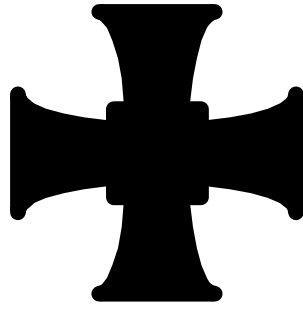


# **TRINITY SCHOOL CARLISLE**



A CHURCH OF ENGLAND ACADEMY

## **STAFF APPOINTMENTS POLICY (SAFEGUARDING)**

**To accompany the school's  
Overarching Safeguarding Statement and  
Child Protection Policy**

**Pastoral Committee**

**Reviewed:** October 2023

**Approved by the Pastoral Committee:** November 2023

**Ratified by the Full Governing Body:** December 2023

**Next review:** October 2024

# Arrangements for Staff Recruitment

## POLICY STATEMENT

Trinity School (hereinafter referred to as the School) has created a culture that safeguards and promotes the welfare of children in the school. As part of this culture, we have adopted robust recruitment procedures that deter, reject or identify people who are unsuitable to work with children from applying for or securing employment or volunteering opportunities in our school. This Policy is supported by procedures which describe in detail those checks that are, or may be, required for any individual working in any capacity (paid or unpaid) in, or visiting, this School. The Governing Body/ Headteacher will act reasonably in making decisions about the suitability of the prospective employee or other individual based on checks and evidence including: criminal background (via the Disclosure and Barring Service); barred list check; prohibition status (in the case of teachers and HLTA's); Childcare Disqualification Declaration (applies only to 'relevant' staff) and other necessary checks together with references and interview information. Some or all the above checks will apply to those recruited to a volunteer role.

In response to any future response to emergencies including local or large scale public health incidents, these procedures may require amendment in relation to checking ID documents and interviews, both of which may be required to revert to a virtual system. An additional addendum may be introduced in order to meet recruitment needs in the event of a future pandemic.

Safer recruitment is not just about carrying out the right checks prior to appointment and is not limited to recruitment procedures. Good safeguarding requires a continuing commitment from the Governing Body and all staff to ensure the safety and welfare of children is embedded in all of our processes and procedures and is enshrined in our ethos.

All recruitment will be in line with this Policy and procedures and will, without exception follow the process of safer recruitment. All offers of employment (whether paid or unpaid) will be subject to school staff and Governors being satisfied that the applicant or volunteer is a suitable person to work with children, young people.

DfE statutory guidance '[Working Together to Safeguard Children](#)' states that schools should have in place a number of arrangements as part of their duty to safeguard and promote the welfare of children. In relation to safer recruitment, these arrangements include having safer recruitment practices for individuals whom the organisation will permit to work (paid or unpaid) regularly with children. This Policy and supporting procedures fulfil that statutory requirement.

All those involved with recruiting individuals to the school will be familiar with and fully understand Part three of the DfE statutory guidance '[Keeping Children Safe in Education](#)' and the School Child Protection Policy and procedures.

Once an individual has been appointed, contracted or accepted as a volunteer, we will ensure that a full Induction takes place which will include our Child Protection Policy and procedures and provision of other related safeguarding documents both statutory and non-statutory.

We are committed to ensuring that throughout our recruitment and selection process, no applicant is disadvantaged or discriminated against because of their age, sex, race, religion or belief, sexual orientation, gender reassignment, pregnancy or maternity status.

## Application Form:

We do not accept CVs in place of an Application form since this will generally contain only the information the applicant wishes to present. The Application form allows for a common set of core data that can then be used as a part of the full vetting and verification of short-listed applicants.

We do not ask applicants to return a criminal record self-disclosure form with the application pack nor does the application form ask questions about whether the applicant has a criminal history, prohibition or other relevant disqualification. The criteria for short-listing will be the same for all candidates and is related to the job description and person specification. It would be unfair to discriminate against a candidate at this stage solely based on the grounds that they have a criminal record.

