



SAFER RECRUITMENT POLICY

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1. Aims, legislation and statutory guidance

Forward As One CE MAT and its schools aim to ensure that:

- Appropriate action is taken in a timely manner to safeguard and promote children's welfare
- All staff are aware of their statutory responsibilities with respect to safeguarding
- Staff are properly trained in recognising and reporting safeguarding issues.

This policy is based on the Department for Education's statutory guidance Keeping Children Safe in Education (2020) and Working Together to Safeguard Children (2018), and the Governance Handbook. We comply with this guidance and the arrangements agreed and published by our 3 local safeguarding partners.

This policy is also based on the following legislation:

- Part 3 of the schedule to the Education (Independent School Standards) Regulations 2014, which places a duty on academies and independent schools to safeguard and promote the welfare of pupils at the school
- [The Children Act 1989](#) (and [2004 amendment](#)), which provides a framework for the care and protection of children
- Section 5B(11) of the Female Genital Mutilation Act 2003, as inserted by section 74 of the [Serious Crime Act 2015](#), which places a statutory duty on teachers to report to the police where they discover that female genital mutilation (FGM) appears to have been carried out on a girl under 18
- [Statutory guidance on FGM](#), which sets out responsibilities with regards to safeguarding and supporting girls affected by FGM
- [The Rehabilitation of Offenders Act 1974](#), which outlines when people with criminal convictions can work with children
- Schedule 4 of the [Safeguarding Vulnerable Groups Act 2006](#), which defines what 'regulated activity' is in relation to children
- [Statutory guidance on the Prevent duty](#), which explains schools' duties under the Counter-Terrorism and Security Act 2015 with respect to protecting people from the risk of radicalisation and extremism
- The [Childcare \(Disqualification\) and Childcare \(Early Years Provision Free of Charge\) \(Extended Entitlement\) \(Amendment\) Regulations 2018](#) (referred to in this policy as the "2018 Childcare Disqualification Regulations") and [Childcare Act 2006](#), which set out who is disqualified from working with children
- This policy also meets requirements relating to safeguarding and welfare in the [statutory framework for the Early Years Foundation Stage](#)
- This policy also complies with our funding agreement and articles of association.
- We will record all information on the checks carried out in the

- school's single central record (SCR). Copies of these checks, where appropriate, will be held in individuals' personnel files. We follow requirements and best practice in retaining copies of these checks.
- At least one person conducting any interview for a post at the school will have undertaken safer recruitment training. This will cover, as a minimum, the contents of the Department for Education's statutory guidance, Keeping Children Safe in Education, and will be in line with local safeguarding procedures.
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2. New staff

When appointing new staff, we will:

- Verify their identity
- Obtain (via the applicant) an enhanced Disclosure and Barring Service (DBS) certificate, including barred list information for those who will be engaging in regulated activity (see definition below). We will not keep a copy of this for longer than 6 months
- Obtain a separate barred list check if they will start work in regulated activity before the DBS certificate is available
- Verify their mental and physical fitness to carry out their work responsibilities
- Verify their right to work in the UK. We will keep a copy of this verification for the duration of the member of staff's employment and for 2 years afterwards
- Verify their professional qualifications, as appropriate
- Ensure they are not subject to a prohibition order if they are employed to be a teacher
- Carry out further additional checks, as appropriate, on candidates who have lived or worked outside of the UK. Where available, these will include:
 - For all staff, including teaching positions: [criminal records checks for overseas applicants](#)
 - For teaching positions: obtaining a letter of professional standing from the professional regulating authority in the country where the applicant has worked
- Check that candidates taking up a management position are not subject to a prohibition from management (section 128) direction made by the secretary of state
- We will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we take a decision that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a

record of our assessment on the individual's personnel file. This will include our evaluation of any risks and control measures put in place, and any advice sought.

- We will ask for written information about previous employment history and check that information is not contradictory or incomplete.
- We will seek references on all short-listed candidates, including internal candidates, before interview. We will scrutinise these and resolve any concerns before confirming appointments. The references requested will ask specific questions about the suitability of the applicant to work with children.

Regulated activity means a person who will be:

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

3. Existing staff

If we have concerns about an existing member of staff's suitability to work with children, we will carry out all the relevant checks as if the individual was a new member of staff. We will also do this if an individual moves from a post that is not regulated activity to one that is.

