

Safer Recruitment policy

This policy is prescribed by The Good Shepherd Trust and all reference to 'the Trust' includes all Trust schools, the central team and subsidiary organisations.

Date adopted:	15/04/2024	Last reviewed:	11/04/2024
Review cycle:	Annually	Is this policy statutory?	No
Approval:	PARC	Author:	Head of HR
Next Review Date:	04/2025		

Revision record

Minor revisions should be recorded here when the policy is amended in light of changes to legislation or to correct errors. Significant changes or at the point of review should be recorded below and approved at the level indicated above.

Revision No.	Date	Revised by	Approved date	Comments
1	23/01/24	D Bird	11/04/2024	Rewrite of policy. Updated aims. Added monitoring section. Updated to reflect new technology now in use within the Trust

1. Introduction

The aims of the Trust's Safer Recruitment policy are as follows:-

- To ensure safeguarding and promoting the welfare of children and young people is an integral factor at each stage of the recruitment and selection process;
- To attract and recruit suitable skilled and motivated staff;
- To set high standards across the Trust;
- To reduce the risk to children and young people and to ensure that the Trust complies with statutory safeguarding duties including the DfE Keeping Children Safe in Education guidance 2023, the Code of Practice published by the Disclosure and Barring Service, Safeguarding Vulnerable Groups Act 2006, and the Protection of Freedoms Act 2012.
- To ensure that the Trust meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks.

The Trust has produced detailed internal guidance for Single Central Record (SCR) checks for schools which details further information about the checks which must be carried out by our schools and explains how these checks must be recorded on our Every HR system.

The Trust reserves the right to amend the content of this policy at any time.

2. Monitoring the impact of this policy

There must be an on-going culture of vigilance from all Trust staff involved in recruitment processes. The Trust HR team will conduct half termly reviews of School SCRs and more detailed deep dive reviews with Headteachers where it is considered necessary or requested.

The Trust will report to the people, appointments, remuneration committee (PARC) annually data on the number of applications received across the Trust, the number of hires, the demographics of applicants and hires and share an annual log of any safer recruitment issues identified.

The Trust HR team are responsible for monitoring of the recruitment processes, including feedback from employees and applicants, which will contribute to future improvements.

The HR team will produce anonymised data for PARC of any concerns highlighted and managed under this policy which result in;

- The Withdrawal of a conditional offer of employment
- A referral to a regulatory body
- A complaint from an employee / prospective employee regarding their treatment under this policy

The Trust HR team will report annually on the status of Safer Recruitment training checks for senior leaders across the Trust.

3. Recruitment process

The recruitment steps outlined below are based on part 3 of Keeping Children Safe in Education 2023.

To make sure we recruit suitable people, we will ensure that those involved in the recruitment and employment of staff to work with children have received appropriate safer recruitment training. This is delivered via e-learning and available upon request to all staff to complete at any time.

We have put the following steps in place during our recruitment and selection process to ensure we are committed to safeguarding and promoting the welfare of children.

3.1 Advertising

Adverts for vacancies will demonstrate the Trust's commitment to safeguarding in recruitment and vetting procedures, protecting every potential applicant from unfair practice and ultimately safeguarding children as much as possible. Promoting commitment to safeguarding and child protection can act as a deterrent to would-be abusers. Thought will be given to wording, pictures and images used to ensure that they could not be considered discriminatory.

We will always include a safeguarding statement in our adverts. All adverts are reviewed by the Trust HR team during the recruitment moderation process using our online recruitment portal, MyNewTerm. This system provides a fully compliant, digital recruitment platform.

