



Part of T4 Trust

# **Safer Recruitment, Retention and the Single Central Record Policy**

## Version Control

Action	Name	Date
Prepared by	Lisa Tharpe	April 2021
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## The Roles and responsibilities

The Trust Board	The Board of Directors of the Trust (including any committee of the board duly appointed by it), who may also be referred to as trustees. The Trust Board have overall strategic responsibility for the Safer Recruitment, Retention and the Single Central Record of all employees, visitors, students and others. This responsibility is delegated to the CEO, COO and Headteacher.
The Executive Headteacher	The teacher in charge of the school who may also be referred to as Head or Principal. The Executive Headteacher is responsible for the overall day to day operation of the school and takes a strategic overview of the Safer Recruitment, Retention and the Single Central Record Policy and practice. The implementation of these may be delegated to specified individuals.

**Executive Headteacher** - Aaron Mulhern - Email: [aaron.mulhern@ianmikardo.com](mailto:aaron.mulhern@ianmikardo.com)

**Office Manager** - Muriel Finney - Email: [Muriel.finney@ianmikardo.com](mailto:Muriel.finney@ianmikardo.com)

**Trust Safeguarding and Compliance Reporting Lead:**

Lisa Tharpe – Deputy Head (IMHS) - Email: [lisa.tharpe@ianmikardo.com](mailto:lisa.tharpe@ianmikardo.com)

**The Designated Safeguarding Lead is:**

Lynn St Philip-Ross - Lead Inclusion and Welfare Practitioner - Email: [lynn.st.phillip-ross@ianmikardo.com](mailto:lynn.st.phillip-ross@ianmikardo.com)

**Deputy Safeguarding Leads are:**

Karen Raftery – Head of Post 16 and Careers - Email: [karen.raftery@ianmikardo.com](mailto:karen.raftery@ianmikardo.com)

Hazera Begum – Attendance & Welfare Coordinator - Email: [hazera.begum@ianmikardo.com](mailto:hazera.begum@ianmikardo.com)

Aaron Mulhern – Headteacher - Email: [aaron.mulhern@ianmikardo.com](mailto:aaron.mulhern@ianmikardo.com)

**The Safeguarding Leads - Board of Governors for T4 Trust are:**

Helal Ahmed – Local Community Board of Governor for Safeguarding

Sara Attwood – T4 Trust Board of Governor for Safeguarding

## 1. Introduction

1.1 Ian Mikardo is an exceptional school, and its success depends on selecting exceptional people to work here. T4 Trust Board is committed to safeguarding and promoting the welfare of vulnerable young people and requires all staff and volunteers to demonstrate this commitment in every aspect of their work. Our aim is to help our students to overcome their emotional difficulties and to reach their potential socially and academically, and in achieving this we regard our staff as the school's most important asset.

Just as we welcome people from a diverse range of personal backgrounds, we are keen for our staff to reflect a range of professional backgrounds and to bring different and diverse experiences to their work. While we seek staff who are suitably qualified and experienced to meet the school's human resources requirements and to deliver the school improvement plan, and we follow the legislative requirements of recruitment and selection, this does not mean that we always seek staff with conventional teaching qualifications. We encourage staff to be dynamic and creative, and to find people with these outstanding qualities we often go outside the recruitment field that is typical of educational establishments.

- 1.2 The appointment of all employees at Ian Mikardo High School will be made on merit and in accordance with the provisions of Employment Law, the Education Act 2002, the School Staffing (England) Regulations 2003 and the statutory guidance, *Safeguarding Children and Safer Recruitment in Education Settings* and the school's equal opportunities policy.
- 1.3 The Governing Board will ensure that people are treated solely on the basis of their abilities and potential, regardless of race, colour, nationality, ethnic origin, religious or political belief or affiliation, trade union membership, age, gender, gender reassignment, marital status, sexual orientation, disability, socio-economic background, or any other inappropriate distinction
- 1.4 Students at Ian Mikardo High School are extremely vulnerable and our wholehearted commitment to their welfare and wellbeing makes Child Protection and safeguarding fundamental to our work. We are aware of our Duty to Prevent and regard this as the responsibility of everyone who works in the school. Our approach is child centred, in that it focuses on the best interests of the child at all times, and it is coordinated.
- 1.5 **Appointment of Executive Headteacher**  
The Executive Officer of T4 Trust along with a Trustee and Chair of Governors for the school is responsible for the appointment of the Head Teacher.

## 2. Delegation of Appointments

- 2.1 The Governing Board delegates all support staff appointments and all teaching appointments below the level of Assistant Head/Deputy Head to the Head Teacher. The Head Teacher is expected to involve at least one member of the Governing Board in all appointments, except

where indicated in 2.4 below, and governors who wish to be considered for involvement will be expected to undertake recruitment selection training, including “Safer Recruitment” training, at the earliest opportunity.

- 2.2 No Governor is to be excluded from being involved in staff appointments unless there is a conflict between the interests of the Governor and the interests of the Governing Board.
- 2.3 A selection panel will be drawn from all Governors who have undertaken recruitment training and who have advised the Clerk to the Governors of his/her wish to be involved in staff appointments as required by the Headteacher.