Our Application form includes requests for the following essential information:

- Full identifying details including current and former names, current address and National Insurance number. It is important to be sure that the person is who they claim to be, this includes being aware of the potential for individuals changing their name. Best practice is checking the name on their birth certificate, where this is available.
- Academic and vocational qualifications, including awarding body, name of institution and date achieved.
- Full employment chronology including any voluntary or part-time work with start dates, explanations for periods not in employment or education/training and reasons for leaving employment.
- Details of all post education training including dates and awarding bodies.
- A statement of the skills and abilities, and the competencies/experience that the applicant believes are relevant to his/her suitability for the post and how s/he meets the person specification.
- Declaration of any family or close relationships to existing employees or employers including governors, trustees etc.
- Details of at least two referees. One from current or most recent employer. In addition, where an applicant is not currently working with children, but has done so in the past, a reference will be requested from the employer by whom the person was most recently employed in work with children.

## Scrutinising and short-listing

Individuals will be short-listed equally against the requirements of the person specification. In all cases of those who are applying for paid employment, the same selection panel will both short-list and interview the applicant. In the case of volunteers applying to work in the school, a more informal approach will be taken.

At least one member of the 'panel' will have undertaken accredited safe recruitment and selection training which will as a minimum cover the content of Part three of the DfE statutory guidance [Keeping Children Safe in Education](#). *[Applies to maintained schools only – considered good practice for Academies/ Independent schools]*

As part of our due diligence checks, the school reserves the right to carry out an online search on short-listed candidates. This will only include a search for information which is publicly available online. Information relating to any online search will be recorded using an [Online search record form](#) or similar.

The short-listing panel is responsible for scrutinising the application forms and identifying any gaps in employment or other areas that may affect an applicant's suitability to work with children and young people. All application forms will be scrutinised to ensure:

- they are fully and properly completed - incomplete application forms will not be accepted;
- the information is consistent and does not contain any discrepancies;
- any anomalies, discrepancies or gaps in employment/training and the reasons for this, or a history of repeated changes of employment are identified;
- the form is appropriately signed. Electronic copies should be physically signed by the applicant at the interview stage.

A satisfactory explanation for any concerns will be obtained from the applicant during the interview process.

### **Criminal self-disclosure**

Foreseeability and certainty are in the best interests of applicants with a criminal history. All short-listed candidates will be provided with a criminal history/suitability self disclosure form to complete and return no later than one day prior to interview. Failure to return the self-disclosure will result in the interview being withdrawn. Applicants will be provided with clear information about who in the organisation they should return the self-disclosure to.

The self-disclosure form will include an explanation of the Rehabilitation of Offenders Act 1974, Exceptions Order 1975 and the 2020 filtering rules. The form includes a link to the Ministry of Justice (MoJ) guidance on protected offences, a reminder that the applicant should take legal advice before completing the self-disclosure if they are unsure, and the contact details of organisations that can provide impartial advice.

Once the self-disclosure form is received in school, any disclosed information will be checked to ensure it is relevant. Relevant criminal history will be shared with the Chair of the recruitment panel prior to interview to allow time to assess relevance and agree what questions should be asked during the interview process.

Any short-listed candidate who discloses criminal or other suitability information will be given an opportunity to discuss the context and relevance with the recruiting panel. We will assess cases fairly, on an individual basis. A decision not to appoint someone because of their conviction(s) will be clearly documented in line with our Policy on the recruitment of ex-offenders. We will also consider the incident(s) in the context of the Teachers' Standards and Teacher misconduct guidance, if the applicant is applying for a teaching post/teaching work.

Where we decide or decline to appoint a candidate who has self-disclosed relevant criminal convictions and/or relevant criminal convictions are apparent on their DBS Certificate, we will ensure that a 'Cause for concern' risk assessment is carried out to fully document our decision to either appoint or not.

For the successful candidate, the self-disclosure will be compared with the enhanced DBS certificate on receipt to ensure consistency.

### **References:**

The school requires two written references for every member of staff appointed, on headed notepaper wherever possible. One of the references will be requested from the current or most recent employer. If the referee is school or college based, the reference should be confirmed by the Headteacher/Principal as accurate in respect of any disciplinary investigations. If an applicant for a teaching post is not currently employed as a teacher, we will check with the school, college or local authority at which they were most recently employed to confirm details of their employment and their reasons for leaving. The purpose of seeking references is to obtain subjective and factual information to support appointment decisions.

Verbal references suffice prior to interview but an offer of employment is always subject to receipt of written references.

Written references of staff appointed are followed up with a phone call to confirm authenticity.

Reference requests will specifically ask:

- about the referee's relationship with the applicant;
- whether the referee is completely satisfied that the individual is suitable to work with children and, if not, for specific details of the concerns and the reasons why the referee believes that the person might be unsuitable.

