



Community First Academy Trust

Safer Recruitment Policy

Compliant with the GDPR

Community First Academy Trust
Rivington Avenue, Platt Bridge, Wigan WN2 5NG
T. 01942 487973 | E. info@cfat.org.uk
www.cfat.org.uk

ADOPTED AT THE MEETING OF TRUSTEES
CHAIR OF BOARD: Mr J Pugh

This is a Trust-wide policy adopted and reviewed by either the Trust Board or Finance Committee and relates to all schools that are partners within the Trust.

Specific Academy policies, e.g. curriculum policies will be found on the individual school websites.

The next scheduled review date for this policy is June 2020

The Board of Trustees is responsible for agreeing and monitoring effective policies to ensure recruitment at the school is in accordance with the legislation outlined with the enclosed legal framework

Legal framework

This policy has due regard to all relevant legislation including, but not limited to, the following:

- Children Act 1989
- Children Act 2004
- Safeguarding Vulnerable Groups Act 2006
- The Education (School Teachers' Appraisal) (England) Regulations 2012 (as amended)
- Sexual Offences Act 2003
- The School Staffing (England) Regulations 2009
- Rehabilitation of Offenders Act 1974
- Education and Skills Act 2008
- Data Protection Act 2018
- Education Act 2002
- Equality Act 2010

This policy has due regard to guidance including, but not limited to, the following:

- DfE (2019) 'Keeping children safe in education'
- DfE (2018) 'Staffing and employment advice for schools'
- DfE (2019) 'Governance handbook'

This policy operates in conjunction with the following school policies:

- Child Protection and Safeguarding Policies
- Employment and Ex-Offenders Policies
- The Single Central Record
- DBS Policy
- Data Protection Policies / Records Management
- Equal Opportunities and Dignity at Work Policies

SAFER RECRUITMENT POLICY

Community First Academy Trust takes its responsibility to safeguard and promote the welfare of children very seriously (under section 175 of the Education Act 2002).

This policy has been developed in accordance with the principles established by the Children Acts 1989 and 2004; the Education Act 2002, and in line with government publications: 'Working Together to Safeguard Children' 2015. The guidance reflects, 'Keeping Children Safe in Education' 2019. It is intended to ensure that all stages of the recruitment process contain measures to deter, identify, prevent and reject unsuitable people from gaining access to pupils within our schools / academies.

We recognise that all adults, including temporary staff, volunteers and governors, have a full and active part to play in protecting our students from harm, and their welfare is our paramount concern.

The appointment of staff is one of the most important employment responsibilities of the Trust. We take all reasonable steps to avoid against employing people who might harm children. Safeguarding children is a priority and incorporating safeguarding measures in the recruitment process is an essential part of that.

This procedure aims to set an appropriate recruitment procedures, as per the scheme of delegation.

Advertisement:

It is important to deter potential abusers from the beginning of the recruitment process by showing that we have a rigorous process that does not tolerate any form of abuse.

This will involve:

- Including the trust's Safeguarding and Child Protection policy statement in all job advertisements and on the trusts careers website www.cfat.org.uk/careers/current-vacancies
- Including a statement about our commitment to Safeguarding and to Promoting the Welfare of Children in all advertisements.
- Include detail on the Trusts guidance on employing people with criminal convictions in all advertisements
- Stating the need for the successful applicant to undertake an enhanced criminal record with barred list check through the Disclosure and Barring Service (DBS) in all advertisements
- All job descriptions and personal specifications will state the requirement of an enhanced DBS with barred list check
- The full requirements of the role will be clearly explained, including any employment vetting requirements such as a DBS check.
- All job descriptions and personal specifications will reinforce the requirement that all staff are expected to implement and promote the Child Protection Policy so that children and adults are safeguarded.
- All candidates will be made aware that they must be legally entitled to work in the UK and comply with the Immigration, Asylum and Nationality Act regulations.
- All candidates will be made aware of our obligations under the the General Data Protection Regulations for personal data we will gather and hold about individuals who apply for a position with us, why we process that data, who we share this information with, and their rights in relation to the personal data processed by us. – see Recruitment Privacy Notice
- Including this Safer Recruitment Policy in all advertisements

Application:

All applicants are required to complete our application form with a supporting letter of application. We do not accept applications by CV or letter only as they are left to the discretion of individual applicants and contain only information that they choose to provide. Using an application form provides a 'safety net' in the recruitment process as candidates are required to sign a statement to confirm the accuracy of the information they have provided and are warned about the potential consequences of false statements.

