

Safer Recruitment Policy, Procedures and Guidance



Approved by: Trustee board	Date: 23rd September 2023
Signed by: 	Position: Chair of Trustee board
Last reviewed: September 2023	Next review due: August 2024

Monitoring arrangements

This policy will be reviewed annually and amended with any relevant changes in legislation or the updated KCSIE document.

Author: E Barnard	Title: Safer Recruitment	Ref: KCSiE 2023 update	Date: September 23
Inclusion Education is the working name of Inclusion Education CIO registered number 1162711			

Inclusion Education is committed to promoting the welfare of children and young people and keeping them safe.

Inclusion Education is also committed to equality, valuing diversity and working inclusively across all of our activities.

Inclusion Education aims to have staff that represent a variety of backgrounds and cultures and can provide the relevant knowledge, abilities and skills for our organisation.

We recognise that:

- Our workforce is our most important resource.
- Unsuitable individuals sometimes seek out opportunities via employment or volunteering, to have contact with children, in order to harm them.
- Some groups face unfair discrimination in the workplace.
- Children, young people and families benefit from our efforts to recruit a skilled and committed workforce, from a diverse range of backgrounds.
- New staff cannot perform their role effectively unless they are inducted properly and receive ongoing support and supervision.
- We aim for the views and perspectives of service users to be incorporated into the recruitment and selection process whenever appropriate.

Aims and Objectives

The aims of the Safer Recruitment policy is to help deter, reject or identify people who might abuse pupils or are otherwise unsuited to working with them, by having appropriate procedures for appointing staff.

The aims of Inclusion Education's recruitment policy are as follows:

- To ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position.
- To ensure that all job applicants are considered equally and consistently.
- To ensure that no job applicant is treated unfairly on any grounds including race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age.
- To ensure compliance with all relevant legislation, recommendations and guidance, including the statutory guidance published by the Department for Education (DfE), Keeping Children Safe in Education - (KCSIE) yearly update, the current Prevent Duty guidance for England and Wales (the Prevent Duty Guidance) and any guidance or code of practice published by the Disclosure and Barring Service (DBS).
- To ensure that we meet its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks.

Recruitment

Advertising

- All posts are to be advertised through appropriate media and in a way that ensures that high quality applicants from diverse backgrounds are attracted.
- We will make clear our organisation's commitment to safeguarding and promoting the welfare of children and young people.
- Safeguarding checks will be undertaken.
- The safeguarding requirements and responsibilities of the role, such as the extent to which the role will involve contact with young people.
- Whether or not the role is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020. If the role is exempt, certain spent

convictions and cautions are 'protected', so they do not need to be disclosed, and if they are disclosed, cannot be taken into account.

Application Process

- Job descriptions and person specifications are to be provided to anybody who expresses an interest in an advertised job. They will include a statement saying that it is an offence to apply for the role if an applicant is barred from engaging in a regulated activity to children (where the role involves this type of activity) as well as a link to the organisation's Child Protection and Safeguarding policies.
- C.V's are invited from all candidates who express an interest in an advertised job or relevant application pack issued.
- Two references are to be provided by candidates, one being their most recent employer. Inclusion Education does not accept open references, testimonials or references from relatives.

Shortlisting

- More than one person is to be involved in shortlisting applicants for an interview. These are to include the HR Manager, Headteacher and CEO.
- They will consider any inconsistencies and look for gaps in employment and the reasons given for them.
- Explore all potential concerns ahead of the interview.

Once we have shortlisted candidates, we will ask those candidates to:

- Complete a self-declaration of their criminal record or any information that would make them unsuitable to work with children or young people, so that they have the opportunity to share relevant information and discuss it at interview stage. The information we will ask for includes:
 - If they have a criminal history.
 - Whether they are included on the barred list.
 - Whether they are prohibited from teaching.
 - Information about any criminal offences committed in any country, in line with the law, as applicable in England and Wales.
 - Any relevant overseas information.
- Sign a declaration confirming the information they have provided is true

We will also consider carrying out an online search on shortlisted candidates, to help identify any incidents or issues that are publicly available online.

