



SW9 PARTNERSHIP SAFER RECRUITMENT POLICY

The SW9 Partnership, consisting of Christ Church Primary SW9 and St. Andrew's CE Primary is committed to safeguarding and promoting the health and welfare of children and expects all staff and volunteers to share this commitment. We adopt safer recruitment procedures that help deter, identify and reject people who might abuse children. We adhere to the statutory guidance 'Keeping Safe in Education' to ensure that all staff working in our schools have had the appropriate checks carried out.

Safer Recruitment Overview

The Partnership operates a strict recruitment policy following the principles of Safer Recruitment Training. This includes:

- Clear and easily understood advertisements with a safeguarding statement
- Detailed job descriptions personnel specifications for each post
- Applications are assessed against the personnel specification and other application information to create a short list of candidates.
- Interviews are conducted fairly and consistently on a structured basis
- All interviewees provide evidence of qualifications (if applicable) and identification
- All Interview Panels include a member of staff who is 'Safer Recruitment' trained
- A member of the Governing Body is always 'Safer Recruitment' trained
- References are always taken for new employees and details are checked against other records for consistency.
- Helpers and volunteers, although not formally recruited, safeguarding is of paramount importance.

Safer Recruitment Procedures

REVIEW OF THE VACANCY

- When a vacancy arises, the schools will take the opportunity to revisit the job requirements. This will involve a review of the job description and person specification where it is a like for like replacement role. This review will be undertaken by the Executive Head or their delegated person.
- Authorisation for new posts within the organisation is dependent upon funding and budgetary requirements. Where such recruitment has not been accounted for, authorisation will be sought with the school Governors.

JOB DESCRIPTIONS

All roles have a job description and person specification, which contain the following;

- A definition of the role, together with key duties and responsibilities;
- A description of the range of skills, attributes and qualifications required;
- A statement of our commitment to safeguarding and promoting the welfare of children.

All job descriptions and person specifications will always be strictly relevant to the job.

ADVERTISING

To ensure equality of opportunity, the schools will advertise all vacant posts to encourage as wide a field of candidates as possible. Normally this will entail an external advertisement.

Where there is a reasonable expectation that there are sufficient qualified internal candidates, or where staff are at risk of redundancy, an internal advertisement may be considered appropriate.

All adverts indicate that a DBS check will be undertaken, or refer to an advert on the school's website which states this and includes a commitment statement regarding the safeguarding of children for example; "Our school is committed to safeguarding and promoting the welfare of all children, and expects all staff and volunteers to share this commitment. Any appointment will be subject to an enhanced DBS check."

APPLICATIONS

The schools use standard application forms from the Diocese of Southwark (standardised for teaching posts, support staff and volunteers). CVs will not be accepted.

The application form includes the following:

- A section for self-declaration of convictions or relevant information, consent for DBS check, and a statement to say failure to disclose will result in termination of the post
- A section for personal details, qualifications, experience and employment history
- A request for contact details of two referees.

The schools require candidates to account for any gaps or discrepancies in employment history on this application form. Where an applicant is short-listed, these gaps will be discussed at interview.

Applicants are made aware that providing false information is an offence and could result in the application being rejected or summary dismissal if the applicant has been selected, and possible referral to the police and other professional regulatory bodies.

REFERENCES

The schools will always ask for written information about previous employment history and check that information is not contradictory or incomplete. References are sought on all short-listed candidates, including internal ones, before interview, so that any issues of concern they raise can be explored further with the referee and taken up with the candidate at interview.

References must be in writing and specific to the job for which the candidate has applied. They should always be requested directly from the referee and employers should not rely on open references, for example in the form of 'to whom it may concern' testimonials. If a candidate for a teaching post is not currently employed as a teacher, we may check with the school, college or local authority at which they were most recently employed, to confirm details of their employment and their reasons for leaving.

On receipt, references should be checked to ensure that all specific questions have been answered satisfactorily. The referee should be contacted to provide further clarification as appropriate, for example if the answers are vague. They should also be compared for consistency with the information provided by the candidate on their application form. Any discrepancies should be taken up with the candidate.

Any information about past disciplinary action or allegations should be considered carefully when assessing the applicant's suitability for the post (including information obtained from the Teacher Services' checks referred to previously).

SELF-DECLARATION OF CONVICTIONS BY JOB APPLICANTS

The schools' policy requires applicants for all posts to declare all non-filtered criminal convictions whether "spent" or "unspent" and include any cautions and pending prosecution.

Such declarations will be made on an appropriate form and should be submitted in a sealed envelope, marked 'strictly private and confidential' to the chair of the selection panel / Executive Headteacher, prior to the interview. The chair of the panel / Executive Headteacher will discuss relevant, positive declarations confidentially with the applicant either prior to or on the interview day.