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

- We believe the individual has engaged in [relevant conduct](#); or
- The individual has received a caution or conviction for a relevant offence, or there is reason to believe the individual has committed a listed relevant offence, under the [Safeguarding Vulnerable Groups Act 2006 \(Prescribed Criteria and Miscellaneous Provisions\) Regulations 2009](#); or
- The 'harm test' is satisfied in respect of the individual (i.e. they may harm a child or vulnerable adult or put them at risk of harm); and
- The individual has been removed from working in regulated activity (paid or unpaid) or would have been removed if they had not left

4. Agency and third-party staff

We will obtain written notification from any agency or third-party organisation that it has carried out the necessary safer recruitment checks that we would otherwise perform. We will also check that the person presenting themselves for work is the same person on whom the checks have been made.

5. Contractors

We will ensure that any contractor, or any employee of the contractor, who is to work at the school has had the appropriate level of DBS check (this includes contractors who are provided through a PFI or similar contract). This will be:

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

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

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

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

We will check the identity of all contractors and their staff on arrival at the school.

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

6. Trainee/student teachers

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

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

In both cases, this includes checks to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006.

7. Volunteers

We will:

- Never leave an unchecked volunteer unsupervised or allow them to work in regulated activity

- Obtain an enhanced DBS check with barred list information for all volunteers who are new to working in regulated activity
- Carry out a risk assessment when deciding whether to seek an enhanced DBS check without barred list information for any volunteers not engaging in regulated activity. We will retain a record of this risk assessment
- Ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we decide that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought

8. Governors

All governors will have an enhanced DBS check without barred list information.

They will have an enhanced DBS check with barred list information if working in regulated activity.

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

All proprietors, trustees, local governors and members will also have the following checks:

- A section 128 check (to check prohibition on participation in management under [section 128 of the Education and Skills Act 2008](#))
- Identity
- Right to work in the UK
- Other checks deemed necessary if they have lived or worked outside the UK

9. Staff working in alternative provision settings.

Where we place a pupil with an alternative provision provider, we obtain written confirmation from the provider that they have carried out the appropriate safeguarding checks on individuals working there that we would otherwise perform.

10. List of other policies

This policy is to be read in conjunction with the following policies:

- Safeguarding;
- Intimate Care;
- Positive Handling;
- Prevent Policy -Radicalisation and Extremism;

- Anti-Bullying;
- Behaviour and Exclusion;
- Health and Safety;
- Anti-Harassment & Discrimination;
- Code of Conduct setting out standards and acceptable behaviour for staff;
- E-Safety and ICT acceptable use;
- Managing allegations of abuse against staff;
- Equalities;
- Admission;
- Whistleblowing.

11. Recruitment checklist

TYPE OF CHECK	WHAT IS IT?	WHY DO WE NEED IT?	HOW DO WE DO IT?
<p>Enhanced DBS</p>	<p>A check on someone's criminal record. It includes:</p> <ul style="list-style-type: none"> Spent and unspent convictions Cautions Reprimands Final warnings Any other information local police deem relevant to working in a school. <p>DBS checks don't include barred list check unless you specify that you need one.</p>	<p>DBS checks help you:</p> <ul style="list-style-type: none"> Determine whether someone is allowed to work with children (through the barred list) Comply with childcare disqualification requirements Determine whether someone has committed offences that suggest they aren't suitable for a role. 	<p>To conduct the check;</p> <ol style="list-style-type: none"> Ask the umbrella body or the DBS for an application form Give the form to the applicant to complete Collect the completed form from the applicant, along with the documents proving their identity Send the completed application to the DBS Ask the applicant to show you the DBS certificate (it will be sent to them directly) <p>If the applicant is already subscribed to the DBS update service, you can use this service to conduct the check if you:</p> <ul style="list-style-type: none"> Have seen their original DBS certificate Have confirmed their identity Are conducting the same type and level of check as they have had previously. <p>This is set out in the DBS Update Service employer guide</p>
<p>Barred list</p>	<p>The DBS maintains a list of people who are barred from working with children and vulnerable adults.</p> <p>The barred list check looks at whether someone is included on the barred list relevant to your setting. In school, it will probably be the children's barred list.</p>	<p>You must carry out a barred list check on anyone at school who's in regulated activity.</p> <p>It's an offence to employ someone to carry out regulated activity if they are on the barred list.</p> <p>Only certain kinds of convictions automatically lead to barring, so serious offences listed on a DBS don't necessarily mean that someone is barred.</p> <p>You need to conduct both checks on relevant people to make sure you are compliant.</p>	<p>You can conduct a barred list check:</p> <ul style="list-style-type: none"> As part of an enhanced DBS check Separately, through your umbrella body or the DBS
<p>Prohibition from teaching</p>	<p>A prohibition from teaching check shows whether a teacher:</p> <ul style="list-style-type: none"> Is prohibited from teaching (permanently or temporarily) Is subject to sanctions or restrictions (these usually prevent a teacher from working in maintained schools) 	<p>You're required to conduct this check on any member of staff appointed to carry out teaching work.</p> <p>This is set out in paragraphs 120 and 149 of Keeping Children Safe in Education.</p> <p>Teachers in maintained schools and non-maintained special schools must have QTS, so</p>	<p>To conduct the check:</p> <ul style="list-style-type: none"> Confirm the applicant's identity Log on to the Teacher Services section of the DfE's Sign-in portal. <p>You can search for records in two ways:</p> <ul style="list-style-type: none"> Using a teacher reference number and date of birth