Interviews

- There will be a face-to-face interview wherever possible, and a minimum of two interviewers will see the applicants for the vacant position, with at least one member of the panel having undertaken the Safer Recruitment training, or relevant refresher training.
- The interview process will explore the applicant's ability to carry out the job description, meet the person specification and suitability to work with children and young people.
- It will enable the panel to explore any anomalies or gaps or frequency of changing employment which have been identified in order to satisfy themselves that the chosen applicant can meet the safeguarding criteria (in line with Safer Recruitment Training).
- All applicants who are invited to an interview will be required to bring evidence of their identity, address and qualifications. Original documents will only be accepted and photocopies will be taken. Unsuccessful applicant documents will be destroyed 6 months after the recruitment programme.

- Complete a self-declaration of their criminal record or any information that would make them unsuitable to work with children, so that they have the opportunity to share relevant information and discuss it at interview stage. The information we will ask for includes:
If they have a criminal history, whether they are included on the barred list, whether they are prohibited from teaching, information about any criminal offences committed in any country in line with the law as applicable in England and Wales, any relevant overseas information and sign a declaration confirming the information they have provided is true
- Record all information considered and decisions made.

Pre-appointment Vetting Checks and Offer Conditions

In accordance with the current recommendations set out in KCSIE, Inclusion Education carries the relevant pre-employment checks in respect of all prospective employees.

If it is decided to make an offer of employment, following the formal interview, any such offer will be conditional on the satisfactory outcome of the following:

- Verification of their identity.
- Obtain (via the applicant) an enhanced DBS certificate², including barred list information for those who will be engaging in regulated activity (see definition below). We will obtain the certificate before, or as soon as practicable, after appointment, including when using the DBS update service. We will not keep a copy of the certificate for longer than 6 months, but when the copy is destroyed, we may still keep a record of the fact that vetting took place, the result of the check and recruitment decision taken.
- Obtain a separate barred list check if they will start work in regulated activity before the DBS certificate is available.
- Verify their mental and physical fitness to carry out their work responsibilities.
- Verify their right to work in the UK. We will keep a copy of this verification for the duration of the member of staff's employment and for 2 years afterwards.
- Verification of professional qualifications which Inclusion Education deems a requirement for the post, or which the applicant otherwise cites in support of their application (where not previously verified).
- Ensure they are not subject to a prohibition order, if they are employed to be a teacher.
- Carry out further checks, as appropriate, on candidates who have lived or worked outside of the UK. These could include, where available:
 - For all staff, including teaching positions: [criminal records checks for overseas applicants](#)
 - For teaching positions: obtaining a letter from the professional regulating authority in the country where the applicant has worked, confirming that they have not imposed any sanctions or restrictions on that person, and/or are aware of any reason why that person may be unsuitable to teach.
- The receipt of two references¹ (one of which must be from the applicant's most recent employer / employer working with young people) which is considered to be satisfactory.
- Check that candidates taking up a management position* are not subject to a prohibition from management (section 128) direction made by the secretary of state * *Management positions are most likely to include, but are not limited to, headteachers, principals and deputy/assistant headteachers.*
- We will carry out an online search on our preferred candidate to help identify any incidents or issues that are publicly available online. The prospective employee will be informed that we will carry out these checks and be contacted by the provider to give consent as part of our due diligence process. Any concerns will be discussed and if appropriate the offer may be withdrawn.
- Supervised visit to the work environment is encouraged for preferred applicants prior to accepting the role.
- The agreement of a mutually acceptable start date and the signing of a contract incorporating Inclusion Education's standard terms and conditions of employment and Code of Conduct.

1References:

References will always be sought and obtained directly from the referee and their purpose is to provide objective and factual information to support appointment decisions.