The disclosure of convictions, cautions or pending cases will not necessarily prevent employment but will be considered in the same way as positive DBS disclosures.

INTERVIEWS

Interviews should take place far enough after shortlisting to allow time for references to be requested and received. The selection process will always include the following:

- Face to face or virtual, if necessary, professional interview including a question related to safeguarding children
- Any apparent gaps in employment history, education, qualifications, etc. should be identified by the Chair of the panel and explored with the candidate at interview, as should any anomalies in the information provided on the application form. Frequent or sudden job changes should be questioned.

If a declaration has been made by any candidate that reveals they have any convictions or cautions, and following advice from HR, the candidate's declaration should be copied to go with the application form in the interview pack. This will allow for discussion around this declaration at interview.

RECRUITMENT VETTING

The schools will request an Enhanced DBS Certificate including a barred list check for all staff and volunteers engaged in regulated activity. 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.

The level of DBS certificate required, and whether a prohibition check is required, will depend on the role and duties of an applicant to work in a school or college, as outlined in this guidance.

Three types of DBS checks are referred to in this policy:

- **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; and
- **Enhanced with barred list check:** where people are working or seeking to work in regulated activity with children, this allows for an additional check to be made as to whether the person appears on the children's barred list. If a school or college 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. There are penalties of up to five years in prison if a barred individual is convicted of attempting to engage or engaging in such work.

Teacher prohibition orders

Teacher prohibition orders prevent a person from carrying out teaching work in schools, sixth form colleges, 16 to 19 academies, relevant youth accommodation and children's homes in England. A person who is prohibited from teaching must not be appointed to work as a teacher in such a setting. A check of any prohibition can be carried out using the Teacher Services' system. Prohibition orders are described in the National College for Teaching and Leadership's (NCTL) publication *Teacher misconduct: the prohibition of teachers* 98.

DBS Update Service

Individuals can join the DBS Update Service at the point an application for a new DBS check is made, enabling future status checks to be carried out to confirm that no new information has been added to the certificate since its issue. This allows for portability of a certificate across employers.

Before using the Update Service schools or colleges must:

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

The school or college can then subsequently carry out a free online check. This would identify whether there has been any change to the information recorded, since the initial certificate was issued and advise whether the individual should apply for a new certificate. Individuals will be able to see a full list of those organisations that have carried out a status check on their account.

Individuals who have lived or worked outside the UK

The schools ensure that individuals who have lived or worked outside the UK must undergo the same checks as all other staff in schools or colleges. In addition, the schools will make any further checks they think appropriate so that any relevant events that occurred outside the UK can be considered.

Agency and third-party staff

The schools ensure written notification is obtained from any agency, third party organisation or fee-funded, teacher training providers to confirm that appropriate recruitment vetting checks have been obtained for any individual working at the schools in regulated activity. Where the position requires a barred list check, this must be obtained by the agency or third-party prior to appointing that individual. The schools also checks that the person presenting themselves for work is the same person on whom the checks have been made.

Trainee/student teachers

Where applicants for initial teacher training are salaried by the schools, the school ensures that all necessary checks are carried out. As trainee teachers are likely to be engaging in regulated activity, an enhanced DBS certificate (including barred list information) must be obtained. There is no requirement for the schools to record details of fee-funded trainees on the single central record.

Disqualification by association

In line with *Disqualification by Association Guidance February 2015*, relevant staff are disqualified from working in the school when they 'live or work in the same household' as someone who is barred from working with children or young people, even if they would not otherwise be disqualified themselves. The following staff are covered by the act:

- staff and volunteers directly concerned with the provision of childcare for children up to and including Reception age (including staff in leadership positions in the school)
- staff and volunteers providing before or after school provision for children up to age 8.

The school will take steps to gather information about whether a relevant member of staff is disqualified by association by asking them to declare any cautions or convictions for a relevant offence; where a care order is issued with respect to a child who has been in the person's care; whether they or anyone living or employed in their household is named on the DBS Children's Barred List.

The schools will keep a record of those staff who are employed to work in or manage relevant childcare and record the date on which disqualification checks were completed on the Single Central Register.

In the event of information leading to disqualification by association being obtained, the school will follow guidance set out in *DFE Disqualification under the Childcare Act 2006* (February 2015).

Existing staff

If a school has concerns about an existing staff member's suitability to work with children, we will carry out all relevant checks as if the person were a new member of staff.

If a person working at the school moves from a post that was not regulated activity into work which is regulated activity, the relevant checks for the regulated activity must be carried out.

