



**Model Safer Recruitment Policy  
for Knowsley Schools and  
Education Settings  
September 2024**

Education Safeguarding Officer  
Vicki.clements@knowsley.gov.uk

## Contents

			Page
<b>1</b>		<b>Introduction</b>	<b>3</b>
	1.1		<b>3</b>
	1.2		<b>3</b>
	1.3		<b>3</b>
<b>2</b>		<b>Aims and Objectives</b>	<b>3</b>
	2.1		<b>3</b>
	2.2		<b>4</b>
	2.3		<b>4</b>
	2.4		<b>4</b>
<b>3</b>		<b>Roles and Responsibilities</b>	<b>4</b>
	3.1		<b>4</b>
<b>4</b>		<b>Definition of Regulated Activity and Frequency</b>	<b>5</b>
	4.1		<b>5</b>
<b>5</b>		<b>Recruitment and selection</b>	<b>6</b>
	5.1	Advertising	<b>7</b>
	5.2	Applications Forms	<b>7</b>
	5.3	Job Descriptions and Specifications	<b>8</b>
	5.4	References	<b>8</b>
	5.5	Shortlisting	<b>9</b>
	5.6	Interviews	<b>9</b>
	5.7	Pre-Appointment Checks	<b>11</b>
	5.8	The Rehabilitation of Offenders Act 1974	<b>12</b>
	5.9	DBS (Disclosure and Barring Checks)	<b>13</b>
	5.10	Portability of DBS	<b>13</b>
	5.11	DBS Certificate	<b>14</b>
	5.12	Dealing with Convictions	<b>14</b>
	5.13	Secretary of State Teacher Prohibition, and Interim Prohibition Orders	<b>14</b>
	5.14	Proof of identity, Right to Work in the UK & Verification of Qualifications and/or professional status	<b>15</b>

	5.15	Digital Identity Check	15
	5.16	Online Checks	16
	5.17	Individuals who have lived or worked outside the U.K.	17
	5.18	Medical Fitness	17
	5.19	Induction Programme	18
	5.20	Single Central Record of Members of Staff	18
	5.21	Record Retention and Data Protection	19
	5.22	Ongoing Employment	20
	5.23	Leaving Employment	20
	5.24	Alternative Provision	21
	5.25	Contractors and Agency Staff	21
	5.26	Visiting Speakers (and Prevent duty)	22
	5.27	Volunteers	22
<b>6</b>		<b>Monitoring and Review</b>	<b>23</b>

## Appendices

	<b>Page</b>
<b>Appendix A</b>	<b>24</b>

## Useful contacts and links

<b>Agency/service</b>		<b>Link or contact information</b>
	Safer Recruitment Consortium	<a href="http://saferrecruitmentconsortium.org">Home (saferrecruitmentconsortium.org)</a>
<b>Quality Assurance Unit</b>	Local Authority Designated Officer (LADO)	Diane Kitcher 07385420432 <a href="mailto:LADOinbox@knowsley.gov.uk">LADOinbox@knowsley.gov.uk</a>
<b>Education Improvement</b>	Education Safeguarding Officer	Vicki Clements 0151 443 2969 <a href="mailto:Vicki.clements@knowsley.gov.uk">Vicki.clements@knowsley.gov.uk</a>

---

## 1. Introduction

1.1 This model policy is written in line with, and is compliant with, Keeping Children Safe in Education, September 2024, guidance, Part 3 Safer Recruitment. Our school, <insert school name here> acknowledges that the safe recruitment of staff is the first step to safeguarding and promoting the welfare of children in education.

1.2 In order to ensure the recruitment procedures are as safe as possible there cannot be an over reliance on any one aspect of the process, as such each stage of the process should be followed in detail. As an employer, the school expects all staff and volunteers to share this commitment.

1.3 Keeping Children Safe in Education 2024, states that schools have legal requirements they '**Must Do**' as well as what they '**Should Do**' and what is considered '**Best Practice**' and **important information** in relation to the following areas.

- The recruitment and selection process
- Pre-appointment and vetting checks, regulated activity and recording of information
- Other checks that may be necessary for staff, volunteers and others, including the responsibilities on the schools and colleges for children in other settings,
- How to ensure the ongoing safeguarding of children and the legal reporting duties on employers.

## 2. Aims and Objectives

2.1 The aim of this document is to ensure our school creates and promotes a culture of safer recruitment, adopting processes and procedures that help deter, reject or identify people who may not be suitable to work with children, and also, deter, reject or identify those who may abuse children.