All referees will be asked whether they believe the applicant is suitable for the job for which they have applied and whether they have any reason to believe that the applicant is unsuitable to work with young people.

- All offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory by Inclusion Education.
- Any concerns raised from the receipt of the references will be fully discussed with the successful candidate and the offer may be withdrawn if Inclusion Education deems appropriate.
- One of the references must be from the applicant's current or most recent employer.
- Ensure any references are from the candidate's current employer and completed by a senior person. Where the referee is school / college based, we will ask for the reference to be confirmed by the headteacher/principal as accurate in respect to disciplinary investigations.
- If the current/most recent employment does/did not involve work with young people, then the second reference should be from the employer with whom the applicant most recently worked with young people.
- The referee should not be a relative.
- A character reference may be sought in addition to the above references if deemed necessary.
- Compare the information on the application form with that in the reference and take up any inconsistencies with the candidate.
- Resolve any concerns before any appointment is confirmed.
- Not accept open references.

2DBS (Disclosure and Barring Service)

Inclusion Education applies for an enhanced disclosure from the DBS which includes a check of the Children's Barred List (now known as an Enhanced Check for Regulated Activity) in respect of all positions which amount to "regulated activity*" as defined in the Safeguarding Vulnerable Groups Act 2006 (as amended). The purpose of carrying out an Enhanced Check for Regulated Activity is to identify whether an applicant is barred from working with children by inclusion on the Children's Barred List and to obtain other relevant suitability information.

Applicants who are on the DBS Update Service should provide details of this along with the original disclosure and give permission for the check to be carried out. If the status comes back satisfactory, then no DBS application needs to be made.

It is Inclusion Education's policy that the DBS disclosure, or the results of the barred list check, must be obtained before the commencement of employment of any new employee.

The DBS no longer issues Disclosure Certificates to employers, therefore employees/applicants should bring their original Certificate to the HR Manager at the Head office (within 7 days of issue).

It is Inclusion Education's policy to re-check employees' DBS Certificates as per current guidance.

***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 / college 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.

Dealing with Convictions

Inclusion Education operates a formal procedure if a DBS Certificate is returned with details of convictions. Consideration will be given to the Rehabilitation of Offenders Act 1974 and also:

- The nature, seriousness and relevance of the offence.
- How long ago the offence occurred.
- One-off or history of offences.
- Changes in circumstances.
- Decriminalisation and remorse.

A formal face-to-face meeting will take place to establish the facts with the CEO. A decision will be made following this meeting. In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the CEO will evaluate all of the risk factors above before a position is offered or confirmed.

Proof of Identity, Right to Work in the UK & Verification of Qualifications and/or Professional Status.

All applicants invited to attend an interview at Inclusion Education will be required to bring the relevant identification documentation with them, such as a passport, as proof of identity/eligibility to work in the UK, in accordance with the Immigration, Asylum and Nationality Act 2006, and DBS identity checking guidelines. The organisation does not discriminate on the grounds of age.

Where an applicant claims to have changed their name by deed poll or any other means (eg marriage, adoption, statutory declaration) they will be required to provide documentary evidence of the change.

In addition, applicants must be able to demonstrate that they have actually obtained any academic or vocational qualification legally required for the position and claimed in their application form.

For those with a Teacher Reference Number, permission to conduct the relevant checks on the Teaching Regulation Agency must be given.

Medical Fitness

Inclusion Education has a duty to verify the medical fitness and wellbeing of anyone to be appointed to a post within the Charity.

All applicants are requested to complete a medical questionnaire and where appropriate, a doctor's medical report may be required. This is so we are able to support the employee in the best way possible within the organisation. Inclusion Education is aware of its duties under the Equality Act 2010. No job offer will be withdrawn on the basis of the medical questionnaire alone, however confidential discussions with the CEO / Line Manager to ensure suitability may be necessary.