Referees will also be asked, where relevant, to confirm details of:

- how the person meets the requirements of the specification and his or her capacity to carry out the duties set out in the job description;
- the applicant's current post and salary;
- the reason for the candidate leaving their current or most recent post;
- effectiveness of the applicant's interactions with children and other adults;
- performance history and conduct;
- any disciplinary procedures in which the sanction is current;
- any disciplinary procedures involving issues related to the safety and welfare of children, including any in which the sanction has expired and the outcome of those;
- whether, in the case of an applicant for a teaching post, that teacher has been in capability procedures during the previous two years;
- any outstanding complaints or investigations against the applicant that could bring the school into disrepute at a later stage;
- any 'substantiated' safeguarding concerns or allegations (including a group of low-level concerns about the same individual) that meet the harm threshold and the outcome of the concerns or allegations;
- whether they would re-employ the applicant and if not, why not.

As a result of the Equality Act 2010, it is no longer appropriate to ask referees for information relating to absence or sickness record until after the preferred candidate has been selected unless the post has an exception. However, under the Education (Health Standards) (England) Regulations 2003, schools should ensure that anyone employed to work in an education setting is physically and mentally fit to do so and recruiters may ask relevant questions at interview if they think this is appropriate.

All offers of employment will be conditional upon receipt of at least two satisfactory written references. References received will be scrutinised and any concerns resolved satisfactorily before the appointment is confirmed. References will always be requested directly from the referee. Any provided by the applicant or open references i.e., those prefixed by 'To whom it may concern' will not be accepted under any circumstances.

#### **DBS checking:**

- We obtain an enhanced DBS certificate which includes barred list information for all staff.
- Those who are appointed to teach are checked to ensure they are not prohibited from teaching.
- Those who are appointed to a management role (including governors) are checked to ensure they are not prohibited under section 128 provisions.
- When appointing overseas staff, we check with the authorities of the country from which they come.

- For student teachers the relevant university is responsible for obtaining DBS checks before school placements. The school checks that the disclosure is recent and checks their identity on arrival in school.
- For agency supply staff the agency carries out personal and security checks. The school is given a copy of the checks that have been done and checks identity when the supply teacher first arrives in school. The teacher will not be used if the agency informs us that a DBS check is still in progress.

## Health

DfE statutory guidance '[Keeping Children Safe in Education](#)' emphasises the importance of anyone appointed to a post involving regular contact with children or young people must be medically fit. There is a statutory duty on employers to satisfy themselves that individuals have the appropriate level of physical and mental fitness before the appointment is confirmed. Any offer of employment will, therefore, be subject to satisfactory health checks. A Pre-employment medical screening form will be provided to the successful candidate following a verbal offer of employment with responses reviewed by the School's Occupational Health provider, where necessary.

Dependant on the response, a face-to-face appointment with the Occupational Health provider or further details from the candidates GP may be required.

Assessment of physical fitness will be considered within the context of the Equality Act 2010 which allows for reasonable adjustments to be made.

## Safer Recruitment Training:

It is our policy to follow the guidance on Safer Recruitment outlined on pages 52 to 86 of Keeping Children Safe in Education, 1<sup>st</sup> September 2023, Statutory Guidance for Schools and Colleges.

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

## Interviews

A face-to-face interview will take place for all applicants to all posts including volunteering roles. The interviewing panel will consist of at least 2 people. At least one member of the panel will have successfully completed an accredited safer recruitment training course.

Members of the panel will:

- have the necessary authority to make decisions about the appointment;
- meet before the interview to agree their assessment criteria in accordance with the person specification and to prepare a list of questions they will ask all interviewees relating to the requirements of the post. These could include:
  - finding out what attracted the candidate to the post being applied for and their motivation for working with children;
  - exploring their skills and asking for examples of experience of working with children which are relevant to the role; and
  - probing any gaps in employment or where the candidate has changed employment or location frequently, asking about the reasons for this;
- identify any issues they wish to explore with each applicant based on the information provided in their application form and in the references;
- have clarified whether any criminal information disclosed in the self-disclosure is relevant and, if so, agreed what questions will be asked to understand the context of the offending and whether it affects the suitability of the candidate to take up the post;
- consider, in the circumstances of the individual case, any information about past disciplinary action or substantiated safeguarding concerns or allegations;

- allocate specific question sets to each member of the panel which will ensure that someone asks the questions and another member of the panel can at the same time record the applicant's answers.