The aims of the school's safer recruitment policy are as follows:

- Ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position;
- Ensure that all job applicants are considered equally and consistently.
- Ensure that, in line with current legislation, Equality Act 2010, 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;

- 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, September 2024(KCSiE), the Prevent Duty Guidance for England and Wales, 2015, (the Prevent Duty) and any guidance or code of practice published by the Disclosure and Barring Service (DBS); and
- Ensure that the school meets its commitment to safeguarding and promoting the welfare of children by carrying out all necessary pre-employment checks, as required and detailed in KCSiE 2024, and in line with current employment legislation.

Employees involved in the recruitment and selection of staff are responsible for familiarising themselves with and complying with the provisions of this policy.

**2.2** The objective of the recruitment and selection process should ensure the identification of the person best suited to the job at the school based on the applicant's abilities, qualification, experience and merit as measured against the job description and person specification.

**2.3** The recruitment and selection of staff in school will be conducted in a professional, timely and responsive manner and in compliance with current employment legislation, and relevant safeguarding legislation and statutory guidance (including KCSiE 2024 and Prevent Duty Guidance).

**2.4** Should a member of staff involved in the recruitment process have a close personal or familiar relationship with an applicant they must declare it as soon as they are aware of the individual's application and withdraw themselves from all aspects of the recruitment process including the selection decision-making process.

### **3. Roles and responsibilities**

**3.1** It is the responsibility of the governing body to:

- Ensure the school has effective policies and procedures in place for recruitment of all staff and volunteers in accordance with DfE guidance and legal requirements.
- Monitor the School's compliance with them.

It is the responsibility of the Head Teacher and other Managers involved in recruitment to:

- Ensure that the school operates safe recruitment procedures and makes sure all appropriate checks are carried out on all staff and volunteers who work at the school.
- Ensure those involved with the recruitment process have received the appropriate Safer Recruitment Training.
- To monitor contractors' and agencies' compliance with this document.
- Promote welfare of children and young people at every stage of the procedure.

The governing body has delegated responsibility to the Head Teacher and relevant members of the senior leadership team, to lead in all appointments. School governors may be involved in staff appointments, but the final decision will rest with the Head Teacher

#### 4. Definition of Regulated Activity and Frequency

Any position undertaken at, or on behalf of the School will amount to “regulated activity” if it is carried out:

- Frequently, meaning once a week or more; or
- Overnight meaning between 2:00am and 6:00am; or
- Satisfies the “period condition”, meaning four times or more in a 30 day-period; and
- 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.

4.1 A person will be engaging in regulated activity with children if, because of their work, they:

- will be responsible, on a regular basis in a school or college, for teaching, training instructing, caring for or supervising children.
- will be working on a regular basis in a specified establishment, such as a school, for or in connection with the purposes of the establishment, where the work gives opportunity for contact with children; or
- engage in intimate or personal care or healthcare or any overnight activity, even if this happens only once.

### **Regulated activity**

The full legal definition of regulated activity is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012. HM Government has produced [Department for Education \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

Regulated activity includes:

- a. teaching, training, instructing, caring for (see (c) below) or supervising children if the person is unsupervised, or providing advice or guidance on physical, emotional or educational well-being, or driving a vehicle only for children;
- b. work 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 done by supervised volunteers.

Work under (a) or (b) is regulated activity only if done regularly. Some activities are always regulated activities, regardless of frequency or whether they are supervised or not. This includes:

- c. relevant personal care, or health care provided by or provided under the supervision of a health care professional:
  - personal care includes helping a child with eating and 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.

Regulated activity will not be:

- paid work in specified places which is occasional and temporary and does not involve teaching, training; and
- supervised activity which is paid in non-specified settings such as youth clubs, sports clubs etc

**Keeping Children Safe in Education, Sept 2024**

### **Para. 211**

This section focuses on ensuring potential applicants are given the right messages about the school and college’s commitment to recruit suitable people.

**Keeping Children Safe in Education, 2024.**

## 5 Recruitment and Selection

### 5.1 Advertising

To ensure equality of opportunity, the school will advertise all vacant posts to encourage as wide a field of applicants as possible, normally this entails an external advertisement.

Any advertisement will include a statement that makes clear the school's commitment to safeguarding and promoting the welfare of children.

Consideration should be given to the job description and person specification which should detail;

- The skills, abilities experience, attitude and behaviours required for the post, and
- The safeguarding requirements, i.e. to what extent will the role involve contact with children and will they be engaging in regulated activity relevant to children.