### **3. Information for Applicants**

All applicants for all vacant posts advertised internally or externally will be provided with:

- 3.1 A Job Description outlining the duties of the post and an indication of where the post fits into the organisational structure of the school
- 3.2 A Person Specification indicating the qualifications, skills and types of experience or expertise which the Governing Board regard as essential or desirable in relation to the job.
- 3.3 An Application Form.
- 3.4 Information about the School and Other General Information:
  - A description of the school relevant to the vacant post
  - A statement about access to the school for applicants who may wish to see it or who may wish to consult the Head Teacher before making an application
  - A statement that canvassing any member of staff, or member of the Governing Board, directly or indirectly, is prohibited and will be considered a disqualification
  - Reference to the school's policy on Equal and Diversity
  - Reference to the legislation concerning the Protection of Children
  - The name of any person who will be available to provide additional information about the post
  - The closing date for the receipt of applications
  - Salary level of the post

**We believe this policy should be a working document that is fit for purpose, represents the school ethos, enables consistency and quality across the school and is related to the following legislation:**

- |  |  |
|--|--|
| ▪ Rehabilitation of Offenders Act 1974                                       | ▪ Employment Act 2008                                    |
| ▪ School Teachers' Pay and Conditions Act 1991                               | ▪ School Staffing (England) Regulations 2009             |
| ▪ School Standards and Framework Act 1998                                    | ▪ Equality Act 2010                                      |
| ▪ Education (Teachers' Qualifications and Health Standards) Regulations 1999 | ▪ Independent School Standards Regulations 2010          |
| ▪ Employment Relations Act 1999  | ▪ Protection of Freedoms Act 2012                        |
| ▪ Sex Discrimination (Gender Reassignment) Regulations 1999                  | ▪ School Staffing (England) (Amendment) Regulations 2012 |

- Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000
- Education Act 2002
- Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002
- Education Act 2005
- Employment Equality (Age) Regulations 2006
- Work and Families Act 2006
- Safeguarding Vulnerable Groups Act 2006
- Education and Inspections Act 2006
- Education (School Teachers) (Qualifications and Specified Work) (Miscellaneous Amendments) (England) Regulations 2012
- Data Protection 2018

#### 4. The following documentation is also related to this policy:

- Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges (DfE)
- Working Together to Safeguard Children: A Guide to Inter-agency Working to Safeguard and Promote the Welfare of Children
- National Agreement on Pay and Conditions of Service (Green Book) (National Joint Council for Local Government Services)
- School Teachers' Pay and Conditions Document and Guidance on School Teachers' Pay and Conditions (DfE)
- Equality Act 2010: Advice for Schools (DfE)
- Race Disparity Audit - Summary Findings from the Ethnicity Facts and Figures Website (Cabinet Office)

We believe this policy should be viewed in **conjunction** with the following policy:

- Safeguarding and Child Protection Policy
- Whistleblowing policy
- Data Protection Policy

We are committed to safeguarding children and promoting the welfare of children and young people and we expect all school staff and volunteers to share in this commitment.

We believe that by creating a culture of safe recruitment by undertaking robust and rigorous processes we will deter, reject, or identify people who might abuse children from gaining positions within the school and thereby ensure that the workforce is fully committed to the safe welfare of children.

We ensure that at least one member of the school staff who conducts an interview has completed safer recruitment training. All decisions about the suitability of a prospective employee are based on checks and evidence, including criminal record checks (Disclosure and Barring Service (DBS) checks), barred list checks and prohibition checks, together with references and interview information.

We understand that there are three types of DBS 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 approved 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 an additional check to be made as to whether the person appears on the children's barred list.

We are aware the DBS:

- Maintains barred list of individuals who are unsuitable to work with children and vulnerable adults;
- Will send a DBS certificate to the applicant once the checks are complete. The applicant must show the original certificate to their potential employer before they take up post or as soon as practicable afterwards

## 5. Single Central Record

Under no circumstance will we allow any individual to carry out any form of regulated activity if we know or have reason to believe that that individual is barred.

We ensure that we maintain an electronic **Single Central Record** called SCR tracker of pre-appointment checks:

- All school staff, including members and trustees of T4 Trust, teacher trainees on salaried routes, agency and third-party supply staff who work at the school;

The Single Central Record will record that the following checks have been carried out or certificates have been obtained, and the date on which check has been completed:

- |  |   |
|--|---|
| ▪ Identity check   | ▪ Check of professional qualifications                    |
| ▪ Barred list check  | ▪ Check to establish the person's right to work in the UK |
| ▪ Enhanced DBS check   | ▪ Section 128 checks                                      |
| ▪ Prohibition from teaching check                                  |   |
| ▪ Further checks on people who have lived or worked outside the UK |   |

We ensure for agency and third-party supply staff written confirmation is received from the employment business supplying the member that stipulates all relevant checks, appropriate certificates, confirmation dates and enhanced DBS certificates are in place.

We are aware that from 1 January 2021 the Teacher Regulation Agency will no longer maintain a list of European Economic Area teachers with sanctions.

We understand that we must make any further checks that we think appropriate on applicants that have lived or worked outside of the UK, with those applicants providing proof of their past conduct as a teacher issued by their regulating authority in the country they worked.

We realise that the majority of school appointments is for staff who will be responsible for the care and supervision of children on a regular basis such as teaching, training, instructing, caring for or supervising children; or carrying out paid or unsupervised unpaid work but in contact with children; or engaging in intimate or personal care or overnight activity is known as regulated activity and as part

of the process of safe recruitment all prospective employees will need to have an enhanced DBS check with barred list information.