A record of the questions asked, and responses provided, will be retained with the other interview notes.

Those whose application forms provide information that best meets the criteria of the job description, person specification, experience and qualifications are invited for interview.

All applicants will be asked to bring with them documentary evidence of their identity and their 'right to work in the UK'. Where available, a full birth certificate will also be requested.

Evidence of identity can include a current driving licence or passport including a photograph, a full birth certificate and a document such as a utility bill or financial statement that shows the applicant's current name and address (no more than 3 months old) and, where appropriate change of name documentation.

Accepted evidence for their 'right to work in the UK' will be a current British passport. Where no British Passport is available, proof of a National Insurance number, e.g., NI card/letter or P60 and a copy of their Birth Certificate are required. From 1 July 2021, employers can no longer accept EU passports or ID cards as valid proof of right to work, with the exception of Irish citizens. For further information on what is required for foreign nationals, reference should be made to the Government document '[Checking a job applicant's right to work](#)'. To carry out an online right to work check, we will require the applicant's date of birth and their share code which they will have obtained when they proved their right to work online.

Applicants must also bring:

- original documents confirming any educational and professional qualification(s). If this is not possible, written confirmation must be obtained from the awarding body; and,
- documentation of registration with any appropriate professional body.

**A copy of the documents used to verify the successful applicant's identity, qualifications and right to work in the UK will be retained on their personnel file.**

Where an individual has submitted an electronic application form, they will be asked to sign the form prior to the interview.

### **Other selection methods**

In addition to a face-to-face interview with an Interview Panel, a variety of other selection methods may be used, such as:

- observation of teaching practice either in the proposed school or in the applicant's current setting;
- one or more additional panel interviews e.g., a panel made up of pupils from the school;
- a presentation;
- in-tray exercises;
- psychometric testing.

Those involved in the recruitment process for a specific post will determine the selection method(s) to be used. The methods will be relevant and appropriate to the role and will be based on the requirements for the post as set out in the job description and person specification.

Applicants will be informed in advance if any selection methods are to be used in addition to a face-to-face interview and the format these will take.

### **Conditional offer of employment – pre-employment checks**

An offer of appointment to the successful applicant will be conditional upon any or all of the following:

- the receipt of at least two satisfactory references (where not received before interview). Where possible, these will also be confirmed by telephone.
- verification of the individual's identity (if that could not be verified at interview) preferably from current photographic ID and proof of address except where, for exceptional reasons, none is available. Best practice is checking the name on their birth certificate, where this is available;
- verification and/or evidence of the individual's right to work in the UK (if that could not be verified at interview);
- receipt of a satisfactory enhanced DBS Disclosure Certificate (with relevant barred list check(s) if the post will be in Regulated Activity). Where the individual is registered, this may be via a check with the DBS Update Service;
- a **separate** children's Barred List check<sup>1</sup> for those with a 'portable' DBS Enhanced Certificate for Regulated Activity (having worked in a school in England in the previous 3 months) or who start work in regulated activity before the DBS Certificate is available. Such individuals will be subject to reasonable supervision until a new Enhanced Disclosure for Regulated Activity is received. A [risk assessment for those awaiting the DBS Certificate](#)
- further checks on the individual if they have lived or worked outside of the UK for a block period of 12 months or more in the last 10 years while the person was aged 18 or over.
- verification of qualifications (if not verified at interview). For teachers, this will include checking that the individual has the required teaching qualification;
- verification of professional status where required e.g., QTS (unless properly exempted);
- verification of previous employment history and experience, including exploration of any gaps and anomalies;
- (for teaching posts) verification of successful completion of statutory induction/probationary period;
- (for teaching posts, including unqualified teachers and HLTAs who are permitted to teach undirected or unsupervised) verification that the individual is not subject to either a Prohibition Order or an Interim Prohibition Order (using the TRA page accessed via [DfE Sign-in website](#));
- (for teaching posts, including unqualified teachers and HLTAs who are permitted to teach undirected or unsupervised) verification that the individual is not included in the list of people sanctioned by the GTCE (using the TRA system as above);
- verification that a person taking up a management position as described at paragraphs 14.4 and 21 below is not subject to a Section 128 direction made by the Secretary of State;

All checks will be:

- confirmed in writing;
- documented and retained on the personnel file (subject to data protection and DBS requirements);
- for teachers only, the TRA record will be printed or saved digitally and retained on the personnel file;
- followed up where they are unsatisfactory or there are discrepancies.