The advert should also clearly state if the post is exempt from the Rehabilitation of Offenders Act, 1974.

In line with KCSiE, 2024 all adverts should also state '**By engaging in this recruitment process, shortlisted candidate consent to an online search in line with KCSiE Education Statutory Guidance 2024**' See Paragraph 5.16 for further information on this requirement.

All documentation relating to applicants will be Treated confidentially in accordance with the Data Protection Act (DPA18)

### 5.2 Application Forms

Knowsley maintained schools generally choose to use the Local Authority job application form, however, Academies may choose to use their own application form. In either case all applicants for employment will be required to complete the relevant application, and each form will contain questions about the candidates:

- academic and full employment history (With the requirement to account for any gaps or discrepancies in employment history)
- suitability for the role

Applicants submitting an incomplete application form will **not** be shortlisted.

The application form will include the applicant's declaration regarding convictions and working with children and make it clear that the post is exempt from the provisions of the Rehabilitation of Offenders Act 1974.

**CVs will not be accepted and are not part of a Safer Recruitment Process.**

It is unlawful for a school to employ anyone who is barred from working with children. It is a criminal offence for any person who is barred from working with children to



apply for a position in a school. All applicants will be made aware that providing false information is an offence and could result in the application being rejected, or summary dismissal if the applicant has been selected, and referral to the police and/or the DBS.

### 5.3 Job Descriptions and Person Specifications

A job description is a key document in the recruitment process and must be finalised prior to taking any other steps in the process. It will clearly and accurately set out the duties and responsibilities of the job role.

The person specification is of equal importance and informs the selection decision. It details the skills, experience, abilities and expertise that are required to do the job. The person specification will include a specific reference to suitability to work with children.

It is good practice to ensure job descriptions along with person specifications be refreshed and reviewed each time a job is advertised to ensure it is fit for purpose.

### 5.4 References

#### **Para 228.**

The purpose of seeking references is to allow employers to obtain factual information to support appointment decisions. Schools and colleges should obtain references before interview, where possible, this allows any concerns raised to be explored further with the referee and taken up with the candidate at interview.

**Keeping Children Safe in Education, September 2024.**

As part of a safer recruitment process references for short listed applicants will be sent for immediately after short-listing. The only exception is where an applicant has indicated on their application for that they do not wish their current employer to be contacted at that stage. In such cases, references will be taken up immediately after interview.

All offers or employment will be subject to the receipt of a minimum of two references which are considered satisfactory in line with the safer recruitment policy.

- One of the references must be from the applicants current or most recent employer;
- If the current/most recent employment does/did not involve work with children, then the second reference should be from the employer with whom the applicant most recently worked with children.

- There may be circumstances where an applicant has never worked with children before. In this case, consideration should be given to the role they have applied for and a reference from their last employer will be necessary.
- An open reference e.g. *To whom it may concern*, should not be accepted.
- The referee should **not** be a relative.
- As part of the safer recruitment process the school will not rely on the applicants to supply their own references.
- References will always be sought and obtained directly from the refer and their purpose is to provide objective and factual information to support appointment decisions.
- Always verify an information with the person who provided the reference.
- Ensure electronic references originate from a legitimate source.
- Contact referees to clarify content where information is vague or insufficient information is provided.
- Compare the information on the application form with that in the reference and take up any discrepancies with the candidate.
- Ensure any concerns are resolved satisfactorily before appointment is confirmed.

As part of the reference request 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 children.

On receipt, references will be checked to ensure that all the specific questions have been answered satisfactorily. Referees will be contacted to provide further clarification as appropriate. An example would be, if answers were vague or insufficient in detail. Any discrepancies or anomalies will be followed up with the candidate.

Please note that no questions will be asked about health or medical fitness prior to any offer of employment being made.

Open references, testimonials or references from relatives, or other sources **will not** be accepted as part of the safer recruitment process.

## 5.5 Shortlisting

Shortlisting will always be carried out by at least 2 people on the interview panel.

Candidates that have been shortlisted for interview will be asked to complete a self-declaration of their criminal record, or information that would make them unsuitable to work with children.

The purpose of a self-declaration is so that candidates have the opportunity to share relevant information and allow this to be discussed and considered at interview.

This following information will only be requested from applicants who have been shortlisted.