3.2 Application forms

Our digital application form is consistent across the Trust and will always:

- › Include a statement saying that it is an offence to apply for the role if an applicant is barred from engaging in regulated activity relevant to children (where the role involves this type of regulated activity)
- › Include a copy of, or link to, our safeguarding and child protection policy and our policy on the employment of ex-offenders

3.3 Shortlisting

Our shortlisting process will involve at least 2 people and will:

- › Consider any inconsistencies and look for gaps in employment (highlighted by our applicant tracking system) and reasons given for them
- › Explore all potential concerns
- › All applications will also be checked to ensure a match with the job description and person specification

Once we have carried out a shortlisting process, shortlisted candidates are required to:

- › Complete an online self-declaration of their criminal record or any information that would make them unsuitable to work with children, so that they have the opportunity to share relevant information and discuss it at interview stage. The information we will ask for includes:
 - If they have a criminal history
 - Whether they are included on the barred list
 - Whether they are prohibited from teaching
 - Information about any criminal offences committed in any country in line with the law as applicable in England and Wales
 - A declaration that they are not disqualified from working under specified childcare settings under the 2018 Childcare Disqualification Regulations
 - Any relevant overseas information
 - Sign a declaration confirming the information they have provided is true

We will also carry out an online search on shortlisted candidates to help identify any incidents or issues that are publicly available online. Shortlisted candidates will be informed that we may carry out these checks as part of our due diligence process. These checks are completed by the Trust's HR team.

3.4 Seeking references and checking employment history

We will obtain references, where possible, before interview for all posts. Any concerns raised will be explored further with referees and taken up with the candidate at interview or in a separate discussion where this has not been possible.

When seeking references, we will:

- › Not accept open references
- › Liaise directly with referees and verify any information contained within references with the referees
- › Ensure any references are from the candidate's current employer and completed by a senior person. Where the referee is school based, we will ask for the reference to be confirmed by the headteacher/principal as accurate in respect to disciplinary investigations
- › Obtain verification of the candidate's most recent relevant period of employment if they are not currently employed
- › Secure a reference from the relevant employer from the last time the candidate worked with children if they are not currently working with children
- › Compare the information on the application form with that in the reference and take up any inconsistencies with the candidate
- › Resolve any concerns before any appointment is confirmed

3.5 Interview and selection

When interviewing candidates, we will:

- › Probe any gaps in employment, or where the candidate has changed employment or location frequently, and ask candidates to explain this
- › Explore any potential areas of concern to determine the candidate's suitability to work with children
- › Record all information considered and decisions made
- › Ask about the candidate's understanding of safeguarding in the school / Trust context

4. Pre-appointment vetting checks

We will record all information on the checks carried out in the school's single central record (SCR). Copies of these checks, where appropriate, will be held in individuals' personnel files. We follow requirements and best practice in retaining copies of these checks, as set out below.

4.1 New staff

All offers of appointment will be conditional until satisfactory completion of the necessary pre-employment checks. When appointing new staff, we will:

- › Verify their identity
- › Obtain (via the applicant) an enhanced DBS certificate, including barred list information for those who will be engaging in regulated activity (see definition below). We will obtain the certificate before, or as soon as practicable after, appointment, including when using the DBS update service. We will not keep a copy of the certificate for longer than 6 months, but when the copy is destroyed we may still keep a record of the fact that vetting took place, the result of the check and recruitment decision taken
- › Obtain a separate barred list check if they will start work in regulated activity before the DBS certificate is available
- › Verify their mental and physical fitness to carry out their work responsibilities
- › Verify their right to work in the UK. We will keep a copy of this verification for the duration of the member of staff's employment and for 2 years afterwards
- › Verify their professional qualifications, as appropriate
- › Ensure they are not subject to a prohibition order if they are employed to be a teacher
- › Carry out further additional checks, as appropriate, on candidates who have lived or worked outside of the UK. These could include, where available:
 - For all staff, including teaching positions: [criminal records checks for overseas applicants](#)
 - For teaching positions: obtaining a letter from the professional regulating authority in the country where the applicant has worked, confirming that they have not imposed any sanctions or restrictions on that person, and/or are aware of any reason why that person may be unsuitable to teach
 - Check that candidates taking up a management position* are not subject to a prohibition from management (section 128) direction made by the secretary of state

* Management positions are most likely to include, but are not limited to, headteachers, principals and deputy/assistant headteachers.

We will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we take a decision that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment on the individual's personnel file. This will include our evaluation of any risks and control measures put in place, and any advice sought.