	<p>The Teacher Services tool that enables you to do this check also shows whether a teacher:</p> <ul style="list-style-type: none"> • Has the right qualifications for the role • Has qualified teacher status (QTS) • Failed probation or induction <p>Was subject to a misconduct investigation that did not result in a prohibition order.</p>	<p>checking also makes sure you comply with this requirement.</p> <p>A key aspect of this check is to do with professional misconduct and suitability, so it helps you make a fully informed decision about whether someone is right for your school.</p>	<ul style="list-style-type: none"> • Searching alphabetical list of teachers and others with current prohibitions, restrictions, sanctions, or who have failed induction/probation.
<p>Childcare disqualification</p>	<p>A check to make sure that people who've committed relevant offences aren't:</p> <ul style="list-style-type: none"> • Providing childcare or education to children in the early years(including reception classes) or managing such childcare or education. • Providing before or after-school care to children under the age of 8, or managing such provision 	<p>It's an offence to employ someone in a relevant role if they're disqualified.</p> <p>Childcare disqualification isn't noted on a DBS certificate in the same way as barring information, and not every offence that leads to childcare disqualification will necessarily lead to barring.</p> <p>So you won't know if someone is disqualified unless you do a separate check.</p>	<p>Cross-reference the results of the DBS check with the list of relevant offences(see the appendices document here), even for internal candidates.</p> <p>If an applicant I subscribed to the DBS Update Service, you can use that (with their permission – see the DBS section above) – cross-reference their original certificate against the relevant offences and use the status check to check for any since then.</p>
<p>Section 128</p>	<p>This check identifies people who are subject to a section 128 direction. People with a section 128 direction can't:</p> <ul style="list-style-type: none"> • Hold a management position in an academy, free school or independent school (as an employee) • Be an academy or free school trustee or member • Be a governor on any academy or free school board that has delegated responsibilities • Be a governor or member of proprietor body of an independent school • Sit on a governing body in a maintained school 	<p>Academy trust must conduct them on:</p> <ul style="list-style-type: none"> • Academy trust members and trustees • Governors who sit on committees or local governing bodies with delegated responsibilities • Academy staff engaged in management positions <p>Management positions are;</p> <ul style="list-style-type: none"> • Headteacher • Teaching positions that carry department headship • Other positions, depending on specific responsibilities <p>Guidance recommends that maintained schools should conduct this check too.</p> <p>(See paragraph 173 of Keeping Children Safe in Education.)</p>	<p>For new appointments that require a barred list check;</p> <ul style="list-style-type: none"> • Specify 'children's workforce independent schools' in the parameters of when you apply for the enhanced DBS check • A section 128 direction will be listed on the certificate if it applies <p>For new appointment that don't require a barred list check:</p> <ul style="list-style-type: none"> • Log on to the DfE's Sign-in portal • Use a teacher reference number and date of birth to serac for individual records • Use the list of all people subject to a section 128 direction if the person you're checking doesn't have teacher reference number <p>For existing staff, governors, trustees and members:</p> <ul style="list-style-type: none"> • Use the DfE's sign-in portal and follow the instructions above • Use the DBS Update Service if the person you're checking is subscribed, you have their



			consent, and they already have a DBS with Barred list.
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12. Recruitment: Step-by-Step Guide