Applicants are required to provide full, identifying details including current and former names, current address and National Insurance Number.

To support the safeguarding of children, all application forms are scrutinised to ensure that:

- They are fully and properly completed
- The information provided is consistent and does not contain any discrepancies, and
- Any gaps in employment are identified.

Incomplete applications will not be accepted. Applicants are required to provide a full chronological career history since leaving secondary education. Any anomalies, discrepancies

or gaps in employment identified will be noted so that they can be taken up as part of the consideration of whether to shortlist the applicant.

Once shortlisting has taken place and the shortlisted candidates have been selected, an 'invite to interview' pack is sent to them. Within this pack there is a letter that reiterates the need for the successful applicant to undertake an enhanced DBS with barred list check. Copies of our Child Protection and Safeguarding Policy and the Local Authorities guidance on employing people with criminal convictions are also sent to candidates.

References:

Two references are requested for all shortlisted candidates, including internal ones, prior to interview so that any issues or concerns raised can be explored further with the referee and / or taken up with the candidate at interview. In rare circumstances, it might not be possible to obtain references prior to interview, either because of delay on the part of the referee, or because a candidate has exceptional reasons to the current employer not being approached until a later stage. However, obtaining references prior to interview is the aim in all cases.

The candidate nominates their own referees. However, we insist that the current (or most recent) employer is always one of the referees. If the employer is / was a school then the referee provided must be the Headteacher of that school. Where the applicant is not currently working with children but has done in the past, the second referee should be the employer by whom they were most recently employed to work with children.

The purpose of seeking references is to obtain objective and factual information to support appointment decisions. All references are checked to ensure that all specific questions have been answered satisfactorily. Referees are asked to complete the trust's pro-forma which asks:

- If the candidate has ever been the subject of any child protection issues or concerns
- If the candidate is suitable to work with children
- If would they recommend the candidate without reservation
- If the candidate has ever been subject to any disciplinary procedures
- The candidate's current employer will be asked for details of any capability history in the previous two years, including the reasoning.

If all questions have not been answered or the reference is vague or unspecific, the referee will be contacted and asked to provide written answers or clarification as appropriate.

The information given in the reference is also compared with the application form to ensure that the information provided about the candidate and their previous employment by the referee is consistent with the information provided by the applicant on the application form. Any discrepancy in the information will be taken up with the applicant and the referee.

References provided by the candidate or open references and testimonials addressed 'to whom it may concern' are not relied upon.

Digital footprints

The Trust is committed to ensuring that safeguarding is a top priority; therefore, where appropriate, the school may check candidates' social media or other online activity prior to interview.

This process may include a search for the candidate via:

- Google
- Facebook

- LinkedIn

Any concerns will be addressed during the interview process.

Interview:

On the day of interview all shortlisted candidates are required to bring photo identification so their identity can be confirmed. Candidates are also required to bring identification in accordance with DBS requirements, appropriate documentation that must satisfy the requirements of the Immigration, Asylum and Nationality Act and their qualifications. All identification / documentation is checked and copied by Reception staff prior to their interview.

If any applications forms were received unsigned or signed electronically the candidates will be asked to sign the Disclosure section at interview.

All selection (interview) panels will consist of at least two senior members of staff, at least one of these staff will have a Safer Recruitment qualification. Ensuring that all recruitment panel members have undertaken unconscious bias training before the selection process begins.

A range and balance of interview questions that relate to the person specification criteria are devised for each interview. In addition to assessing and evaluating the applicant's suitability for the particular post, the selection panel will also explore:

- The candidate's attitude towards children and young people
- Their ability to support the Trusts agenda for safeguarding and promoting the welfare of children
- Their understanding of safeguarding
- Any concerns, inconsistencies or discrepancies in their application form. The answers to these questions will also be followed up with referees

At the end of the interview all candidates are advised that if they are successful, their offer of appointment is conditional, and is made subject to a satisfactory DBS check, references, verification or qualifications and medical clearance. They are asked if they foresee a problem with this and given an opportunity to discuss any concerns they may have.