An enhanced DBS certificate without a barred list check is required for all other staff who have regular contact with children but are not engaging in regulated activity.

Under no circumstances will we allow any individual to carry out any form of regulated activity if it comes to our attention that they have been barred.

Also, we are aware that we have “a legal duty to 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
- 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
- The individual has been removed from working (paid or unpaid) in regulated activity or would have been removed had they not left.”

## **6. Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges (DfE)**

6.1 We have a duty to ensure that all volunteers in regulated activity must have an enhanced DBS certificate with barred list check. We will not allow any volunteer to work unsupervised with children or work in regulated activity without the necessary checks.

6.2 However, a supervised volunteer 'who regularly teaches looked after children is not in regulated activity.'

6.3 We wish to appoint the most suitable person for each vacant position regardless of age or perceived age, marital status, sex, racial or ethnic background, religion or belief, sexual orientation, or disability. Also, we will take no account of an applicant's membership or non-membership of a trade union.

6.4 We intend to deter prospective applicants and to identify and reject applicants who are unsuitable to work with children. Existing employees, employees on fixed or temporary contracts will be invited to apply.

6.5 We expect all applicants to declare whether they are in a close relationship with any employee, worker, volunteer, governor, or anyone else connected with this school as we wish to encourage and promote an open and transparent recruitment process.

6.6 We believe our recruitment and selection process is systematic, efficient, effective and equal.

6.7 We are aware that schools are finding it difficult to recruit and retain teaching staff, support staff and school leaders. We recognise that recruiting and retaining the right staff is at the centre of providing quality learning experience for students.

6.8 We understand that besides low pay, high workload, and stress teachers also decide to leave the profession because of other factors such as teaching performance resulting in the involvement of the senior leadership team (SLT), feeling undervalued or a behavioural incident involving students and parents/carers.



6.9 We aim to retain and further develop high quality teaching and support staff to ensure quality learning experiences for students by reducing unproductive or unnecessary teacher workload associated with marking, planning, or tracking student progress that does not contribute to the raising of student standards. Also, we need to ensure that we deal with all other issues in order to retain school staff.

## 7. Safer Recruitment

- The school practices safer recruitment to ensure that individuals who may present a risk to children do not work in our school. We also distinguish between individuals who may present a risk to children and others who have a complex history but do not present a risk to children; rehabilitation is a foundation of the school's ethos. If appropriate, we seek an enhanced DBS with barred list check, and work with the Local Authority and the school's HR Advisor to assess and mitigate any risks.
- The Governing Board is mindful that The School Staffing (England) Regulations 2009 require it to ensure that at least one person on any appointment panel has undertaken safer recruitment training.
- Volunteers who have not been DBS checked work in the school only when supervised by a permanent member of staff.
- All staff must have a valid DBS when working at IMHS, if under exceptional circumstances a member of staff is found to have a DBS that is more than 3 years old they will be asked to complete a new DBS check immediately and a risk assessment will be carried out in order to determine if the member of staff will be able to continue their duties under the full supervision of a permanent member of staff until a new DBS has been obtained.

# DBS Check Risk Assessment

This form can be used to assist the assessing and recording the risks of allowing someone to start work or volunteer at The IMHS prior to a DBS (Disclosure and Barring Service) check being received or where a DBS Certificate shows relevant convictions or other relevant information.

The assessment of risk must be undertaken in accordance with the T4 Trust's Policy on Employment of Ex-offenders and Disclosure and Barring checks.

The completion of this risk assessment form is the responsibility of the appointing manager or line manager as appropriate. It must be authorised by the CEO of T4 Trust before the person can start or continue working with children or vulnerable adults or their records.

The completed risk assessment form must be placed on the individual's personnel file or other appropriate file and made available for Safeguarding and Ofsted Inspections.

However, whilst KCSIE allows you to start someone in post before the DBS results are received, this can create a complicated employment law situation.

Allowing someone to start before the outcome of checks are known could lead to the employee to claim that a contract has been entered into. To prevent this happening, you will need to be clear with the employee that:

- Starting the job under supervision means that they have not entered into an employment contract yet
- Their contract will be issued only when the results of the DBS are received
- If the results of the check show they are unsuitable for the role, their services will no longer be required from immediate effect

There may be worth in taking formal legal/HR advice in these situations.

The DfE and Ofsted expect starting staff without a DBS check should only **in very exceptional circumstances**. Even if you can prove exceptional circumstances, you will need to provide Ofsted with the full rationale and Ofsted will expect to see the steps taken to reduce risk and safeguarding children.

People may therefore only work in these circumstances when the following applies:

- The appointment is necessary to allow the service provision to continue,
- In the case of children, the person has an enhanced DBS certificate issued within the last 3 months by another body and the person provides the original enhanced DBS certificate to the appointing manager as evidence.
- An enhanced, DBS check has been applied for by the school,
- The person has no unsupervised contact with children,
- They have no access to sensitive records, particularly information about individual children.
- This risk assessment and risk management plan has been completed and signed off by the relevant manager.

Due to the high risks involved in appointees working in one to one situations or similar environments, they must not start work until the fresh DBS certificate has been received.

Please note that candidates may be able to carry out induction, training and supervised tasks whilst waiting for the DBS certificate to be returned.

