



SAFER RECRUITMENT POLICY

Document Control

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Document Reference:	Safer Recruitment Policy	
Version	01	
Status	Final	
Publication Date Updated:	October 2014 September 2016 January 2019	
Related Policies		
Review Date	February 2021	
Approved/Ratified By	Trust Board	Date: 5/2/2019

Safer Recruitment Policy

Introduction

1. The Arthur Terry Learning Partnership has adopted this Safer Recruitment policy for the safe and legal employment of people to work in its schools. The Trust Board and Local Governing Bodies seek to prevent people who pose a risk of harm from working with children by adhering to statutory responsibilities to check staff who work with children, taking proportionate decisions on whether to ask for any checks beyond what is required and ensuring volunteers are appropriately supervised.
2. The Trust Board and each Local Governing Body are committed to the welfare of children and young people in its care. We recognise that the legal requirements for recruiting and employing people to work in ATLP schools include provisions specifically to protect children from harm and that following these provisions is an essential part of its duty of care. We also recognise that the legal requirements for checking prospective employees' right to work in the United Kingdom protect those responsible for recruitment from fines for infringing the law.
3. The Trust Board has also adopted a Safeguarding / Child Protection Policy and will ensure that all employees are made aware of both this policy and the Safeguarding / Child Protection Policy. It will publish them through its scheme of publication in accordance with the Freedom of Information Act.

Guidance on the law

4. Both the Trust Board and each Local Governing Body are committed to following the statutory guidance in 'Keeping Children Safe in Education'.
5. The Trust Board and each Local Governing Body will have regard to the guidance provided by the DfE (2017) "Staffing and employment advice for schools".
6. The ATLP CEO and the headteacher in each school has a delegated responsibility to ensure that checks on the right to work in the United Kingdom comply with the requirements of the Immigration, Asylum and Nationality Act.
7. The Trust Board and each Governing Body is committed to its legal duties and responsibilities in respect of equality in employment.

Pre-appointment checks

8. All new appointments

Any offer of appointment made to a successful candidate, including one who has lived or worked abroad, must be conditional upon satisfactory completion of the necessary pre-employment checks.

When appointing new staff, the following checks must be carried out;

- Obtain at least two references to obtain objective and factual information to support employment decisions. All concerns in a reference must be explored and resolved satisfactorily before an appointment is confirmed. All references must be requested directly from the referee. Open references or testimonials will not be accepted. One reference must come from the headteacher of the school at which they were most recently employed. Where a candidate is not currently employed in a school, the reference must come from the head of the organisation where they are currently employed, or a line manager at an appropriate level. Please seek further advice from HR where there is any doubt who should be approached to provide a reference. Please also contact HR in circumstances where a candidate is currently not employed in order that we may help to identify who should be asked to provide references. References must seek information about past disciplinary action, allegations or conduct and performance issues (see general recruitment procedures below).
- verify a candidate's identity.
- obtain (via the applicant) an enhanced DBS certificate (which includes barred list information, for those who will be engaging in regulated activity); where an enhanced DBS certificate is required, it must be obtained from the candidate before, or as soon as practicable after, the person's appointment. There is no requirement to obtain an enhanced DBS certificate or carry out checks for events that may have occurred outside the UK if, in the three months prior to their appointment, the applicant has worked:
 - in a school in England in a post which brought them into regular contact with children or young persons in any post in a school since 12 May 2006;
 - or
 - in an institution within the further education sector in England or in a 16-19 Academy, in a post which involved the provision of education which brought the person regularly into contact with children or young persons;

- obtain a separate barred list check if an individual will start work in regulated activity before the DBS certificate is available, as well as undertaking a safeguarding risk assessment in such circumstances (see 9 below);
- verify the candidate's mental and physical fitness to carry out their work responsibilities, taking in to consideration any reasonable adjustments which may be required for the candidate to undertake the role, in accordance with the Equality Act. A job applicant may be asked relevant questions about disability and health in order to establish whether they have the physical and mental capacity for the specific role, however please seek advice from HR before making such enquiries;
- verify the person's right to work in the UK. If there is uncertainty about whether an individual needs permission to work in the UK, then schools should follow advice on the GOV.UK website, and seek advice from HR;
- if the person has lived or worked outside the UK, make any further checks the school consider appropriate so that any relevant events that occurred outside the UK can be considered;
- verify professional qualifications, as appropriate;
- check that a person taking up a management position, including governance, is not subject to a section 128 direction made by the Secretary of State.
- ensure that a candidate to be employed as a teacher is not subject to a prohibition order issued by the Secretary of State, checked via the Teacher Services System (previously Employer Access online).

Checks and recording

9. The headteacher is required to:

- Ensure that all required pre-employment checks on new employees, including casual and short-term employees, are made and completed satisfactorily before a formal offer of employment is made in accordance with the legislative provisions and that these checks are recorded in the required register (known as the 'single central record').
- Ensure that the required register (known as the 'single central record') is kept of the checks already undertaken on existing employees.
- Ensure that the required written confirmation of all required checks is obtained from agencies supplying staff to the school, including organisations providing specialist coaches or instructors and centrally managed teaching services providing staff to the school, and recorded in the required register ('single central record'), also that the identity of each and every person

supplied by an agency is checked by the school before the person starts work for the school.