Where a reference has not been obtained on the preferred candidate before interview, the Trust will ensure that it is received and scrutinised, and any concerns are resolved satisfactorily, before the candidates' appointment is finally confirmed.

Written records of all interviews, observations and skills tests will be kept on the successful candidate's personnel file.

Before the successful candidate's job offer can be confirmed the below checks will be carried out. Until all pre-employment checks are completed and are satisfactory any offer of employment will not be confirmed.

References:

Two references satisfactory to the Trust as outlined above.

DBS Check:

Satisfactory completion of an enhanced criminal record with barred list check through the Disclosure and Barring Service (DBS)

Medical Check:

Candidates are required to complete a pre-employment Health Questionnaire which is issued by the trusts chosen Occupational Health provider. Upon receipt of the completed questionnaire Health management will then advise if the candidate is fit for work or fit for work with some recommendations / adaptations to be considered or unfit for work. With the candidates consent, Health Management may need to contact a candidates GP for further information on their medical history before a decision can be made on their fitness for work.

Legal right to work in the UK:

This will usually be the candidate's EU/UK passport. However, the Trust will follow Government issued guidance in cases where a candidate is unable to provide an EU/ UK passport. For candidates from countries in the European Economic Area (EEA) checks will be carried out to confirm that they are not subject to a sanction or restriction imposed by another EEA professional regulating authority for teachers

A copy of the evidence will be taken and kept on the candidate's file. Following government regulations for employing migrant workers the Trust will carry out all checks to ensure that any worker is legally entitled to be working in the UK.

Prohibited Teacher Check (if applicable):

The Trust will undertake a Prohibited Teacher Check using the DfE's Employer Online service on any person to be employed to carry out teaching work since April 2012 before they begin work at the Trust. If they do not have QTS, the Trust will search by name.

Prohibition from Management of Independent Schools Check ("section 128 direction"):

The Trust will check whether staff appointed to management positions are subject to a section 128 direction. The posts, which would fall under this definition are:

- Principal/Headteacher
- Senior Leadership Team staff (including non-teaching staff)
- Teaching positions with departmental headship

Overseas Candidates:

If a candidate has lived overseas for more than three months at any point in the past five years, an overseas Police Check/Certificate of Good Conduct will be requested from the relevant country.

Qualifications Check:

Upon appointment all candidates will be asked to provide original proof of any professional qualifications they hold which are either required for, or relevant to, the position. Copies will be taken and kept on file.

If no original is to be found, the Trust will ask the candidate to order replacement certificates, or will request confirmation of the qualification in writing from the organisation or institution concerned. The confirmation will be kept on file.

Verification of Qualified Teacher Status (QTS) will also be undertaken using the DfE's Employer Online service.

As a rule of principle, all checks will be made in advance of appointment or as soon as practicable after appointment.

Outcomes of the Application and Recruitment Process:

Where the following apply, the Trust will report the facts to the Police and/or the Disclosure and Barring Service:

- The candidate is found to be on the Barred List, or the DBS Disclosure shows s/he has been disqualified from working with children by a Court; or
- The candidate is found to have been prohibited from the teaching profession;
- A candidate has provided false information in, or in support of, his or her application; or
- There are serious concerns about a candidate's suitability to work with children.

Appointment:

The successful candidate will then be sent an appointment letter which confirms their appointment and that it is subject to the above pre-employment checks. Along with their appointment letter the successful candidate will be provided with copies of policies and procedures in relation to:

- Safeguarding and promoting the welfare of children, e.g. child protection, anti-bullying, anti-racism, physical intervention / restraint, intimate care, internet safety and safeguarding procedures
- Social Media Policy
- Procedures and Protocols
- Staff Code of Conduct
- Information on how and with whom any concerns about those issues should be raised
- Information on where other relevant personnel procedures, e.g. disciplinary, capability privance notices and whistleblowing can be located

The successful candidate will be asked to sign to confirm that they have received, read and understood all these policies.