## **Single Central Record**

The School will keep and maintain a Single Central Record (SCR). The SCR is a record of the vetting checks specified in statutory legislation which have been carried out to verify, as far as is reasonably practicable, that the individual is an appropriate person to work within the setting. The SCR will include details of pre-employment checks carried out for the following people:

- all staff including teacher trainees on salaried routes, agency and third party supply staff (even if they work for one day);and,
- for independent schools, all members of the proprietor body and in the case of academies and free schools, all members and trustees of the academy trust and/or Local Advisory Board/Governing Body.

We may also choose to record the vetting checks completed for volunteers, governors of maintained, foundation, voluntary controlled or voluntary aided schools and regular contractors on the SCR.

For students, written confirmation will be sought confirming that the host School, College or University of the individual has carried out the relevant checks and obtained the appropriate certificates, whether any enhanced DBS check certificate has been provided in respect of the individual, whether the relevant barred list check has been completed (if the student will be in regulated activity with children) and the date that confirmation was received.

### **Agency and third-party staff**

The School will obtain written notification from any agency, or third-party organisation, we use that the organisation has carried out the necessary checks on an individual who will be working at the School that the school would otherwise perform. This will include, as necessary, confirmation that the following checks have been carried out prior to appointment:

- DBS Enhanced Disclosure for Regulated Activity, including confirmation that the certificate has been obtained by either the employment business or another such business;
- Prohibition check(s) (teachers only);

Where the position requires a children's barred list check, this must be obtained by the agency or third party by obtaining an enhanced DBS certificate with barred list information, prior to appointing the individual.

The School will ensure that the person presenting themselves for work is the same person on whom the checks have been made and will record the date this ID check was carried out (usually the first day the individual presents in school).

### **Volunteers**

Under no circumstances will a volunteer on whom no checks have been obtained be left unsupervised or allowed to work in regulated activity. Such volunteers will be subject to reasonable supervision by a person who themselves are in regulated activity.

For new volunteers in regulated activity who will regularly teach or look after children on an unsupervised basis or provide personal care on a one-off basis the School will obtain an enhanced DBS Disclosure with a Children's Barred list check. In addition, the Headteacher will determine whether a Childcare Disqualification declaration is required to be completed.

For new volunteers not in regulated activity we will undertake a risk assessment and use our professional judgement and experience when deciding whether to seek an enhanced DBS check.

In undertaking the risk assessment, we will take the following into consideration:

- the nature of the work with children, especially if it will constitute regulated activity, including the level of supervision;
- what the establishment knows about the volunteer, including formal or informal information offered by staff, parents and other volunteers. We may also undertake an online search (not including social media);
- whether the volunteer has other employment or undertakes voluntary activities where referees can advise on their suitability; and
- whether the role is eligible for a DBS check and, if it is, the level of check, for volunteer roles that are not in regulated activity.

Details of the risk assessment will be recorded.

The Protection of Freedoms Act 2012 amended the Safeguarding Vulnerable Groups Act 2006, removing supervised volunteers from regulated activity and applying a duty on the Secretary of State to issue guidance to assist regulated activity providers such as schools, to decide what level of supervision is required so that this exclusion would apply. If the volunteer is to be supervised while undertaking an activity which would be regulated activity if it was unsupervised, the statutory DfE guidance will be followed. The guidance issued following this change requires that, for a person to be considered supervised, the supervision **must** be:

- by a person who themselves are in regulated activity;
- regular and day to day; and
- reasonable in all the circumstances to ensure the protection of children.

There are certain circumstances where schools may obtain an enhanced DBS certificate (not including barred list information), for volunteers who are not engaging in regulated activity. This is set out in DBS workforce guides, which can be found on GOV.UK

Employers are not legally permitted to request a barred list check on a supervised volunteer as they are not considered to be engaged in regulated activity.

Volunteers engaging in regulated activity do not have to be re-checked if they have already had a DBS check (which includes barred list information if engaging in regulated activity) unless the school has any concerns. If, however, the volunteer who works in regulated activity has a break (3 months or more) from volunteering in the school, it is good practice to seek a new DBS certificate. Such volunteers should, however, be strongly encouraged to register with the DBS Update service. Other DBS checks for volunteers not in regulated activity can be re-applied for at the level appropriate to the volunteer role if the school have any concerns.