\*Managers should ensure that all staff are aware of these arrangements.

## DBS Risk Assessment Checklist

### Starting work prior to DBS Certificate being seen

This risk assessment should be completed when considering whether to allow a new member of staff to start work before a new DBS certificate has been seen by the setting.

When

Name of Person .....

Role .....

Interview Date .....

Proposed Start Date  
.....

DBS Check application date  
.....

[The person must not start without an application being made]

Is the person in 'Regulated' Activity? Yes  No

#### Reason for starting without seeing a new DBS Check

- Continuity of the settings provision to children
- Other (please state)  
.....

#### Known Information

Have all the following checks been satisfactorily completed?

- Identity check (photographic) [Essential]
- Verification of current address [Essential]
- Barred list check (if legally appropriate) [Essential]
- Prohibition check (for teachers) [Essential]
- Overseas checks (where relevant)
- Right to Work in the UK [Essential]
- Confirmation of qualifications [Essential]

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preparing the risk assessment, the assessor should consider and rate the following:

RISK	CONSIDERATIONS	RISK RATING – HIGH, MEDIUM, LOW	NOTES	ACTION REQUIRED
The DBS certificate	<ul style="list-style-type: none"> <li>• How old is the last certificate/check?</li> <li>• Are there any convictions, cautions or other relevant information listed? Are any of them recent?</li> <li>• Have they provided the original certificate?</li> <li>• Is the check the right level of check (enhanced, or enhanced with barred list information if appropriate)? <b>Only do this if you decide to accept an existing certificate</b> – if you are getting a new check, wait until the results have come through to conduct your criminal records assessment.</li> </ul>			

RISK	CONSIDERATIONS	RISK RATING – HIGH, MEDIUM, LOW	NOTES	ACTION REQUIRED
Employment history	<ul style="list-style-type: none"> <li>• Are there any unexplained gaps in their employment history?</li> <li>• Have they provided a satisfactory explanation for why they left their last job?</li> <li>• Have we confirmed that the job history they've provided is accurate?</li> </ul>			
References	<ul style="list-style-type: none"> <li>• Have they provided appropriate references?</li> <li>• Have the references been received?</li> <li>• Did the references mention any cause for concern? If so, have we followed up?</li> </ul>			
Conduct at interview	<ul style="list-style-type: none"> <li>• Did their conduct or presentation during the interview stage raise any questions or concerns?</li> </ul>			
Application process	<ul style="list-style-type: none"> <li>• Have their answers been consistent across all stages of the interview process?</li> </ul> <p><i>(If the answer is 'no', make a note of when and how you followed up on inconsistencies or anomalies)</i></p>			

RISK	CONSIDERATIONS	RISK RATING – HIGH, MEDIUM, LOW	NOTES	ACTION REQUIRED
Additional recruitment checks	<ul style="list-style-type: none"> <li>• Is the applicant fit to work?</li> <li>• Have we completed qualification checks and prohibition from teaching checks (where relevant)?</li> <li>• Have 'right to work' checks been completed?</li> <li>• Has the applicant lived or worked outside of the UK? If yes, have we conducted relevant overseas criminal record checks?</li> </ul>			
References	<ul style="list-style-type: none"> <li>• Do we have two references for the applicant?</li> <li>• Were any concerns raised or additional information provided?</li> </ul>			

Any decision should be based on the information provided and then collated. The decision will then be:

**High Risk:** - The person should not be allowed to start without a new enhanced DBS check, as there has been a break in service of more than three months and they do not have an Enhanced DBS Certificate and/or there is insufficient information known or inconsistent information provided.

**Medium Risk:** The person may start work, and although there is sufficient information, there is a gap in service of more than three months, or the person does not have an Enhanced DBS certificate. The person must be supervised at all times and not undertake any one to one work or have access to individual children’s files. This person must always be within sight and hearing of a staff member with an enhanced DBS check

**Low risk:** The person may start work without additional supervision, as they already hold a valid DBS check and there is not break in service or more than three months and all other checks have been satisfactory.

Assessor:

Name:.....

Signature.....

Date.....

**Approved CEO T4 Trust**

(Print Name).....

(Signature).....

Date.....

## **DBS Disclosures with Information**

- When a DBS check is returned positive, the Headteacher or Deputy Head will discuss the circumstances with the individual and complete a Positive DBS risk assessment and seek advice from the CEO and HR before reaching a decision on whether to proceed with the appointment.
- Because the school is part of a Multi-Academy Trust (MAT) the chair of trustees must provide the Clerk to the Trustees with details of an enhanced DBS certificate. It is considered good practice for details to be provided to the DSL and for this information to be recorded on the Single Central Record.



