

**THE BLESSED EDWARD BAMBER CATHOLIC MULTI ACADEMY TRUST
 SAFER RECRUITMENT POLICY AND PROCEDURES**

1.1 Scope

This policy and associated procedures applies to the recruitment of staff to and the vetting of people working at the Blessed Edward Bamber Catholic Multi Academy Trust or one of its academies who have contact with children.

Safeguarding children is everybody's responsibility. Good Safeguarding practice therefore is built into routine procedures and practice. Our recruitment and selection procedures are designed to deter, reject, or identify people who might abuse children or are otherwise unsuited to work with them.

1.2 Recruitment Procedures

1.2.1 Advertising Jobs

In accordance with the DFE guidance for the 'Keeping Children Safe in Education' (July 2015) the following wording must be added to all internal and external adverts:

"The School is committed to safeguarding and promoting the welfare of children. This post is subject to satisfactory References, Enhanced DBS and Health Clearances and Proof of legal working in accordance with the Asylum and Immigration Act 1996."

Each job must have a clear job description and person specification.

1.2.2 Scrutinising and Shortlisting

At the shortlisting stage each application must be considered against the person specification and give consideration to the applicant's potential to successfully meet the job description.

Any gaps in employment history or 'work abroad' without specific employment dates should be rigorously examined. If the application is taken forward to the interview stage they should be explored in the interests of gaining a complete picture of the candidate.

1.2.3 References

References must be obtained in order to gain objective and factual information to support the appointment decisions. They should always be sought and obtained directly from the referee. "Testimonials" provided by the candidate, from family members or friends or open references are not acceptable and must not be used in the appointment process.

Requests for references should always ask, "Are there any reason(s) why you consider this applicant is not suitable to work with children?" and whether the applicant has been subject to capability procedures.

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Normally two references should be sufficient, providing one is the current or most recent employer. However, if the candidate is not currently working with children, but has done so in the past, an additional reference should be sought from the employer by whom the candidate was most recently employed to work with children. In addition a minimum of 2 years reference history is required.

If the candidate has not previously been employed, a reference would normally be requested from their last educational establishment. If the candidate has recently been unemployed or self-employed, then another suitable referee with knowledge of the candidate such as a doctor, solicitor, police officer or other professional must be sought.

References have their limitations as:

- Employers are sometimes hesitant to provide an unfavourable reference for a former employee
- Glowing references can sometimes be provided by employers as a way to get rid of an unwanted staff member
- Applicants usually select people who will give them a glowing reference
- A reference is sometimes negotiated as part of a settlement agreement

There may be occasions where despite chasing referees no information is forthcoming; this can be due to a number of reasons, such as: closure of business; company policy not to provide references or the relevant manager no longer in post.

In these circumstances, the situation will be escalated to the Executive Director, who will confirm that the risk controls in place (i.e. other satisfactory references and DBS clearance) are sufficient to mitigate the risk on an ongoing basis, allowing the individual to be confirmed in post.

1.3 Pre-Interview Checks

The following pre-employment checks should be made at the beginning of the interview day. Candidates must be requested to bring the necessary documentation to interview and copies of it made:

1.3.1 Qualifications

Where a qualification is legally required for a post or where the Person Specification specifies a qualification as part of the essential criteria, the applicant must produce their original certificate. If the original certificate is unavailable, the applicant must obtain a certified copy of the document from the issuing establishment.

1.3.2 Identity Checks/Right to work in the UK

The true identity of all applicants must be ascertained. Applicants are required to provide a range of identification documentation to satisfy the requirements for a DBS check and to confirm eligibility to work in the UK.

1.4 Interviews

At least one panel member should have completed the Children's Workforce Development Council (CWDC) Safe Recruitment training. In-depth interview questions can be used to explore the candidate's attitude to children and young people which will help deter, identify and reject applicants who might be unsuitable to work with children or vulnerable adults.

The Interview Panel should also explore any concerns or discrepancies arising from the information provided on the candidate's application form and/or references.

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It is vital that interview panels keep an open mind and do not stereotype abusers. Even though it is a complex area, do not stop looking for signs. Panel members should be alert to the possibility that the behaviour of some candidates, albeit a minority, may pose a risk.

1.5 Conditional Offer

Following the interview any offer of employment must be conditional and subject to confirmation of all elements of the list below which have not yet been verified:

- Qualifications,
- Identity checks/right to work in the UK,
- Satisfactory references,
- Checking of DBS Children's Barred List (previously POCA List / List 99)
- Enhanced DBS Certificate
- Employment Health Needs Assessment

This should be clearly stated in writing to the preferred candidate. As long as it is made clear to a prospective employee that an employment offer is conditional, the offer could be withdrawn if a condition is not satisfied providing this is within a reasonable time.