- If they have a criminal history
- If they are included on the children's barred list
- If they are prohibited from teaching
- If they are prohibited from taking part in the management of an independent school
- Information about any criminal offences committed in any country in line with the law as applicable in England and Wales, not the law in their country of origin or where they were convicted
- If they are known to the police and children's local authority social care
- If they have been disqualified from providing childcare and
- Any relevant overseas information.

Applicants should be asked to sign a declaration confirming the information they have provided.

## 5.6 Interviews

There will be a face-to-face selection wherever possible, and a minimum of three interviewers will see the applicants for the vacant position.

The selection process will explore the applicant's ability to carry out the job description and meet the person specification. It will enable the panel to explore any anomalies or gaps which have been identified in order to satisfy themselves that the chosen applicant can meet the safeguarding criteria (in line with Safer Recruitment Consortium Safer Recruitment Training). [The Safer Recruitment Consortium](#) (This is the training preferred, promoted and delivered free to all Knowsley schools by Knowsley Safeguarding Children Partnership and Knowsley Education Safeguarding Officer)

Those interviewing will have agreed structured questions which will include:

- Finding out what attracted the candidate to the post being applied for and their motivation for working with children
- Exploring the candidates skills and asking for examples of experience of working with children which are relevant to the role.

Any information in regard to past disciplinary action or allegations, cautions or convictions will be discussed and considered in the circumstance of the individual case during the interview process, if it has been disclosed on the application form.

The interview will be used to explore potential areas of concern. Areas that may be concerning and lead to further probing include:

- Implications that children and adults are equal
- Lack of recognition and /or understanding of the vulnerability of children
- Inappropriate idealisation of children
- Inadequate understanding of appropriate boundaries between adults and children and
- Indicators of negative safeguarding behaviours.

**At least one member of any selection panel will have undertaken 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 in line with the school data protection and record retention policy.

There may be circumstances (such as during a pandemic) where aspects of the recruitment process that would normally take place face-to-face are required to be conducted remotely. In circumstances where a remote recruitment process has taken place remotely scanned originals of identity and qualification information can be sent to the school and the school should record the date the scan was received.

If such aspects of the recruitment process have taken place remotely, originals of the scanned documents must be seen in school before or on the start date of the individual.

All information considered in decision making should be clearly recorded along with the decisions made.

## 5.7 Pre-Appointment Checks

In line with the recommendations set out in KCSiE, 2024. Schools are required to carry out a number of pre-employment checks in respect of all prospective employees. Schools are also required to record completed pre-employment check on the **Single Central Record**.

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

- Verification of a candidate's identity.
  - School will be aware of the potential for individuals to change their name.
  - Will include checking the name on their birth certificate when available.

- Obtaining, via the applicant, and an enhanced DBS check which includes, for those who will be engaging in 'Regulated Activity' a children's or adults barred list check.
- Verification of the candidate's mental and physical fitness to carry out their work responsibilities.
- Verification of the person's right to work in the U.K., including EU nationals.
- If the person has lived or worked outside the U. K., make any further checks the school or college consider app
- Verification of professional qualifications, as appropriate
  - The TRA Employer Access Service should be used to verify any award of qualified teacher status (QTS) and the completion of teacher induction or probation
- School will ensure that an applicant to be employed to carry out teaching work is not subject to a prohibition order issued by the secretary of state.
- If school provides childcare they will ensure that appropriate check are carried out to ensure that individuals employed to work in reception classes, or in wrap around care for children up to the age of 8 are not disqualified from working in these settings

In addition independent schools, including academies and free schools must;

- Check that a person taking up a management position is not subject to a section 128 direction made by the secretary of state.

Prior to appointment school will ensure;

- the agreement of a mutually acceptable start date and the signing of a contract incorporating the standard terms of the school and conditions of employment;
- the receipt of two references (one of which must be from the applicant's most recent employer) which the school considers to be satisfactory; for positions which involve "teaching work".
- Should the applicant be expected to drive a school vehicle or their own car as in the role they must verify their driving licence/insurance/MOT/ registration documents as necessary.
- An online check has been completed.

A personal file checklist will be used to track and audit paperwork obtained in accordance with Safer Recruitment Training. The checklist will be retained on personal files within the school. **(See Appendix A)**

## 5.8 The Rehabilitation of Offenders Act 1974

The amendments to the ROA 1974 (Exceptions Order 1975, (2013 and 2020)) provide that when applying for certain jobs and activities, certain spent convictions and cautions are 'protected', so they do not need to be disclosed to employers, and if

they are disclosed, employers cannot take them into account. The MOJ's guidance on the Rehabilitation of Offenders Act 1974 and the Exceptions Order 1975, provides information about which convictions must be declared during job applications and related exceptions and further information about filtering offences can be found in the DBS filtering guide.