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

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

An induction programme will be conducted for all new members of staff. The induction programme includes information on professional standards and boundaries in respect of child protection and safeguarding and promoting the health, safety and welfare of pupils. Reference is made to relevant statutory requirements and / or local guidance in these areas. Statutory guidance includes, in particular, the DfE documents:

- 'Keeping Children Safe in Education' - all staff are required to read at least 'Part One – Safeguarding Information for All Staff'
- 'Working Together to Safeguard Children' - which should be read and followed by all staff
- Our 'Recruitment Privacy Notice'

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

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

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

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

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

This policy also links to our policies on:

- Child protection and Safeguarding Policy
- Staff Code of Conduct
- Whistleblowing
- Allegations against staff
- Recruitment Privacy Notice

Appointment and Safeguarding Procedures for Others

Supply Staff:

The Trust sometimes engage professional supply teaching agencies, and checks with the relevant supply agency that the required checks have been carried out (identity, enhanced disclosure – renewed every three years, right to work in the UK, barred list, prohibition, qualifications, overseas checks, two references, declaration of medical fitness and checks on previous employment history).

This must be in writing from the supply agency. The Trust will carry out an ID check on the supply staff on the first working day. These checks are reflected in the SCR (if the person is working for any length of time, e.g. beyond three days).

Visiting Professionals and Speakers:

Individuals such as psychologists and other public sector staff will have been checked by their employing organisation (i.e. LA, Primary Care Trust or Strategic Health Authority). The Trust asks for a copy of their DBS. We also ask for confirmation of employment from their employing organisation and request that the individual brings the following proof of ID upon arrival:

- Passport
- Driving Licence

- Utility Bill/Bank statement which is no less than three months' old
- Any evidence of a change of name
- A phone check is also made with key contact as an additional measure.

However, if the individual is self-employed, the same checks will apply as those for employed staff.

Volunteers:

New regular volunteers will be required to complete an Trust volunteer application form and will be subject to the following checks, in line with current ISI guidance:

- ID
- Enhanced DBS Certificate (including barred list check where appropriate)
- Overseas checks (where appropriate)
- Satisfactory receipt of at least one reference
- Informal Interview/Meeting

If a volunteer does not fall into the definition of 'regular', the Trust will complete a risk assessment based on the circumstances and decide which additional, discretionary checks are required.

The definition of "regular" is as follows:

- Once a week, or more often
- On 4 or more days in a 30-day period

No vetting checks will be carried out for those who are one-off volunteers for Trust events or trips, these are treated as visitors.

Trust Governors / Local Academy Board Members:

The Trust will carry out the following checks on all new Governors:

- Enhanced DBS Certificate with barred list check
- ID Checks (in line with ISI and DBS requirements)

Staff from Other Organisations:

Any contractors or visitors from other organisations are required to provide a DBS to be allowed in the Trust unaccompanied. If they cannot provide a DBS they are given a red lanyard and will be accompanied by a member of staff at all times. The Trust will ensure that their contract with any company, which provides staff who will have access to areas where unsupervised contact with children is possible, provides for the required checks on staff to be completed by the company itself. Please see "Safeguarding Checks for Agency or Contract Staff".

The Safeguarding and Child Protection Policy states that where services or activities are provided separately by another body, supervising the Trust's students either on or off the Trust site, the Trust will seek assurance that the body concerned has appropriate policies and procedures in place for safeguarding children and child protection and there are arrangements to liaise with the Trust on these matters where appropriate.

Vetting Check Exemptions:

The trust will not conduct vetting checks on the following, all these will be treated as visitors and will require a red lanyard, and be escorted throughout their visit:

- Those who have only brief contact with children in the presence of a teacher

- Students aged under 16 on work experience or similar
- Those on Trust sites when pupils are not present
- Visitors carrying out repairs or servicing equipment

The trust does not re-check staff returning from maternity leave or similar because they are still on the staff roll. If they have left the Trust employment, they will be rechecked after three months. All timesheet / ADHOC staff who have had a 3 month break in service or more will be rechecked prior to them returning.

