who are disqualified may apply to Ofsted for a waiver. In such circumstances the staff member can be deployed in any part of the school which does not involve childcare.

The Trust will also require volunteers, supply/agency staff, self-employed people and staff of other schools who work with children under age 8 in the ways described above, to complete such checks.

The grounds for disqualification include, in summary:

- Being on the DBS Children's Barred List
- Being cautioned for, convicted of or charged with certain violent and sexual criminal offences against children and adults, at home or abroad
- Being the subject of certain orders relating to the care of children
- Refusal or cancellation of registration relating to childcare or children's homes

Disqualification occurs as soon as the above criteria are met, for example, as soon as a caution or conviction occurs, even before the person is formally included on the children's barred list.

All staff are required to inform the Principal without delay if they believe they may be disqualified at any subsequent point following appointment.

Who is not covered?

Staff such as caretakers, cleaners, drivers, transport escorts, catering and office staff, who are not employed to directly provide childcare, are normally not covered by the legislation. We will exercise our judgment about when and whether any such staff are in scope. Anybody involved in any form of health care provision for a child, including school nurses, and local authority staff, such as speech and language therapists and education psychologists are not covered by the legislation. Governors, Academy Councillors and proprietors are not covered by the legislation, unless they directly manage, work or volunteer in a relevant setting/position.

Identifying those staff who may be 'disqualified from childcare'

Disqualification can apply to those staff (and volunteers) who are employed to directly provide childcare, those staff (and volunteers) directly concerned in the management of childcare and those staff (and volunteers) that work in Breakfast or After School Clubs attended by children up to the age of 8 years.

The childcare disqualification requirements do not extend to Academy staff who undertake "transitional" visits to primary schools, other settings or homes. In this capacity, academy staff are "visitors" and the children are supervised by the staff from the school or setting or in the case of the home visit, the parent, guardian or carer.

14. Information sharing

Information sharing is vital to safeguarding and promoting the welfare of children and young people. A key factor identified in many serious case reviews has been a failure by practitioners to record information, to share it, to understand its significance and then take appropriate action.

All staff must be aware that they have a professional responsibility to share information with other agencies in order to safeguard children.

If information is to be shared, it should be done in conjunction with the guidance and 'seven golden rules' set out in the government's "Information sharing – advice for practitioners providing safeguarding services to children, young people, parents and carers" March 2015.

15. Conditional offers of employment

Any job offer made must be conditional as it will be subject to a variety of pre-employment checks and other conditions. Some checks will apply to all potential new employees, others will apply only to certain categories of employee. Receipt of completion of the following will, therefore, be required in some or all cases:

- **Two satisfactory references**, one of which should be the current or most recent employer. *(If the candidate is not currently working with children but has done so in the past, the second referee should be the employer by whom s/he was most*

recently employed in work with children. This applies in circumstances where it has not been possible to obtain references prior to interview and also where supplementary reference requests are made at this stage in relation to obtaining further information about attendance);

- A **satisfactory medical assessment** of the candidate's mental and physical fitness to carry out their work responsibilities (*the candidate will be directed to the Occupational Health provider website to complete this part of the recruitment process; it is confidential and is not shared with the Trust or Academy; the only information that the Trust or Academy will receive is either 'fit to carry out role', 'fit with some reasonable adjustments' or 'not fit'*).
- The prospective employee not at any time **being barred**, either totally or to a limited extent, from employment or work involving regular contact with children, young persons or other vulnerable people, nor to any other relevant prohibition or restriction being applied to their employment;
- **Proof of identity** (normally from current photographic ID and proof of address except where, in exceptional circumstances, none is available);
- Receipt of evidence to meet the requirements of the Immigration, Asylum and Nationality Act 2006, i.e. the **right to work in the UK**. The government has a link that can help you with this: <https://www.gov.uk/legal-right-work-uk> plus further guidance is attached in the appendices (*see Appendix3*).
- Satisfactory receipt of **Enhanced DBS with Barred List check** through the Disclosure and Barring Service for the existence and content of any criminal record. (*The candidate will be asked if s/he subscribes to the DBS Update Service, in which case, following sight of the certificate and with his/her express permission, a real-time check online will normally be made to ascertain whether or not his/her status has changed. However, s/he may not subscribe to this service, so details of the application process will also be stated, together with a request that the candidate makes the certificate available for viewing by the academy or WAT central HR team as soon as it is received by him/her. If in exceptional circumstances, an individual is required to start work before the full DBS check is completed, a separate Barred List check must be obtained prior to commencement*). Note that the requirements are different for volunteers if they are not in regulated activity – *see Section 5*.
- *For teachers only* - the prospective employee not being subject to a **prohibition order** or interim prohibition order by the Secretary of State, pre-existing General Teaching Council for England or any other authorised Body;
- *For teachers only (other than where appointed specifically as an unqualified teacher)* - initial and continued recognition as a **qualified teacher** (*original copies of all relevant certificates will be required, including confirmation of the award of Qualified Teacher Status, as issued by the Department for Education (DfE) or other authorised Body; OR confirmation of the award of Qualified Teacher Learning and Skills status and membership of the Institute for Learning, as appropriate*);
- Verification of other **professional qualifications**, where appropriate