The Rehabilitation of Offenders Act 1974 does not apply to positions which involve working with or having access to pupils. Therefore, any convictions and cautions that would normally be considered 'SPENT' must be declared when applying for any position in the school.

### **5.9 DBS (Disclosure and Barring Service) Check**

The school applies for an enhanced disclosure from the DBS and a check of the Children's Barred List (now known as an Enhanced Check for Regulated Activity) in respect of all positions at the School 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.

It is the local authority and school's policy that the DBS disclosure must be obtained before the commencement of employment of any new employee.

School staff should be made aware of their obligation to inform the Head Teacher of any cautions or convictions that arise following a completed DBS check. The purpose of this is to ensure the appropriate risk assessments and actions can be taken to support the member of staff.

DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence. These will be carried out in addition to the relevant overseas checks that the school will be required to do.

### **5.10 Portability of DBS Certificates Checks**

Staff may wish to join the DBS Update Service if they are likely to require another check in the future. Applicants may sign up to the Service for an annual fee payable by the applicant.

This allows for portability of a Certificate across employers. The School will:

- Obtain consent from the applicant to carry out an update search.
- Confirm the Certificate matches the individual's identity.
- Examine the original certificate to ensure that it is for the appropriate workforce and level of check, ie enhanced certificate/enhanced including barred list information.
- Ensure the level of the check is appropriate to the job they are applying for.

The Update check would identify and advise whether there has been any change to the information recorded, since the initial Certificate was issued. Applicants will be

able to see a full list of those organisations that have carried out a status check on their account.

### 5.11 DBS Certificate

The DBS no longer issue Disclosure Certificates to employers; therefore employees/applicants should bring their original Certificate to school within 7 days of issue or applicants before they commence work or any project involving regulated activity.

### 5.12 Dealing with convictions

The School operates a formal procedure if a DBS Certificate is returned with details of convictions. Please also see 'Recruitment of Ex-offenders' policy and procedure available on the .GOV. UK website.

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 meeting will take place face-to-face to establish the facts with the applicant and Headteacher/School Business Manager. The Head Teacher will make a decision following this meeting as to whether the offer of appointment is confirmed or should be withdrawn. 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 Headteacher taking advice from the Human Resources school link officer will evaluate all of the risk factors above before a position is offered or confirmed.

If an applicant wishes to dispute any information contained in a disclosure, they may do so by contacting the DBS. In cases where the applicant would otherwise be offered a position were it not for the disputed information, the School may, where practicable and at its discretion, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

### 5.13 Secretary of State Teacher Prohibition, and Interim Prohibition Orders

#### Para. 253

Teacher prohibition and interim prohibition orders prevent a person from carrying out teaching work as defined in the Teachers' Disciplinary (England) Regulations 2012.

**Keeping Children Safe in Education, 2024.**

It is anticipated that this will be performed at offer stage. A person who is prohibited from teaching must not be appointed to work as a teacher in such a setting.

Prohibition orders are made by the Secretary of State following consideration by a professional conduct panel convened by the **Teaching Regulation Agency**. Pending such consideration, the Secretary of State may issue an interim prohibition order if it is considered to be in the public interest to do so.

A person who is prohibited is unable to participate in any management of an independent school, including Academies and Free Schools, a governor on any governing body in an independent school, Academy or Free School or a management position that retains or has been delegated any management responsibilities. A check for a **section 128 direction** will be carried out using the Teacher Services' system. Where the person will be engaging in regulated activity, a DBS barred list check will also identify any section 128 direction.

#### **5.14 Proof of identity, Right to Work in the UK & Verification of Qualifications and/or professional status**

All applicants invited to attend an interview at the school will be required to bring their identification documentation such as;

- passport,
- birth certificate,
- driving licence etc.

as proof of identity/eligibility to work in UK in accordance with the Immigration, Asylum and Nationality Act 2006 and DBS identity checking guidelines.

The school 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.

#### **5.15 Digital Identity Checks for Right to Work, Right to Rent and Criminal Record Check**

While employers may still use traditional physical documents to verify identity and right to work in the U.K. from April 2022, amendments were made to the legislation to cover the use of digital identity checks.