## POSITIVE DBS DISCLOSURE DECISION FORM (Example Risk Assessment)

<b>Name of individual:</b>		<b>Date of Birth:</b>		<b>Address:</b>			
<b>Post Applied for:</b>		<b>School/College:</b>					
<b>Recruiting Manager:</b>		<b>Signed</b>		<b>Date</b>			
<b>Operational Safeguarding Lead –T4 Trust</b>		<b>Signed</b>		<b>Date</b>			
<b>Decision (please tick as applicable)</b>		*Employ with adjustments to role (give details e.g., supervision, monitoring arrangements)					
<b>Employ</b>	<input type="checkbox"/>					<b>Do not employ</b>	<input type="checkbox"/>
<b>Suspend</b>	<input type="checkbox"/>					<b>Allocate to other work</b>	<input type="checkbox"/>
<b>Discussed with individual (insert date)</b>							

QUESTIONS TO CONSIDER	Possible Responses	Answer	Comments please complete as fully as possible to inform risk assessment
<p><b>Are you satisfied with the candidate's/employee's/volunteer's explanation of the circumstances of the offence?</b> All positive disclosures should be discussed with the candidate. Note down their explanation of the circumstances.</p>	<p>Yes Unsure No</p>		
<p><b>How serious do you consider the offence to be?</b></p>	<p>Major Moderate Minor</p>		
<p><b>Did the offence occur recently?</b> For example, minor offences that occurred a long time ago may be less relevant than ones that are very recent.</p>	<p>Within last; Year 3 years 10 years Older</p>		
<p><b>At what age were the offences committed?</b> Was the offence committed as an adult, or as a child or adolescent? Offences that took place years ago may have less relevance now with the exception of serious violent or sexual offences.</p>	<p>State age</p>		
<p><b>What age is the applicant now?</b></p>	<p>State age</p>		
<p><b>Does the disclosure show a pattern of behaviour, or was the offence a one-off?</b> Repeated offences may indicate that the individual has not been able to change his/her offending behaviour, and may be more likely to re-offend.</p>	<p>One-off Repeat – frequent Repeat - infrequent</p>		

QUESTIONS TO CONSIDER	Possible Responses	Answer	Comments
<p><b>Have the circumstances that contributed to the applicant committing the offence or behave in such a manner changed for the better?</b> Look at all the circumstances, including the employment pattern and the individual's own explanation.</p>	<p><b>Yes</b> <b>No</b> <b>Maybe</b></p>		
<p><b>Did the applicant disclose any convictions, cautions, reprimands, or final warnings which would not be filtered in line with current guidance, as part of the application process/at interview/or during their employment?</b> Note that a failure to disclose a relevant offence, without a satisfactory reason, will be a breach of contract and render any employment offer void or where the individual is an employee lead to disciplinary action which could lead to their dismissal.</p>	<p><b>Yes No – no valid reason</b> <b>No – but has valid reason</b></p>		
<p><b>Are there any concerns in regard to the employees' motivations for working with children?</b></p>	<p><b>Yes</b> <b>No</b></p>		
<p><b>Is there any evidence in regard to any inability to manage conflict, cope with challenging behaviour?</b></p>	<p><b>Yes</b> <b>No</b></p>		
<p><b>Were any gaps in employment identified and were these cause for concern?</b></p>	<p><b>Yes</b> <b>No</b></p>		
<p><b>Were both employer references satisfactory and at least one reference verified by telephone?</b></p>	<p><b>Yes</b> <b>No</b></p>		
<p><b>Does the post involve responsibility for finance, items of value or other high-risk areas?</b> This is particularly relevant where the disclosed offences are related to robbery, burglary, or fraud.</p>	<p><b>High</b> <b>Moderate</b> <b>Low</b></p>		
<p><b>Does the role allow the opportunity to re-offend?</b> Consider the nature of the post in relation to the disclosed offence(s).</p>	<p><b>Yes</b> <b>No</b></p>		

<p><b>What level of management supervision will the person receive?</b> What opportunity would there be to re-offend? Will supervision reduce the risk? How much responsibility does the post carry?</p>	<p><b>High</b> <b>Moderate</b> <b>Low</b></p>		
<p><b>What mechanisms are in place to track the individual's progress?</b> A review requirement allows for the possibility of the person moving to a role they are not currently safe for, or moving into a 'safer' role or dismissed if there is a deterioration.</p>	<p><b>Adequate</b> <b>Inadequate</b></p>		

**FURTHER COMMENTS/OVERALL SUMMARY**

**Employee's comments:**

## 8. Work life Balance

We recognise the importance of ensuring all school staff enjoy a reasonable balance between their working life and their out of school commitments and interests. It is not in the interests of either the school or the individual for any employee to work excessively without complementary rest or recreation. We are committed to ensuring that positive steps are taken to promote a healthy work-life balance for all school staff.

We recognise the importance of promoting and supporting the health and well-being of all school staff as we wish to improve morale, job enrichment, the quality of work life and the continuous improvement of educational achievement.

We aim to promote from within whenever possible in order to give staff a clear path of advancement. In exceptional circumstances such as a job offer from another school, we will consider providing incentives to retain the right staff.

We work hard to create and maintain a skilled, balanced, conscientious, diverse, and committed staff that reflects the diversity of the local community.

We wish to work closely with the Smart School Council and to hear their views and opinions as we acknowledge and support Article 12 of the United Nations Convention on the Rights of the Child that children should be encouraged to form and to express their views.

We as a school community have a commitment to promote equality. Therefore, an equality impact assessment has been undertaken and we believe this policy is in line with the Equality Act 2010.

We all have a responsibility to ensure equality permeates into all aspects of school life and that everyone is treated equally irrespective of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. We want everyone connected with this school to feel safe, secure, valued and of equal worth.

We believe it is essential that this policy clearly identifies and outlines the roles and responsibilities of all those involved in the procedures and arrangements that are connected with this policy.