- Satisfactory receipt of **Section 128 direction check**, which prohibits or restricts a person from taking part in the management of an independent school (including academies or free schools). The type of positions this would be relevant for include: a management position within the academy as an employee; a trustee of WAT or an academy councillor where the council has been delegated any management responsibilities. A Section 128 direction can be carried out using the Teacher Services' system. **Where the person will be engaging in regulated activity, a DBS barred list check will also identify any section 128 direction.**
- Successful completion of the **Statutory Induction period for Newly Qualified Teachers**
- Completion of a successful **probation period for all other staff, including teachers who are not in their induction period**

Prospective employees who have lived or worked **overseas** will first undergo the same checks as all others. In addition, further additional check(s) considered necessary will normally include (for example) the requirement for a certificate or letter of good conduct and extra care will be exercised in taking up references.

Any verbal offer that may be made prior to a written conditional offer will also clearly state that the offer is conditional.

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

All employees and workers engaged by the academies are deemed to be in 'Regulated Activity' whatever their role and are, therefore, subject to a full Enhanced with Barred List Check through the DBS. In any event, it should be noted that new employees will not be able to commence work and will not be placed on the Payroll until the above have been received:

Conditional offer letters will include the following:

- Job title/role and start date
- Relevant details relating to the position, e.g. type of contract and hours, if fixed term details of expiry date and/or circumstances/conditions
- Pay and conditions of service applicable
- The offer being subject to satisfactory completion of a probationary period
- Payment arrangements and a request for account details, P45 and National Insurance number
- Pre-employment checks that need to be satisfactorily carried out before the offer can be finally confirmed (see above)
- Any other relevant action to be taken or information to be provided.

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

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

16. Use of agency workers

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

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

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

The standard questionnaire issued to Agencies for written confirmation that all necessary checks are carried out before their workers are deployed will include all essential areas of the checking process:

- Enhanced DBS and Barred List checks
- Prohibition Order checks
- Identity and Immigration, Asylum and Nationality Act checks
- Checks of medical fitness
- Qualifications
- References
- Reasons for leaving previous positions
- pay and conditions
- Employer's Liability
- Equal opportunities
- Compliance with Agency Worker Regulations.

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

17. Use of volunteers

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

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

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

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

- Provision of information about the Trust's commitment to the safeguarding of children
- The requirement to complete an application form specially designed for volunteers
- Obtaining references
- A face-to-face interview
- Where the individual is deemed to be in 'regulated activity', an Enhanced DBS with Barred List check OR where the individual will be adequately supervised and, therefore, not in regulated activity, an Enhanced Disclosure without Barred List check will be required (see also Section 5, 'Regulated Activity')
- Any other checks considered to be relevant to the role.

Where volunteers are recruited from another Institution or Organisation, assurances will be obtained from the establishment concerned that the individual has been subject to a proper recruitment process that includes the necessary safeguards. Volunteers will be provided with an appropriate induction as referred to in section 20 below.

18. Single central register/record (SCR) of checks

The academy and Trust will ensure that it complies with statutory requirements for information to be recorded and retained on its SCR of pre-employment checks carried out in relation to employees and workers employed or engaged directly, as well as others who work in regular contact with children, including volunteers and where relevant, contractors.

Generally, the information that will be recorded on these persons is whether or not the following checks have been carried out or certificates obtained, and the date on which the checks were completed and by whom:

- an identity check;
- a Barred List check;
- an enhanced DBS check;
- a check to establish the person's right to work in the United Kingdom.
- a prohibition from teaching check;
- a check of professional qualifications;
- additional checks on people living or working outside the UK
- Section 128 direction check where relevant.

There is no requirement to keep copies of DBS certificates in order to fulfil the duty of maintaining the single central record. However, where the academy, with an individual's express permission, chooses to retain a copy this will not be retained for longer than six months. A copy of the other documents used to verify the successful candidate's identity, right to work and required qualifications will be kept for the personnel file.

Written confirmation that the necessary pre-employment checks have been carried out will also be obtained from any Employment Agencies/Businesses and other Organisations supplying workers and incorporated or attached to the SCR.

19. Other record keeping and retention of personal data

Data relating to all recruitment and selection processes will be retained for a specified period:

Retention of Data relating to Unsuccessful Applicants

All application forms, long/shortlisting grids, interview notes and any other documentation used will be securely retained for a period of 6 months from the end date of the selection process (i.e. from the date when a conditional offer has been made and other candidates informed that they have been unsuccessful). The information will be destroyed in a confidential manner after this period. This includes electronic documentation.