A contract of employment is only made where there has been an unconditional offer and an unconditional acceptance, supported by the intention to create a legal relationship

1.6 Pre-Employment Checks

1.6.1 DBS Children's Barred List (previously POCA List / List 99)

The DBS will check whether the applicant is included on the DBS Children's Barred List and is therefore banned from working with children or young people. The Trust's Human Resources Provider will also conduct a check of this list through the Teachers Pension's website, for all newly appointed staff in posts working with children, as soon as the appointment paperwork is received.

A certificate of good conduct is a police record check, which can be applied for when an individual returns to the UK from overseas. A future employer may ask for the certificate as evidence that the individual has no criminal record.

1.6.2 Employment Health Needs Assessment

Anyone appointed to a post must be cleared by Occupational Health as medically fit for the appropriate role.

1.6.3 Enhanced DBS

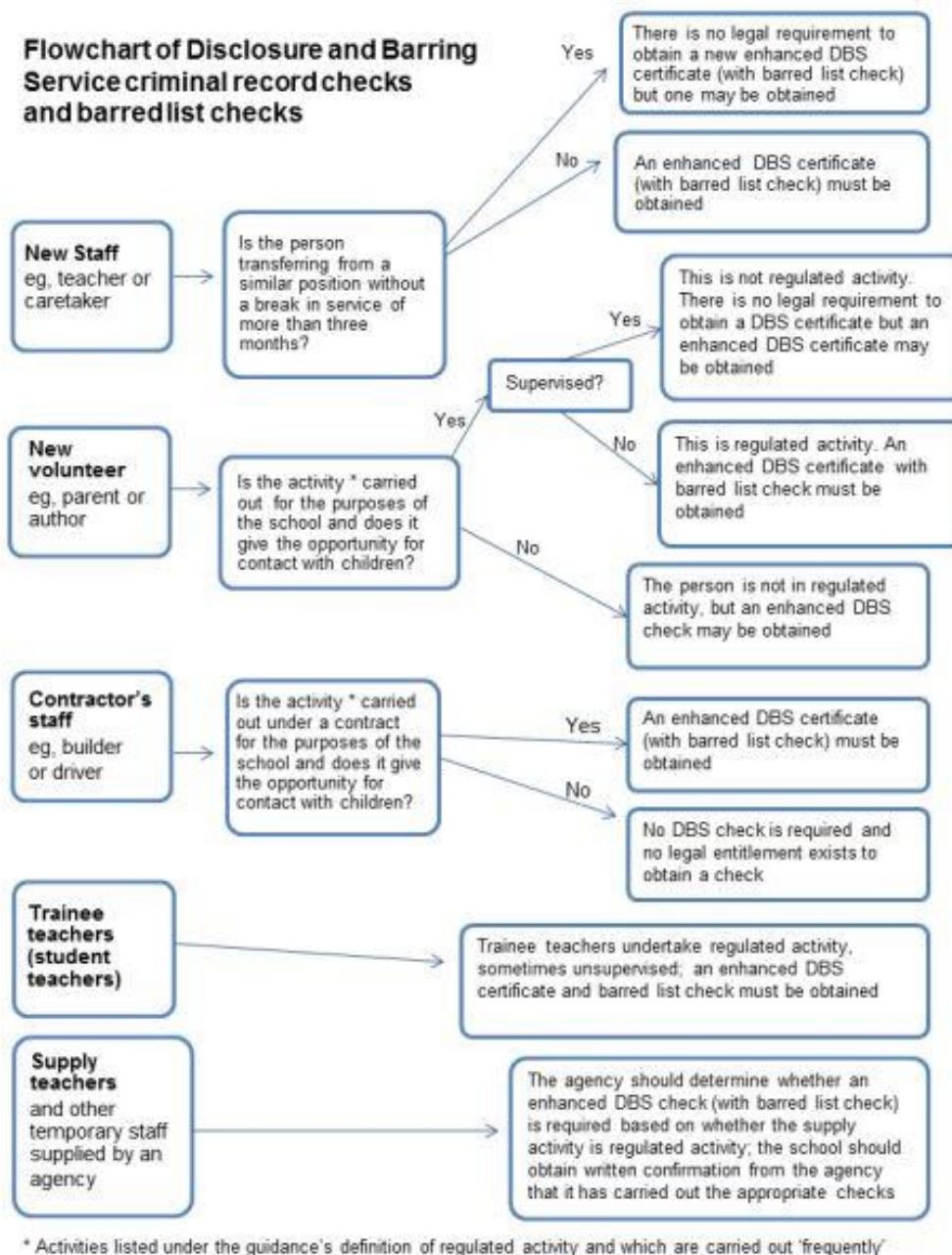
An Enhanced DBS check will reveal any information held on the Police National Computer, including 'spent' offences, that have not been filtered in line with DBS guidance. It will also check whether the applicant is on the ISA Children's Barred List and will reveal any locally held police force information considered relevant to the job role by the Chief Police Officer.

Along with the conditional offer letter to the preferred candidate a DBS application form should be sent. The law requires DBS checks for staff at the recruitment stage, and following that only if the employee has a break in service of more than three months. This includes casual staff and exam invigilators who have regular breaks in service. A new DBS should be requested in good time and be in place prior to the start of their next period of employment.