Apart from these circumstances, the schools are not required to request a DBS check or barred list check.

The schools will refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult; where the harm test is satisfied in respect of that individual; where the individual has received a caution or conviction for a relevant offence, or if there is reason to believe that the individual has committed a listed relevant offence; and that the individual has been removed from working (paid or unpaid) in regulated activity, or would have been removed had they not left. The DBS will consider whether to bar the person. Referrals should be made as soon as possible after the resignation or removal of the individual. Guidance on referrals can be found on GOV.UK.

PROOF OF IDENTITY AND RIGHT TO WORK IN THE UK & VERIFICATION OF QUALIFICATIONS AND/OR PROFESSIONAL STATUS

Successful applicants for all posts will be required to provide proof of identity by producing documents in line with those set out in The Immigration, Asylum and Nationality Act 2006. Similar information is also required to undertake a DBS check on the preferred candidate.

The schools will verify that candidates have actually obtained any qualifications legally required or deemed essential for the job and claimed in their application by asking to see the relevant certificate, or a letter of confirmation from the awarding body / institution.

Proof of identity and other documentation will be verified by the Bursar.

EMPLOYMENT OFFER

It may be possible to negotiate a provisional start date with the preferred candidate. However, with the exception of the DBS disclosure (unless the DBS Online Update Registration service is available), the checks detailed above must all be completed BEFORE a person's appointment is confirmed.

In the case of DBS disclosures, the certificate will be obtained/verified before or as soon as practicable after the appointment is made. Where an individual starts work before the DBS certificate is available, then the school ensures that the individual is appropriately supervised and that all other checks, including a separate barred list check, have been completed.

Once all pre-employment checks have been satisfactorily completed / received, an offer of employment will be made and the contract of employment issued. The contract will be issued as soon as possible but in all circumstances within 8 weeks of employment commencing.

RECORD RETENTION / DATA PROTECTION

The schools will retain all interview notes on all applicants for a 6 month period, after which time the notes will be destroyed (ie: shredded). The 6 month retention period will allow the school to deal with any data access requests, recruitment complaints or to respond to any complaints made to the Employment tribunal.

Under the Data Protection Act 1998, applicants have a right to request access to notes written about them during the recruitment process. Applicants who wish to access their interview notes must make a request in writing to the Head teacher within 6 months of the interview date.

PERSONAL FILE RECORDS

The schools will retain the following information, which will make up part of the personal file for the successful candidate:

- Application form
- References
- Proof of identification
- Proof of academic qualifications
- Evidence of medical clearance from Occupational Health (where applicable)
- Evidence of the DBS clearance (ie: the notification form or certificate reference number, NOT the actual DBS form or certificate)
- Certificate of Good Conduct (where applicable to DBS checks)
- Positive Disclosure Review sheet (maintained if applicable/agreed)

Single central record

In line with the DfE requirements, the schools hold a Single Central Record SCR that logs all safer recruitment checks. The single central record must cover all staff (including supply staff, and teacher trainees on salaried routes) who work at the school.

The information that must be recorded in respect of staff members (including teacher trainees on salaried routes) is whether the following checks have been carried out or certificates obtained, and the date on which each check was completed/certificate obtained:

- an identity check;
- a barred list check;
- an enhanced DBS check/certificate;
- a prohibition from teaching check;
- further checks on people who have lived or worked outside the UK; this would include recording checks for those European Economic Area (EEA) teacher sanctions and restrictions
- a check of professional qualifications; and
- a check to establish the person's right to work in the United Kingdom.

For supply staff, schools should also include whether written confirmation has been received that the employment business supplying the member of supply staff has carried out the relevant checks and obtained the appropriate certificates, and the date that confirmation was received and whether any enhanced DBS check certificate has been provided in respect of the member of staff.

Where checks are carried out on volunteers, schools should record this on the single central record.

Schools and colleges do not have to keep copies of DBS certificates in order to fulfil the duty of maintaining the single central record. To help schools and colleges comply with the requirements of the Data Protection Act, when a school or college chooses to retain a copy, it should 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 should be kept for the personnel file.

Volunteers

Under no circumstances should a volunteer in respect of whom no checks have been obtained be left unsupervised or allowed to work in regulated activity.

Volunteers who on an unsupervised basis teach or look after children regularly, or provide personal care on a one-off basis in schools and colleges, will be in regulated activity. The school or college should obtain an enhanced DBS certificate (which should include barred list information) for all volunteers who are new to working in regulated activity. Existing volunteers in regulated activity do not have to be re-checked if they have already had a DBS check (which includes barred list information). However, schools and colleges may conduct a repeat DBS check (which should include barred list information) on any such volunteer should they have concerns.