Schools and Employers should be aware how employers can comply with their responsibilities to conduct right to work (RTW) checks, when using Identity Service Providers (IDSPs) to complete the identity verification element of checks involving British and Irish citizens who hold a valid passport (including Irish passport cards).



'Identity Document Validation Technology (IDVT)' are forms of technology operated for the purpose of verifying the identity of a person, whereby a digital copy of a physical document relating to that person is produced for verification of the document's validity, and whether that person is the rightful holder of the document.

'Identity Service Provider (IDSP)' is a provider of identity verification services using IDVT. In the context of this guidance, an IDSP may be certified to provide identity verification to specific levels of confidence, specified by government standards. IDSPs are sometimes referred to as 'identity providers'.

'IDVT identity check' means the response generated by an IDSP, using IDVT, when undertaking identity verification with respect to a person.

Further guidance can be found using the following links.

[An employer's guide to right to work checks: 6 April 2022 \(accessible version\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/an-employers-guide-to-right-to-work-checks-6-april-2022-accessible-version)

[Digital identity certification for right to work, right to rent and criminal record checks - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/digital-identity-certification-for-right-to-work-right-to-rent-and-criminal-record-checks)

## 5.16 Online Checks

Headteachers are advised of a new requirement that has been added to the Keeping Children Safe in Education guidance from the DFE that has come into effect on 1<sup>st</sup> September 2022 relating to online searches for shortlisted candidates.

This new requirement in the guidance states the following:

### **Para. 226**

In addition, as any part of the shortlisting process schools and colleges should consider carrying out an online search as part of their due diligence on the shortlisted candidates. This may help identify any incidents or issues that have happened, and are publicly available online, which the school or college might want to explore with the applicant at interview. Schools and colleges should inform shortlisted candidates that online searches may be done as part of due diligence checks. See Part Two – Legislation and the Law for information on data protection and UK GDPR.

**Keeping Children Safe in Education, 2024**

It is recommended therefore that when candidates have been shortlisted, a google search of each candidate's name is carried out by someone who is not part of the interview panel. If any information comes to light as a result of this search, this should be discussed with the applicant at interview.

The following sentence (see below) should be added to each advert that Schools advertise / or that are sent to the HR Business Unit to process. Also, if Schools advertise any posts on their own School website, they must ensure that this

sentence is also added to these adverts so that applicants are advised in advance, that this search will be carried out if they are shortlisted.

**‘By engaging in this recruitment process, shortlisted candidates consent to an online search in line with the Keeping Children Safe in Education Statutory Guidance 2022’**

### 5.17 Individuals who have lived or worked outside the U.K.

Schools are not licenced to sponsor migrant workers. They cannot employ migrant workers who are requiring sponsorship.

Individuals who have lived or worked outside the UK **must** undergo the same checks as all other staff. Including obtaining via the applicant an enhanced DBS Certificate, including a children’s barred list check for those engaging in regulated activity, even if the individual has never been to the U.K.

#### **Para. 286**

In addition schools and colleges **must** make any further checks **they think appropriate** so that any relevant events that occurred outside the UK can be considered.

**Keeping children Safe in Education, 2024.**

Following the U.K. exit from the EU, schools should apply the same approach for any individual who has lived or worked outside the U.K regardless of whether or not it was an EEA country or the rest of the world

Not all countries provide criminal record information, and where they do, the nature and detail of the information provided varies from country to country. Schools and colleges should also be mindful that the criteria for disclosing offences in other countries often have a different threshold than those in the UK. The Home Office provides guidance on criminal records checks for overseas applicants which can be found on GOV.UK.

Some overseas qualified teachers can apply to the TRA for the award of qualified teacher status (QTS) in England. It is important to note that holding a teaching qualification (wherever it was obtained) does not provide suitable assurances for safeguarding purposes that an individual has not been found guilty of any wrongdoing or misconduct, and or is suitable to work with children.

### 5.18 Medical Fitness

There is a legal requirement to verify the medical fitness of anyone to be appointed to a post at the School, after an offer of employment has been made but before the appointment can be confirmed.

All applicants are requested to complete a medical questionnaire and where appropriate a doctor’s medical report may be required. This information will be

reviewed against the Job Description and the Person Specification for the particular role, together with details of any other physical or mental requirements of the role.

The School must comply with the Equality Act 2010, a failure to do so may result in claims to either an employment tribunal or relevant court. No job offer will be withdrawn without first consulting with the applicant, obtaining medical evidence and considering reasonable adjustments.