The Trust's Human Resources Provider will administrate all elements of the disclosure process.

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1.7 The following flowchart provides a statutory perspective on whether an individual should be DBS checked:



The Trust requires a new DBS clearance in the following circumstances:

- The appointment of all volunteers. Volunteers should also complete an application form (except sections 5 & 6) to allow an assessment of suitability for the post as well as basic safeguarding checks to be completed.
- Where concerns are raised about the employee's suitability to work with children or vulnerable adults.

The Trust does not endorse the use of portability, i.e. the re-use of a DBS disclosure obtained for a position in one organisation and later used for another position in another organisation. A disclosure carries no formal period of validity and reflects information that was available at the time of its issue only.

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1.7.1 Builders or Contractors

At the start of the contract with the 3rd Party Providers, Builders or Contractors, the person contracting services should request sight of the 3rd Party Providers Recruitment Vetting Procedure and Child Protection. (This should then be reviewed on an annual basis). These should contain clear lines of accountability and written agreement setting out the responsibility for carrying out checks on staff.

On arrival to the school it is the responsibility of the Headteacher or designated officer to ensure that the contractor's employees have their identity checked to ensure imposters do not gain access to children.

Please note that in the case of emergency repairs Contractors must never be left unsupervised on the premises, if they will come into contact with children.

1.7.2 Supply Teachers

The Headteacher must acquire the DBS Certificate number for all supply teachers prior to them starting work at the Academy.

1.7.3 Directors

It is the responsibility of the Chair of Directors to ensure that all new and existing Directors have a current enhanced DBS disclosure. In order to adhere to the above, the Governor Services Team, will undertake all DBS clearances and have the full responsibility of asking individual Governors to either produce a copy of their current DBS disclosure or to apply for a new one from the Disclosure & Barring Service.

In addition, Directors should also obtain an enhanced DBS disclosure on the point of their re-election.

1.7.4 Third Party Providers/Outside Agencies

Individuals such as psychologists, centrally employed teachers, cleaners, catering staff, individuals on a work placement and other third party/outside agencies staff will have been appropriately checked by their employing organisation, whether local authority, Primary Care Trust or Strategic Health Authority, prior to them going to the school/work place.

The Academy must obtain written confirmation from the employing organisation that DBS checks have been completed. On arrival to the Academy it is the responsibility of the Headteacher or designated officer to ensure that the third party employees have their identity checked to ensure imposters do not gain access to children.

1.7.5 Visitors

Visiting staff who do not have unsupervised access to children and young people do not require a DBS check. The normal risk assessment that applies to all visitors should be quite sufficient. All visitors should follow the usual process of signing in and having their identity confirmed on arrival. They should not be left unsupervised and should be accompanied by a member of staff throughout their visit.

1.7.6 Students

Where a student is carrying out a work placement within the Trust as part of their course, the responsibility for completing a DBS check where applicable and making any decision on suitability based on Disclosure information remains that of the University or College or Academy.

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2.0 Prior to any employee starting work the Headteacher must check that:

- Qualifications have been verified
- Identification has been verified
- Right to work in UK has been verified
- DBS Children’s barred list check has been completed
- DBS application form has been completed and submitted

Where any element of this list has not been completed the proposed starting date for the employee must be set back. The employee should be informed in writing of this and the actions required prior to the commencement of employment clearly stated to her/him in writing.

2.1 Current employees

Where it is identified that a current employee has been convicted of an offence the relevance of this to their current post will need to be considered by the authority’s DBS Panel. If there is relevance the employee will be suspended from duty and the appropriate disciplinary procedures would be used, which could result in the dismissal of the employee from the Trust. All other matters will be considered under the Trust’s Disciplinary Policy & Procedures.

2.2 Regulatory Body Notification

Where an outside body such as Ofsted, Department for Education, or the DBS regulates the service, they will need to be formally notified of the conviction and a designated member of the Trust’s Human Resources Provider will do this.

3.0 Single Central Register (SCR)

In order to comply with Ofsted requirements, each academy must keep and maintain a single central register of recruitment and vetting checks, on the following people:

- All staff who are employed to work at the Academy;
- All staff who are employed as supply staff to the Academy, whether employed directly by the Academy, or through an agency;
- All others who have been chosen by the Academy to work in regular contact with children; this will cover volunteers and directors;
- People brought into the Academy to provide additional teaching or instruction for pupils but who are not staff members; for example, a specialist sports coach or artist.

The following information must be recorded on each Academy’s Single Central Record:

Surname; forename; address; date of birth; NI number; employee number; post title; start date; date identity checked; who checked identity; DBS Children’s Barred List checked; who checked DBS Children’s Barred List; DBS date of issue; DBS disclosure number; who evidenced DBS check; date proof of legal working checked; who checked proof of legal working; Teacher DFE number; date of QTS; date qualifications checked; who checked qualifications; Date of Prohibition of Teachers check and where applicable Disqualification by Association date of declaration.

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