We believe this school policy:

- Is an essential part of the school
- Supports staff in managing certain situations
- Forms an important framework that will ensure consistency in applying values and principles throughout the establishment
- Provides guidance, consistency, accountability, efficiency, and clarity on how the school operates
- Provides a roadmap for day-to-day operations
- Ensures compliance with laws and regulations, gives guidance for decision-making, and streamlining internal processes
- Is designed to influence and determine all major decisions, actions and all activities taking place within the boundaries set by them;
- Stems from the school's vision and objectives which are formed in strategic management meetings

## 9. Aims

- To ensure compliance with all current guidance from the Department of Education and other legal requirements
- To ensure the practice of safe recruitment of school staff and volunteer helpers
- To recruit and retain the right school staff in order to provide quality learning experiences for students
- To have in place a single central record of pre-appointment checks (single central record)
- To ensure that a fair and legal recruitment procedure is in place
- To work with other schools and the local authority to share good practice in order to improve this policy

## Responsibility for the Policy and Procedure

### 10. Role of the Local Governing Board

The Local Governing Board has:

- The responsibility of ensuring that the safe recruitment process complies with all current guidance and legal requirements
- The responsibility of considering the retention of staff
- In place a single central record
- Delegated certain powers and responsibilities to the Headteacher to oversee compliance with current guidance and legal requirements
- Delegated powers and responsibilities to the Headteacher to ensure all school staff and visitors to the school are aware of and comply with this policy
- Responsibility for ensuring that the school complies with all equalities legislation
- Nominated a designated Equalities governor to ensure that appropriate action will be taken to deal with all prejudice related incidents or incidents which are a breach of this policy
- Responsibility for ensuring funding is in place to support this policy
- Responsibility for ensuring this policy and all policies are maintained and updated regularly
- Responsibility for ensuring all policies are made available to parents
- The responsibility of involving the Smart School Council in:
  - Determining this policy with the Local Governing Board
  - Discussing improvements to this policy during the school year
  - Organising surveys to gauge the thoughts of all student s
  - Reviewing the effectiveness of this policy with the Local Governing Board
- Nominated a link governor to:
  - Visit the school regularly
  - Work closely with the Headteacher and the coordinator
  - Ensure this policy and other linked policies are up to date
  - Ensure that everyone connected with the school is aware of this policy
  - Attend training related to this policy
  - Report to the Governing Board every term
  - Annually report to the Governing Board on the success and development of this policy

- Responsibility for the effective implementation, monitoring and evaluation of this policy

## 11. Role of the Executive Headteacher

The Executive Headteacher will:

- Promote the safeguarding and welfare of children
- Ensure the school operates safe recruitment procedures
- Organise safe recruitment training for school staff involved in recruitment
- All appointment panels to include one person who has successfully passed safe recruitment training
- Maintain a single central record (either in paper or electronic form) and ensure all appropriate pre-employment checks are completed on school staff and volunteer helpers
- Be aware of the three types of DBS checks namely:
  - 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 approved 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 an additional check to be made as to whether the person appears on the children's barred list.
- Be aware of the teacher prohibition orders that prevent a person from carrying out teaching work
- Ensure contractors and agencies comply with this policy
- Undertake appointments of school staff and volunteer helpers other than appointments to the leadership group
- Ask the Governing Board to consider a case for retaining any member of staff regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation
- Look at ways with the SLT to retain valued school staff by considering the following:
  - Reducing workload as much as possible by ensuring that workload is regularly reviewed and discussed with all school staff
  - Improving in-school support for teachers by reducing feelings of pressure in terms of scrutiny, accountability, and workload from the SLT
  - Looking at ways to ensure greater progression opportunities
  - Improving work life balance and working conditions by considering introducing flexible working and part-time contracts
  - Allowing teachers more freedom to mark and plan
- Work in conjunction with the Senior Leadership Team to ensure all school staff, students and Parents are aware of and comply with this policy
- Provide leadership and vision in respect of equality
- Provide guidance, support, and training to all staff

- Monitor the effectiveness of this policy by speaking with students, school staff, parents, and governors;
- Annually report to the Governing Board on the success and development of this policy

## 12. Role of the Data Protection Officer

The Data Protection Officer will:

- Have expert knowledge of data protection law and practices
- Inform the school and school staff about their obligations to comply with the GDPR and other data protection laws
- Ensure data management is strengthened and unified
- Monitor compliance with the GDPR and other data protection laws
- Manage internal data protection activities
- Ensure risk and impact assessments are conducted in accordance with ICO guidance
- Report data breaches within 72 hours
- Ensure individuals have greater control over their personal data
- Ensure that prior to the processing of an individual's data that:
  - The process is in line with ICO guidance
  - The process is transparent
  - The individual will be notified
  - The notification is written in a form that is understandable to children
  - When sharing an individual's data to a third party outside of school that details for the sharing are clearly defined within the notifications
- Share an individual's data where it is a legal requirement to provide such information
- Process all written subject access requests from individuals within 40 days of receiving them
- Have in place a formal contract or service level agreement with a chosen data processor who is GDPR compliant
- Ensure the secure disposal of redundant data and IT hardware holding data in compliance with ICO guidance
- Train school staff
- Conduct audits
- Be the first point of contact for supervisory authorities and for individuals whose data is processed
- Keep up to date documentation of all data protection activities
- Work closely with the Headteacher and nominated governor
- Periodically report to the Headteacher and to the Local Governing Board
- Annually report to the Governing Board on the success and development of this policy

## Safe Recruitment Procedure

When a post becomes vacant or is created then the following procedure takes place:

- **Job and Person Specification**
  - For every vacancy, a job and person specification will be written and approved by the Governing Board.