### 5.19 Induction Programme

All new employees must be given participate in an induction programme which will clearly identify the school policies and procedures, including the Child Protection Policy, the Code of Conduct, Whistle Blowing/Confidential Reporting Policy, Allegations Management Policy and KCSIE, 2024, and make clear the expectations which will govern how staff carry out their roles and responsibilities. In addition it will also cover the relevant safeguarding training, appropriate to their role that the staff need to complete.

### 5.20 Single Central Record of Members of Staff

In addition to the various staff records kept in school and on individual personnel files, a single central record of recruitment and vetting checks must be kept.

#### Para. 274

Schools and colleges must maintain a single central record of pre-appointment checks, referred to in the Regulations as ‘the register’ and more commonly known as the ‘single central record’.

**Keeping Children Safe in Education, September 2024**

The single central record must cover the following people:

- **for schools, all** staff, including teacher trainees on salaried routes, agency and third-party supply staff, even if they work for one day,
- **for colleges**, details of staff, including agency and supply staff providing education to children under the age of 18; and
- **for independent schools**, all members of the proprietor body. In the case of academies and free schools, this means the members and trustees of the academy trust

The minimum **statutory information** that must be recorded in respect of staff members includes;

- An identity check in line with the following guidelines [Identification checking guidelines](#);
- A standalone children’s barred list check.
- An enhanced DBS (with children’s barred list check) certificate.

- A prohibition from teaching check
- Further checks on people who have lived or worked outside the UK
- A check of professional qualifications, where required.
- A check to establish the person's right to work in the UK;
- A section 128 check for management positions in independent schools including academies and free schools.

**The details of an individual should be removed from the Single Central Record once they no longer work at the school or college.**

**Non Statutory information** School and colleges are free to record any other information they deem relevant.

For example:

- Whether relevant staff have been informed of their duty to disclose relevant information under the childcare disqualification arrangements.
- Checks made on volunteers.
- Checks made on governors.
- Sates on which safeguarding and safer recruitment training was undertake, and
- The name of the person who carried out each check.

For agency and third party supply staff schools must also include whether written confirmation has been received that the employment business supplying the member of staff has carried out the relevant checks and obtained the appropriate certificates.

Multi-Academy Trusts (MAT's) must maintain the single central record details checks carried out in each academy within the MAT. Whilst there is no requirement for the MAT to maintain an individual record for each academy, the information should be recorded in such a way that allows for the details of each individual academy to be provided separately and without delay.

The Designated Safeguarding Governor will be responsible for auditing the Single Central Record and reporting their findings to the full Governing Body annually.

**Para. 278**

The details of an individual should be removed from the single central record once they no longer work at the school or college.

**Keeping children Safe in Education, 2024**

## 5.21 Record Retention/Data Protection

The School is legally required to undertake the above pre-employment checks. Therefore, if an applicant is successful in their application, the School will retain on their personnel file any relevant information provided as part of the application process.

This will include copies of documents used to verify identity, right to work in the UK, medical fitness and qualifications. Medical information may be used to help the School to discharge its obligations as an employer, e.g. so that the School may consider reasonable adjustments if an employee suffers from a disability or to assist with any other workplace issue.

This documentation will be retained by the School for the duration of the successful applicant's employment with the School. All information retained on employees is kept as part of the personnel files in a locked and secure cabinet.

The same policy applies to any suitability information obtained about volunteers involved

School will retain all interview notes on all unsuccessful applicants for **a period of 6 months**, after which time the notes will be confidentially destroyed (ie shredded). The 6-month retention period is in accordance with the General Data Protection Regulations (GDPR) [DPA18].

## 5.22 Ongoing Employment

A safer recruitment and selection policy and procedure is not just about the start of employment but should be part of a larger policy framework for all staff. The school will therefore provide induction training, ongoing training and support for all staff, with key safeguarding training refreshed annually.

## 5.23 Leaving Employment

Despite the best efforts to recruit safely, there will be occasions when allegations of serious misconduct or abuse against children and young people are raised. This policy is primarily concerned with the promotion of safer recruitment and details the pre employment checks that will be undertaken prior to employment being confirmed. Whilst these are pre-employment checks the School also has a legal duty to make a referral to the DBS in circumstances where an individual:

- has applied for a position at the School despite being barred from working with children; or
- has been removed by the School from working in regulated activity (whether paid or unpaid), or
- has resigned prior to being removed, because they have harmed, or pose a risk of harm to, a child.

If the individual referred to the DBS is a teacher, the School may also decide to make a referral to the Teaching Regulation Agency.