Induction Programme

All new employees will be given an induction programme which will clearly identify all Inclusion Education policies and procedures, including the Safeguarding and Child Protection Policies, the Code of Conduct, and current KCSIE, and make clear the expectations which will govern how staff carry out their roles and responsibilities, and their duty to keep children and young people safe.

- A core training programme for all new staff is to be undertaken, with additional training courses provided as required.
- Staff are to be appointed on a 3/6 month probationary period initially, with a review at the end of this time, with the outcome confirmed in writing.
- Refresher training courses are to be provided in the core areas of safeguarding and health and safety.

Single Centralised Register

In addition to the individual personnel files, a single centralised record of recruitment and vetting checks is kept. This is kept up-to-date and retained by the HR Manager.

The Single Centralised Register will contain details of the following:-

- All employees who are employed to work at Inclusion Education.
- All others who have been chosen by the school / college to work in regular contact with children. This will cover volunteers and Trustees, and people brought into the school / college, to provide additional support and activities.

Existing Staff

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

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

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

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.

Contractors

We will ensure that any contractor, or any employee of the contractor, who is to work at the organisation has had the appropriate level of DBS check. 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 / college.

Volunteers

Inclusion Education will request an enhanced DBS disclosure and Children's Barred List information on all volunteers undertaking regulated activity with learners (the definition of regulated activity set out above will be applied to all volunteers).

Under no circumstances will Inclusion Education permit an unchecked volunteer to have unsupervised contact with learners.

In addition, Inclusion Education will seek to obtain such further suitability information about a volunteer as it considers appropriate in the circumstances. This may include (but is not limited to) the following:

- formal or informal information provided by staff, parents and other volunteers;
- character references from the volunteer's place of work or any other relevant source;
- an informal safer recruitment interview.
- a risk assessment will be carried out to determine whether a DBS disclosure is required.

Trustees

- All members of the board 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.
- A section 128 check (to check prohibition on participation in management under [section 128 of the Education and Skills Act 2008](#)) will take place on members of the board, as well as senior management within the organisation.
- Right to work in the UK and other checks deemed necessary, if they have lived or worked outside the UK.

Staff Working in Other Settings

If we were to work with other settings, we will obtain written confirmation from the provider that they have carried out the appropriate safeguarding checks on individuals working there, that we would otherwise perform.

Adults who Supervise Pupils on Work Experience

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

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

Recruitment During Closure:

During such times as the organisation is closed due to unforeseen circumstances, all appointments should continue and be subject to all the normal recruitment checks. However, ID verification and documents can be scanned, sent and seen via video conferencing, in the absence of face to face meetings.

Originals subject to normal checking when possible.

Interviews can be held remotely via conference call.

DBS checks - follow any guidance for temporary changes to the process, to ensure correct checks take place.

Policy Implementation

The Chief Executive is responsible for ensuring the implementation of this policy and that regular reviews take place.

All staff and volunteers have a responsibility to adhere to this policy and will be made aware of this policy as part of their induction, supervision and training.

Failure to act in line with this policy will result in disciplinary action.

Definition of Regulated Activity and Frequency: Appendix 1

Regulated Activity means a person who is responsible, on a regular basis in a school / college or college, for teaching, training, instructing, caring for or supervising children: or
Carrying out paid, or unsupervised unpaid, work regularly in a school / college or college, where that work provides an opportunity for contact with children.

Any position undertaken at, or on behalf of, Inclusion Education, will amount to "regulated activity" if it is carried out:

- frequently, meaning once a week or more; or
- overnight, meaning between 2.00 am and 6.00 am; or
- satisfies the "period condition", meaning four times or more in a 30-day period; or
- provides the opportunity for contact with children.

Roles which are carried out on an unpaid/voluntary basis, will only amount to regulated activity if, in addition to the above, they are carried out on an unsupervised basis.

Inclusion Education is not permitted to check the Children's Barred List unless an individual will be engaging in "regulated activity". They are required to carry out an enhanced DBS check for all staff, volunteers and Trustees who will be engaging in regulated activity.