The Single Central Register of Appointments:

In accordance with current legislation, the Trust keeps a Single Central Register of Appointments, indicating whether or not the following checks have been completed on all current members of staff at the Trust, the governors, and all individuals who work in regular contact with children including volunteers, supply staff, peripatetic staff, and those employed as third parties:

- Identity checks
- Qualification checks for any qualifications legally required for the position
- Enhanced Disclosure (or DBS Status Check)
- Barred List check (date of DBS check unless a separate earlier barred list check was undertaken)
- Right to work in the UK
- Overseas checks, where applicable
- Prohibition from Teaching Check (where appropriate)
- Prohibition from management check (where appropriate)
- References

A checklist is completed with regard to the recruitment checks outlined in this policy. The completed checklist is stored in each member of staff's personnel file.

Keeping Children Safe in Education September 2019

In September 2019, the DfE updated its statutory guidance on safeguarding. Full guidance, ***Keeping Children Safe in Education*** at:

<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

Part three: Safer recruitment (pages 30 – 52)

This document is intended to support the trust in making recruitment decisions.

Additional support and guidance can also be sought from the trusts central HR team one of the schools designated officers as below:

Platt Bridge Community School details

Governors' Committee Responsible:	Local Academy Board
Named Governor for Child Protection:	appointed annually
Designated Person for Child Protection:	Mr M Haskayne

Status & Review Cycle:	Annual
-----------------------------------	--------

The next scheduled review date for this policy is June 2020.

Definitions

Regulated activity – includes:

- Teaching, training, instructing, caring for or supervising children if the person is unsupervised, or providing advice or guidance on physical, emotional or educational wellbeing, or driving a vehicle only for children.
- Working for a limited range of establishments (known as 'specified places', which include schools and colleges), with the opportunity for contact with children, but not including work undertaken by supervised volunteers.
- The above definitions are classified as regulated activity if they are undertaken regularly. Some activities are always regulated activities, regardless of frequency or whether they are supervised or not. This includes relevant personal care, or health care provided by, or under the supervision of, a health care professional. Personal care includes helping a child with eating or drinking for reasons of illness or disability, or in connection with toileting, washing, bathing and dressing for reasons of age, illness or disability. Health care means care for children provided by, or under the direction or supervision of, a regulated health care professional.
- A supervised volunteer who regularly teaches or looks after children is not in regulated activity.

Teaching role – refers to a role involving planning and preparing lessons and courses for pupils; delivering lessons to pupils; and assessing and reporting on the development, progress and attainment of pupils. These activities are **not teaching work** for the purposes of 'Keeping children safe in education' (KCSIE) if the person carrying out the activity does so (other than for the purposes of induction) subject to the direction and supervision of a qualified teacher or other person nominated by the headteacher to provide such direction and supervision.

Standard DBS – this provides information about convictions, cautions, reprimands and warnings held on the Police National Computer, regardless of whether or not they are spent under the Rehabilitation of Offenders Act 1974.

Enhanced DBS – this provides the same information as the standard DBS, plus any additional information held by the police which a chief officer reasonably believes to be relevant and considers ought to be disclosed.

Enhanced with barred list check – this check is required for when people are working or seeking to work in regulated activity with children. This check allows for additional checks to be made as to whether the person appears on the children's barred list.

Children's barred list – the DBS maintains a 'barred list' of individuals who are unsuitable to work with children and vulnerable adults. In addition, where an enhanced DBS including a barred list check is obtained, the certificate will also detail whether the applicant is subject to a direction under section 128 of the Education and Skills Act 2008 or section 167A of the Education Act 2002.

Section 128 check – this provides for the Secretary of State to direct that a person may be prohibited or restricted from participating in the management of an independent school (which includes academies and free schools). A person prohibited under section 128 is also disqualified from holding or continuing to hold office as a governor of a maintained school.

Safer recruitment – this is the safeguarding and protection of pupils during the recruitment and selection process. Its overall purpose is to help identify and deter or reject individuals who are deemed to be at risk of abusing children

Flowchart of Disclosure and Barring Service Criminal Record Checks and Barred List Checks