- Ensure that self-employed people engaged directly by the school are subject to the same checks as would be the case if they were employed by the school.
- Ensure that appropriate checks for all trainee teachers are carried out, or written confirmation from supplying organisations that the checks have been completed.
- Ensure that the checks involve copying (or electronic scanning) each specified document as required, signing and dating the copy and placing the copy in secure storage in accordance with GDPR legislation.
- Arrange for all volunteers to undertake an identity check, and clearance through the Disclosure and Barring Service (DBS) and Independent Safeguarding Authority as specified by that Authority. Volunteers must not be left unsupervised where appropriate enhanced checks have not been carried out.

The Governing Body is required to:

- Ensure the above requirements are applied to the selection of a headteacher or deputy headteacher, or any leadership member of staff.

The Trust Board is required to:

- Ensure the above requirements are applied to the selection of a CEO

The CEO is required to:

- Ensure the above requirements are applied to the selection of an executive headteacher, or any leadership member of the central support team.

Risk assessment – enhanced Disclosure check

10. The Trust Board/Governing Body permits the commencement of employment before an enhanced DBS check has been obtained only in justifiable circumstances, where this is approved by the CEO/headteacher as appropriate, following a risk assessment, and provided that an application for such a certificate has been submitted. Any risk assessment in these circumstances must be submitted to HR and approved by the CEO. All other checks, including a separate barred list check and section 128 check where appropriate, should have been completed. In each case the risk assessment and the decision must be recorded, regularly reviewed and the situation monitored until the enhanced certificate from the DBS is received. The

CEO/headteacher will be accountable for the decision to allow the employee to start work.

11. An enhanced DBS check undertaken by a school within The ATLP, will apply to any school within The ATLP, and the individual will be eligible to work at any ATLP school within the Partnership. However, Trust Board does not support the re-use of a check obtained for a job in a different school or organisation outside of The ATLP ('portability'), even if the check was undertaken recently. It acknowledges that the CEO/headteacher may refer to the existence of a previous check pending an application for an enhanced criminal record certificate as part of the risk assessment in justifiable circumstances.
12. DBS checks which are undertaken as part of the DBS access service, will be accepted for those who are registered for checks to their DBS to be made on line.
13. Where existing staff move from a post that was not regulated activity, in to work which is regulated, the relevant checks for regulated activity must be carried out.
14. Where there are concerns about an existing staff member's suitability to work with children, HR will carry out all relevant checks as if the person were a new member of staff.
15. Apart from 13 and 14, a new DBS or barred list check is not required.

Positive disclosures

16. The Trust Board expects the CEO/headteacher to investigate any positive disclosures appropriately, to determine the person's suitability to work with children. In doing so advice may be sought from HR and external agencies as necessary. If it is determined that the person with the positive disclosure is suitable to work for The ATLP, an application for approval will be submitted to the CEO, via HR, before a substantive offer of employment is made.

General recruitment procedures

17. The Trust Board requires, as far as reasonably practicable, that:
 - every job description includes a statement that the employee is responsible for promoting and safeguarding the welfare of children for whom he or she is responsible or comes into contact.
 - every person specification includes a clear statement about the requirements for any applicants to demonstrate their suitability to work with children and that this will include motivation, ability to maintain appropriate relationships

with children, emotional resilience to challenging behaviour, and attitudes to the use of authority and maintenance of discipline.

- all ATLP schools use an application form which complies with the statutory guidance on safer recruitment.
- any gaps in education or employment, or discrepancies between information on the application form and references are investigated.
- at least two job-related written references, including one from the current employer or most recent employer (or training establishment in the case of a newly qualified teacher or school for a young person with no previous employment experience) or most recent employer in respect of employment with children, are always obtained before interviews take place and preferably before short-listing; that relevant questions are asked of the referee and employee in accordance with statutory guidance and any discrepancies are investigated (having regard to the statutory guidance that it is up to the person conducting the recruitment to decide whether to accede to a candidate's request not to contact his or her current employer until after the interview and only if he/she is the preferred candidate after the interview but that this is not recommended as good practice) .
- a job is preferably not offered subject to satisfactory references and that if written references are not available before an interview, the final selection of a candidate is deferred, until the written references are available.
- all persons invited for interview are informed in writing of the required pre-employment checks and are advised they will be required to provide relevant documentation before their appointment can be confirmed.
- choose suitable people, at least one of whom has completed the required training in safer recruitment, to interview candidates, and that the interviews are supplemented by other tasks and assessment as appropriate.
- the recruitment and selection process is monitored in accordance with the ATLP's policy on the various equality duties required of schools.
- The Trust Board will also require selection panels for headteachers and deputies and any interviewing panel including governors to follow these requirements.

Safer Recruitment Training

18. The Trust Board will arrange as necessary for some or all governors to undertake the training in safer recruitment specified in the 'Keeping Children Safe' and Safer recruitment guidance.

19. The Trust Board will follow the requirement that at least one member of selection panels has completed the required training in safer recruitment.

Induction

20. The headteacher is required to arrange for at least one of the School's Designated Senior Persons to introduce himself or herself to each new employee during that employee's first week at work and for subsequent induction to include suitable training in child protection.
21. For Centrally employed staff, the ATLP Lead Safeguarding Officer will give advice to a new employee with regard to child protection and safeguarding. Updates will also be provided by the school where the member of staff is located.
21. This is in addition to statutory induction for newly qualified teachers and probation for new support staff.

Members/Directors and Governors

22. Trust Board Members/Directors and Governors are required to have an enhanced criminal records check from the DBS. This must be carried out by the school on behalf of the Trust Board or Local Governing Body. Governance is not a regulated activity and therefore a barred list check is not required, unless the individual is also engaged in regulated activity. However, it may be appropriate to check that the individual is not subject to a section 128 direction that would prevent them from taking part in the management of the academy.

Flowchart of Disclosure and Barring Service