### 13. Job advertisement

- All posts will be advertised internally and externally in order to attract a wide field of candidates as possible.
- The vacancy will be advertised in the following ways:
  - Internally
  - Intranet
  - Local press
  - National press such as TES
  - Other teacher publications
- All advertisements for posts will state that the school is committed to safeguarding children and young people and all postholders are subject to a satisfactory Disclosure and Barring Service (DBS) disclosure (with a Barred List check)
- We welcome any member/s of the present staff to apply

### 14. School and Job Information Pack

- All interested applicants will be provided with an application form, job description and person specification, school handbook, the most recent inspection report, and copies of the Safeguarding and Safe Recruitment Policies
- All applications will be acknowledged within two weeks

### 15. Short Listing and References

- Short listing will be undertaken by the appropriate sub-committee
- All applications will be looked at
- Applicants will be shortlisted for the post if they suit the job description and person specification
- Immediately after short listing references will be sent for those candidates shortlisted
- All referees will be asked if the candidate is suitable to work with children, has any disciplinary procedures relating to the safety and welfare of children, or any details of allegations/concerns/bad behaviour relating to the safety and welfare of children
- All references will be checked for consistent information
- The candidate will be asked to clarify any highlighted discrepancies
- The Office Manager/Deputy Office Manager will inform those shortlisted immediately after the shortlisting process has taken place
- Unsuccessful applicants will also be informed
- Shortlisted candidates will be sent:
  - Detailed documentation of the interview process
  - Directions to the place of interview

- Shortlisted candidates will be asked if they have a disability within the meaning of the Equality Act 2010 and if they require any particular adjustments to accommodate their particular needs
- Also, they will be informed if they will have to undertake skill tests as part of the interview
- All unsuccessful applicants will be notified shortly after the short listing has taken place and any documentation provided returned to them

## Online Checks for New Staff

KCSIE 2024 includes **recommendations for potential new staff to be subject to a “digital screening”** process prior to interview, the instruction reads:

*“As part of the shortlisting process, schools and colleges should consider carrying out an online search as part of their due diligence on the shortlisted candidates. This may help identify any incidents or issues that have happened, and are publicly available online, which the school or college might want to explore with the applicant at interview.” applicants will be informed that they will be subject to an online search if shortlisted and will be reassured that the search is not part of the shortlisting process itself, and that they'll have a chance to address any issues of concern that come up during the search at interview.*

## 16. The interview

- On the day of the interview all candidates will need to provide proof of identity, proof of their qualifications and proof of eligibility to live and work in the UK
- The interview will consist of an activity, informal meetings and a professional interview
- All candidates will be assessed for their suitability to the post and their capability to safeguard and protect the welfare of children and young people

## 17. Job Offer

- The appropriate sub-committee will interview those shortlisted and will identify a suitable candidate
- A job offer will be made subject to the following Pre - Employment Checks for the Successful Candidate

## Pre-appointment Checks for All New Appointments

We understand that any offer of appointment made to a successful candidate, including one who has lived or worked abroad, must be conditional on satisfactory completion of the following pre-employment checks:

- Verify a candidate’s identity
- Obtain (via the applicant) an enhanced DBS certificate (including barred list information, for those who will be engaging in regulated activity)
- Obtain a separate barred list check if an individual will start work in regulated activity before the DBS certificate is available
- Verify the candidate’s mental and physical fitness to carry out their work responsibilities by asking the applicant relevant questions about disability and health to establish whether they have the physical and mental capacity for the specific role

- 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 prospective employers, or volunteer managers, should follow Advice on the GOV.UK website
- If the person has lived or worked outside the UK then further checks may be appropriate
- Verify professional qualifications, as appropriate by using the Teacher Services' system to verify any award of qualified teacher status (QTS), and the completion of teacher induction or probation
- Check whether the candidate is not subject to a prohibition order
- Independent schools, academies and free schools must check that a person taking up a management position is not subject to a section 128 direction made by the Secretary of State
- If an enhanced DBS certificate is required, then it must be obtained from the candidate before or as soon as possible after the person's appointment. But there is no requirement to obtain an enhanced DBS certificate or carry out checks for events that may have occurred outside the UK if during a period which ended not more than three months before the person's appointment, the applicant has worked in a school in England in a post:
  - Which brought the person regularly into contact with children; or
  - To which the person was appointed on or after 12 May 2006 and which did not bring the person regularly into contact with children

An appointment will not be confirmed until the receipt of all of the above.

**18. Terms and Conditions of Employment.** The successful candidate will be sent:

- A letter offering them the job
- A statement of the terms and conditions of employment

The successful candidate will sign and return a form accepting the job and its conditions.

**19. Internal Promotions.** If the successful candidate is a present member of staff, then they will be sent:

- A letter confirming the variation to his or her terms and conditions
- Details of the planned induction programme
- The start date
- The name of the designated member of the staff who will act as a mentor during the probationary period

**20. Induction**

- The induction programme for all newly appointed school staff will include all school policies dealing with the safeguarding of children and young people plus receive copies of the DCSF guidance on Safe Working Practice.