Schools and colleges may obtain an enhanced DBS certificate (not including barred list information), for volunteers who are not engaging in regulated activity but have the opportunity to come into contact with children on a regular basis, e.g. supervised volunteers (see paragraph 126 for supervision). Employers are not legally permitted to request barred list information on a volunteer who, because they are supervised, is not in regulated activity.

The school or college should undertake a risk assessment and use their professional judgement and experience when deciding whether to seek an enhanced DBS check for any volunteer not engaging in regulated activity. In doing so they should consider:

- the nature of the work with children;
- what the establishment knows about the volunteer, including formal or informal information offered by staff, parents and other volunteers;
- whether the volunteer has other employment or undertakes voluntary activities where referees can advise on suitability; and
- whether the role is eligible for an enhanced DBS check.

The Protection of Freedoms Act 2012 amended the Safeguarding Vulnerable Groups Act 2006, removing supervised volunteers from regulated activity and applying a duty on the Secretary of State to issue guidance to assist regulated activity providers such as schools and colleges in deciding what level of supervision is required so that this exclusion would apply. If the volunteer is to be supervised while undertaking an activity, which would be regulated activity if it was unsupervised, the statutory guidance must be followed. This is replicated at Annex F.

The guidance issued following this change requires that:

- there must be supervision by a person who is in regulated activity;
- the supervision must be regular and day to day; and
- the supervision must be "reasonable in all the circumstances to ensure the protection of children."

The DBS cannot provide barred list information on any person, including volunteers, who are not in, or seeking to enter, regulated activity.

PROBATION PERIODS

All staff newly appointed by the schools be subject to the schools' probationary period. School staff will be referred to our Safeguarding & Child Protection Policies and Procedures.

The schools have a specific safeguarding related Whistle Blowing Policy and will follow local authority Safeguarding Children Board Allegations Against Staff Procedures.

Governors

The schools require governors to have an enhanced criminal records certificate from the DBS. It is the responsibility of the governing body to apply for the certificate for any of their governors who does not already have one. As governance is not a regulated activity, governors do not need a barred list check unless, in addition to their governance duties, they also engage in regulated activity.

Contractors

The schools ensure that any contractor, or any employee of the contractor, who is to work at the schools, has been subject to the appropriate level of DBS check. 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. In considering whether the contact is regular, it is irrelevant whether the contractor works on a single site or across a number of sites.

Under no circumstances will a contractor in respect of whom no checks have been obtained be allowed to work unsupervised, or engage in regulated activity. The schools are responsible for determining the appropriate level of supervision depending on the circumstances.

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

The schools will always check the identity of contractors and their staff on arrival at the school or college.

VOLUNTEERS & REGULATED ACTIVITY

The schools welcome the active involvement of parents, volunteers and members of the local community in school life. Parents and carers frequently help at school and on trips and outings on an occasional basis to support the curriculum, closely supervised by a member of staff.

These helpers are not considered to be engaged in regulated activity and are not subject to the Safer Recruitment Procedures.

Guidelines for parents helping in school (including our Safeguarding Procedure, general Guidelines for Behaviour & Communication and our key Health & Safety Procedures) are provided in the Volunteer Policy.

The schools use the following steps when deciding whether a new volunteer will be supervised to such a level that they are not in regulated activity:

- consider whether the worker is doing work that, if unsupervised, would be regulated activity. If the worker is not, the remaining steps are unnecessary;
- consider whether the worker will be supervised by a person in regulated activity, and whether the supervision will be regular and day to day
- consider whether the supervision will be reasonable in all circumstances to ensure the protection of children

All volunteers engaged in regulated activity are subject to the Safer Recruitment Procedures set out above.

All volunteers in regulated activity receive an induction (including Safeguarding and Health & Safety Policies and procedures and Staff Code of Practice) and ongoing supervision with a key teacher or line manager

Visitors

Anyone not employed at Christ Church Primary SW9 School is a 'Visitor'. The school does not have the power to request DBS checks and barred list checks, or ask to see DBS certificates, for visitors (for example children's relatives or other visitors attending a sports day). The school's SLT should use their professional judgment about the need to escort or supervise visitors.

All Visitors including volunteers must sign in at Reception and read the Visitor Safeguarding Leaflet.

Relevant Government Documentation:

- Keeping Children Safe in Education 2016
- Safeguarding Vulnerable Groups Act 2006;
- Children Act 1989;
- Education Act 2002;
- Children Act 2004; and
- Section 157 and 175 of the Education Act 2002.

Linked Policies

This policy should be read in conjunction with the following policies:

- Child Protection and Safeguarding Policy
- Staff Induction Policy

Next review date: October 2023