4.2 Regulated activity means a person who will be:

- › Responsible, on a regular basis in a school or college, for teaching, training, instructing, caring for or supervising children; or
- › Carrying out paid, or unsupervised unpaid, work regularly in a school or college where that work provides an opportunity for contact with children; or
- › Engaging in intimate or personal care or overnight activity, even if this happens only once and regardless of whether they are supervised or not

4.3 Existing staff

In certain circumstances we will carry out all the relevant checks on existing staff as if the individual was a new member of staff. These circumstances are when:

- › There are concerns about an existing member of staff's suitability to work with children; or
- › An individual moves from a post that is not regulated activity to one that is; or
- › There has been a break in service of 12 weeks or more

We will refer to the DBS where appropriate anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult where:

- › We believe the individual has engaged in [relevant conduct](#); or
- › We believe the individual has received a caution or conviction for a relevant (automatic barring either with or without the right to make representations) offence, under the [Safeguarding Vulnerable Groups Act 2006 \(Prescribed Criteria and Miscellaneous Provisions\) Regulations 2009](#); or
- › We believe the 'harm test' is satisfied in respect of the individual (i.e. they may harm a child or vulnerable adult or put them at risk of harm); and
- › The individual has been removed from working in regulated activity (paid or unpaid) or would have been removed if they had not left

A Teacher misconduct referral form will be sent to the Teaching Regulation Agency for allegations of serious misconduct by a teacher.

4.4 Agency and third-party staff

We will obtain written notification from any agency or third-party organisation that it has carried out the necessary safer recruitment checks that we would otherwise perform. We will also check that the person presenting themselves for work is the same person on whom the checks have been made. These checks will be carried out by designated office staff members in our schools who have access to the School's Single Central Record.

4.5 Contractors

We will ensure that any contractor, or any employee of the contractor, who is to work at the school has had the appropriate level of DBS check. These checks are:

- › An enhanced DBS check with barred list information for contractors engaging in regulated activity
- › An enhanced DBS check, not including barred list information, for all other contractors who are not in regulated activity but whose work provides them with an opportunity for regular contact with children

We will obtain the DBS check for self-employed contractors.

We will not keep copies of such checks for longer than 6 months.

Contractors who have not had any checks will not be allowed to work unsupervised or engage in regulated activity under any circumstances.

We will check the identity of all contractors and their staff on arrival at the school. These checks will be carried out by designated office staff members in our schools who have access to the School's Single Central Record.

For self-employed contractors such as music teachers or sports coaches, we will ensure that appropriate checks (where required) are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we decide that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment and this will be uploaded to Every HR. This will include our evaluation of any risks and control measures put in place, and any advice sought.

4.6 Trainee/student teachers

Where applicants for initial teacher training are salaried by us, we will ensure that all necessary checks are carried out.

Where trainee teachers are fee-funded, we will obtain written confirmation from the training provider that necessary checks have been carried out and that the trainee has been judged by the provider to be suitable to work with children.

Schools with pupils aged under 8 add: In both cases, this includes checks to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006.

4.7 Volunteers

We will:

- Never leave an unchecked volunteer unsupervised or allow them to work in regulated activity
- Obtain an enhanced DBS check with barred list information for all volunteers who are new to working in regulated activity
- Carry out a risk assessment when deciding whether to seek an enhanced DBS check without barred list information for any volunteers not engaging in regulated activity. We will retain a record of this risk assessment
- Ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we decide that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought

4.8 Trustee Directors and local committee members

All trustee directors, members of local committees and trust members will have an enhanced DBS check with barred list information where this is working in regulated activity.

The chair of the board will have their DBS check countersigned by the secretary of state.

All trustee directors, local committee members and Trust members will also have the following checks:

- › A section 128 check (to check prohibition on participation in management under section 128 of the Education and Skills Act 2008). Section 128 checks are required for headteachers, deputy / assistant headteachers, business managers / leaders, trustee members, directors and local committee members.
- › Identity
- › Right to work in the UK
- › Other checks deemed necessary if they have lived or worked outside the UK

4.9 Adults who supervise pupils on work experience

When organising work experience, we will ensure that policies and procedures are in place to protect children from harm.