Retention of Data for Successful Applicants

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

The personnel file will normally contain the following information:

- Application form/printout
- Other to the recruitment process, i.e. interview and other notes, letters forming part of the process etc.
- Offer letter
- Pre-employment vetting documents, i.e. photographic identification, documentation to meet the requirements of the Immigration, Asylum and Nationality Act, Disclosure details (not the full certificate – but see Section 16 above in relation to short-term retention), evidence of right to work and remain in the UK, as applicable
- Copies of original vocational or academic qualification certificates, as applicable
- Two (or in some cases, three) satisfactory references
- Confirmation of satisfactory medical assessment
- Copy of contract
- Other relevant employment documentation throughout the individual's period of service.
- Details of any allegation(s) against an employee found to be malicious will be removed from the personnel record. However, information relating to any other allegation(s) will be retained in accordance with statutory guidance issued by the DfE (see *below**).

Note: These documents should be attached to the employee record on the HRMIS.

The personnel records of all employees will be retained for a minimum of 7 years after they have left the Trust's employment. However, where an employee has been the subject of an allegation(s) the record will be retained at least until the accused has reached normal retirement age or for a period of 10 years if that is longer.

**DfE statutory guidance 'Keeping Children Safe in Education' in Part 4 on dealing with 'Allegations of Abuse made against Teachers and Other Staff' states that "details of allegations that are found to have been malicious should be removed from personnel records. However, for all other allegations, it is important that a clear and comprehensive summary of the allegation, details of how the allegation was followed up and resolved, and a note of any action*

taken and decisions reached, is kept on the confidential personnel file of the accused, and a copy provided to the person concerned.

The purpose of the record is to enable accurate information to be given in response to any future request for a reference, where appropriate. It will provide clarification in cases where future DBS checks reveal information from the police about an allegation that did not result in a criminal conviction and it will help to prevent unnecessary re-investigation if, as sometimes happens, an allegation re-surfaces after a period of time.” The guidance also requires that “the record should be retained at least until the accused has reached normal retirement age or for a period of 10 years from the date of the allegation if that is longer”.

Note also that the DfE guidance referred to above states in relation to references “Cases in which an allegation was proven to be false, unsubstantiated or malicious should not be included in employer references. A history of repeated concerns or allegations which have all been found to be false, unsubstantiated or malicious should also not be included in any reference”.

All personal data will be handled in a confidential manner at all times and retained and disposed of securely. Similar principles will be applied in relation to the retention and handling of records relating to volunteers.

20. Induction and probation

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

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

- Newly Qualified Teachers (NQTs) are required to satisfactorily complete a statutory Induction period. Where applicable, the induction period will be applied in accordance with the relevant Regulations and statutory guidance issued by the DfE.
- All other staff and volunteers as per the WAT Probationary Procedure.

A more general induction applicable to all will include a variety of arrangements and areas. The specific arrangements put in place will reflect the differing needs of individuals and job roles, e.g. whether already employed in a different role, whether full time, part time, fixed term, employee or volunteer, type and seniority of the post and level of contact or involvement with students/pupils.

The general induction programme will also include, for all, information on professional standards and boundaries in respect of child protection and safeguarding and promoting the health, safety and welfare of pupils. Reference will be made to relevant statutory requirements and/or local guidance in these areas. Statutory guidance includes the following:

- ‘Keeping Children Safe in Education’ - all staff are required to read at least ‘Part One – Safeguarding Information for All Staff’; and
- ‘Working Together to Safeguard Children’ - which should be read and followed by all staff; and
- The WAT Child Protection and Safeguarding Policy;
- The WAT Code of Conduct.

The importance of adhering to Trust policies and procedures in these and all other areas will also be emphasised. Care will be taken to ensure that all new employees, including those in new roles, are aware of and understand academy policies, procedures and practices and are clear about their responsibilities in following them at all times. All employees and workers will be required to read and adhere to the establishment's Code of Conduct.

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

21. A safe culture and on-going vigilance

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

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

- Having in place, and putting into practice, clear policies and procedures and ensuring that all employees, workers and volunteers are aware of and understand them
- Setting acceptable standards of behaviour
- Having in place clear procedures for reporting concerns, ensuring that all employees and workers know what the procedures are and their responsibility for following them
- Taking concerns seriously and providing support to individuals raising them
- Taking appropriate action in relation to concerns raised
- Having in place robust and appropriate induction arrangements
- Ensuring that all employees and workers undertake child protection and other relevant training on a regular basis (annually for CP)
- Keeping the commitment to safeguarding and child protection on the agenda through regular discussion and/or reminders at staff meetings, training sessions etc.
- Learning from experience
- Never thinking that enough has been done to ensure a safe culture.

Adopted by Board of Trustees:	4 th July 2018
Review date:	July 2021