**21. Probationary Period**

- All new employees will be subject to a satisfactory probationary period during which their progress will be monitored by their mentor.

- Probation interviews will take place in their first and second term after which a recommendation will be discussed to establish whether the employment should be confirmed, extended or terminated.

## 22. Single Central Record

We will keep a single central record of recruitment and record checks of:

- All teaching staff
- Support staff
- Supply teachers
- Volunteers
- Governors who work as volunteers

The information recorded will be checks on:

Check	Date when carried out	Certificate obtained	Relevant activity
Identity check			
Barred list check			
Enhanced DBS check			
Prohibition from teaching check			
Further checks on people who have lived or worked outside the UK			
Check of professional qualifications			
Check to establish the person's right to work in the UK			
Section 128 check for management positions in academies/free schools/independent schools			

We ensure for agency and third-party supply staff written confirmation is received from the employment business supplying the member of supply staff that stipulates all relevant checks, appropriate certificates, confirmation dates and enhanced DBS certificates are in place.

We are aware that from 1 January 2021 the Teacher Regulation Agency will no longer maintain a list of European Economic Area teachers with sanctions.

We understand that we must make any further checks that we think appropriate on applicants that have lived or worked outside of the UK, with those applicants providing proof of their past conduct as a teacher issued by their regulating authority in the country they worked.

Other checks may be included such as:

- Childcare qualifications
- Safeguarding and safer recruitment training dates

### **SCR Tracker Software**

We use SCR Tracker as our Single Central Record which supports us in ensuring that the school remains compliant and mitigates that risk of a DBS becoming overdue for renewal.

SCR tracker helps us to adhere to safeguarding guidelines which enables us to keep our students safe.

The SCR Tracker Software helps us to maintain best practices and reduces the risk of human errors, if a member of staff's information is missing or becomes out of date a notification alert will show up on the dashboard as non-compliant until the necessary information has been ascertained and recorded onto SCR Tracker.

### **Raising Awareness of this Policy**

We will raise awareness of this policy via:

- The Staff Induction Pack
- The school website
- Reports such as the annual report to parents and Headteacher reports to T4 Trust and the Local Governing Board.

### **23. Training**

All school staff:

- Have equal chances of training, career development and promotion
- Receive training on induction which specifically covers:
  - All aspects of this policy
  - Safeguarding and Child Protection
  - Contract of Employment
  - Data Protection/GDPR-UK
  - Disclosure and Barring Service Checks
  - Equal opportunities
  - Inclusion
- Receive periodic training so that they are kept up to date with new information
- Receive equal opportunities training on induction to improve their understanding of the Equality Act 2010 and its implications

### **24. Safeguarding**

We are committed to safeguarding and promoting the welfare of all children as the safety and protection of children is of paramount importance to everyone in this school. We work hard to create a culture of vigilance and at all times we will ensure what is best in the interests of all students.

We believe that all our students have the right to be safe in our society. We recognise that we have a duty to ensure arrangements are in place for safeguarding and promoting the welfare of children by creating a positive school atmosphere through our teaching and learning and welfare support for both students and school staff, training for school staff and with working with parents. We teach all our students about safeguarding.

We work hard to ensure that everyone keeps a careful watch throughout the school and in everything we do for possible dangers or difficulties. We want all our students to feel safe at all times. We want to hear their views of how we can improve all aspects of safeguarding and from the evidence gained we put into place all necessary improvements.

## **25. Equality Impact Assessment**

Under the Equality Act 2010 we have a duty not to discriminate against people on the basis of their age, disability, gender, gender identity, pregnancy or maternity, race, religion or belief and sexual orientation.

This policy has been equality impact assessed and we believe that it is in line with the Equality Act 2010 as it is fair, it does not prioritise or disadvantage any student and it helps to promote equality at this school.

## **26. Race Disparity Audit**

We acknowledge the findings of the Race Disparity Audit that clearly shows how people of different ethnicities are treated across the public services of health, education, employment and the criminal justice system.

The educational section of the audit that covers: differences by region; attainment and economic disadvantage; exclusions and abuse; and destinations, has a significant importance for the strategic planning of this school.

## **27. Monitoring the Implementation and Effectiveness of the Policy**

The practical application of this policy will be reviewed annually or when the need arises by the Deputy Head, the Headteacher and the nominated governor.

A statement of the policy's effectiveness and the necessary recommendations for improvement will be presented to the Local Governing Board for further discussion and endorsement.

## **28. Linked Policies**

- Safeguarding and Child Protection
- Contract of Employment
- Data Protection and the General Data Protection Regulation (GDPR)
- Performance Management
- Continuous Professional Development

## 29. Addendum

- Standalone checks of the children's barred list will be administered by the Teaching Regulation Agency (TRA) on behalf of the DfE which means that standalone barred list checks can no longer be obtained from TP Online or from the various umbrella bodies and supply agencies who currently sell these checks;
- Schools need to ensure that they see the original (paper) DBS certificate for all new appointments in regulated activity with children. A digital certificate or letter of clearance is not acceptable;
- If the appointee is transferring directly from another school in England without a break in service of three months or more, the appointing school can undertake a stand-alone barred list using the TRA website.