We will also consider whether it is necessary for barred list checks to be carried out on the individuals who supervise a pupil under 16 on work experience. This will depend on the specific circumstances of the work experience, including the nature of the supervision, the frequency of the activity being supervised, and whether the work is regulated activity.

5. Single Central Record

The Trust holds an electronic single central record incorporating all employed staff and all volunteers including trustee directors and local committee members that have contact with children. Access to this information is controlled by permissions set by the Trust's HR team.

The record details a range of checks as set out by the DfE, and the responsibility for the maintenance of this record is with Headteachers in individual schools and with the Trust HR team for central team employees.

Headteachers are responsible for ensuring regular checks on the SCR are undertaken. The Trust HR will monitor school SCRs on a monthly basis and will follow up with schools where additional support is required.

6. Equal opportunities

Fairness in how we recruit and select our employees plays a significant part in creating an equal opportunities environment. Our aim is that every internal and external applicant who applies for a position within the Trust is considered against criteria, which relates only to the requirements of the job.

7. Job descriptions and person specifications

Job descriptions will define the purpose, duties and responsibilities of the post, as well as the qualifications and experience needed to perform the job, with particular attention to working with vulnerable groups. The job description and person specification will make reference to the Trust's commitment to the safeguarding of students.

7.1 Application pack

The importance of safeguarding and protecting children at the Trust will be promoted throughout the recruitment process in order to deter unsuitable candidates. The Trust's application pack will normally include the following: application form, job description and person specification, information sheet about the school, the Trust's equal opportunities policy, the Trust's safeguarding and child protection policy and information on an Enhanced DBS check.

7.2 During the recruitment process

The interview will assess the merits of each candidate against the role requirements and will explore their suitability to work with children. A face-to-face interview will always be carried out as part of the recruitment process.

The Interview panel will consist of a minimum of two interviewers, one of whom will be the safeguarding representative. Where the interview is for a teaching post, the Headteacher, Deputy Headteacher or an Assistant Headteacher will form part of the interview panel. Where the interview is for a support staff post, the Headteacher or a member of the School's Leadership Team will form part of the selection panel. For Headteacher or senior Trust roles, the panel members will be of an appropriate senior level in the Trust.

8. Criminal record checks

Due to the nature of the work, the Trust applies for criminal record certificates from the Disclosure and Barring Service ("DBS") in respect of all prospective staff members and volunteers.

There are two types of check that may be requested from the DBS depending on the nature of the position:

- Standard Disclosure - For positions that involve regular contact with those aged under 18 years or people of all ages who may be vulnerable for other reasons and for occupations that involve positions of trust.
- Enhanced Disclosure - For posts involving greater contact with children or vulnerable adults, including regularly caring for, training, teaching, supervising or being in sole charge of such people.

A Standard Disclosure will contain details of all convictions, cautions, reprimands or warnings (except those which are "protected" as defined in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013) held on the Police National Computer. If the individual is applying for a position working with children or young adults, the Standard Disclosure will also reveal whether he/she is barred from working with children or vulnerable adults by virtue of his/her inclusion on the lists of those considered unsuitable to work with children or vulnerable adults maintained by the DfE and the Department of Health.

An Enhanced Disclosure will contain the same details as a Standard Disclosure. It may also contain non-conviction information from local police records which a chief police officer thinks may be relevant in connection with the matter in question.

Applicants with recent periods of overseas residence and those with little or no previous UK residence may also be asked to apply for the equivalent of a Disclosure if one is available in the relevant jurisdiction(s).

Should DBS clearance be delayed and employment commence before it is received, the Trust may undertake a risk assessment on the prospective member of staff concerned and make arrangements as appropriate for the member of staff to be paired with or supervised by another member staff who has received DBS clearance.

8.1 Rehabilitation of offenders disclosure

The Trust's Recruitment of Ex-Offenders policy is available to download on the Trust's website.

9. Questions and feedback

Any queries relating to this policy above should be directed to the Trust HR team HR@goodshepherdtrust.org.uk.