## 5.24 Alternative Provision

### Para. 333/334

Where a school places a pupil with an alternative provision provider, the school continues to be responsible for the safeguarding of that pupil and should be satisfied that the provider meets the needs of the pupil.

Schools should obtain written confirmation from the alternative provider that appropriate safeguarding checks have been carried out on individuals working at the establishment, i.e. those checks that the school would otherwise perform in respect of its own staff

**Keeping Children Safe in Education, September 2024**

Where the school has organised work experience placements for students they should ensure that the placement provider has policies and procedures in place to protect children from harm.

The school should consider the specific circumstances of work experience placements and consider in particular the nature of the supervision and frequency of the activity being supervised to determine, if any, what checks are necessary. Such considerations include whether the person providing teaching/training/instruction or supervision to the child on work experience will be:

- unsupervised themselves; and
- providing the teaching/ training/ instruction frequently (more than 3 days in a 30 day period, or overnight)

Children's barred list checks may be required for some people who supervise children **under the age of 16** on work experience placements.

## 5.25 Contractors and agency staff

Contractors engaged by the school must complete the same checks for their employees that the school is required to complete for its staff. The school requires confirmation that these checks have been completed before employees of the Contractor can commence work at the setting.

Agencies who supply staff to the school must also complete the pre-employment checks which the school would otherwise complete for its staff. Again, the school requires confirmation that these checks have been completed before an individual can commence work at the setting.

The school will independently verify the identity of staff supplied by contractors or an agency in and will require the provision of the original DBS certificate before contractors or agency staff can commence work at the school.

## 5.26 Visiting Speakers (and Prevent Duty)

The Prevent Duty Guidance requires the school to have clear protocols for ensuring that any visiting speakers, whether invited by staff or by pupils, are suitable and appropriately supervised.

The school is not permitted to obtain a DBS disclosure or Children's Barred List information on any visiting speaker who does not engage in regulated activity at the school or perform any other regular duties for or on behalf of the School.

All visiting speakers will be subject to the school's usual visitors signing in protocol. This will include signing in and out at Reception, the wearing of a visitor's badge at all times and being escorted by a fully vetted member of staff between appointments.

The school will also obtain such formal or informal background information about a visiting speaker as is reasonable in the circumstances to decide whether to invite and/or permit a speaker to attend the school. In doing so, the school will always have regard to the Prevent Duty Guidance and the definition of "extremism" set out in KCSIE, 2024 which states:

**Annex B, Page 156.**

**Extremism** is vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces.

**Keeping Children Safe in Education, September 2024**

In fulfilling its Prevent Duty obligations the School does not discriminate on the grounds of race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age

## 5.27 Volunteers

The School will request an enhanced DBS disclosure and Children's Barred List information on all volunteers undertaking '*regulated activity*' with pupils at or on behalf of the School (the definition of regulated activity set out above will be applied to all volunteers).

Under **no circumstances** should a volunteer in respect of whom no checks have been obtained be left unsupervised or allowed to work in regulated activity.

In addition the School 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; and
- an informal safer recruitment interview.

### **Supervision of volunteers**

It is for schools and colleges to determine whether a volunteer is considered to be supervised. Where an individual is supervised, to help determine the appropriate level of supervision, all schools and colleges must have regard to the statutory guidance issued by the Secretary of State (replicated at Annex E, KCSIE, 2024).

For a person to be considered supervised, the supervision must be:

- by a person who is in regulated activity relating to children
- regular and day to day, and
- reasonable in all the circumstances to ensure the protection of children

### **6. Monitoring and Review**

The Head Teacher will be responsible for ensuring that this policy is monitored and evaluated. That it is implemented throughout the school and is updated as required, usually annually.



## Appendix A

### Personal File Checklist

<b>Employee Name</b>	
----------------------	--

	Y/N/not applicable	Details
Job description *		
Person specification *		
Application form		
Offer of appointment letter		
Interview record form		
New starter form / variation form		
Reference 1 + authenticity		
Reference 2 + authenticity		
Medical Clearance		
Asylum & Immigration documents [eg. Passport / Birth Certificate / visa or permit if applicable]		
Next of Kin form		
Bank details		
Copies of qualifications / professional qualifications		
Teacher DFE Number [if applicable]		
DBS Details		
Online Check		
Start date letter		
Contract of employment / Variation letter		
Proof of continuous service		
Driving licence [if applicable] *		
Business use car insurance [if applicable] *		

\*Not essential