

SAFER RECRUITMENT AND DISCLOSURE AND BARRING SERVICE (DBS) POLICY

June 2018

INCLUSION AND SAFEGUARDING STATEMENT:

We are committed to creating futures for all in a welcoming and supportive learning environment, in which all pupils feel valued and challenged to be resilient thinkers, active learners with transferable skills and have an appetite for world learning. In the Synaptic Trust all pupils are valued, inspired and respected within our happy, welcoming family.

We set high expectations for all our pupils. Practitioners give every pupil the opportunity to experience success in their learning, by providing a relevant and challenging curriculum with an emphasis on personalised learning.

All children have unique experiences to share. Across the trust we celebrate this diversity by valuing the contribution of all pupils and providing a learning environment that encourages interdependence.

Our trust is committed to safeguarding and promoting welfare of children and expects staff to share this commitment.

This policy is linked to the Safeguarding Policy, which is a statutory policy and is reviewed annually.

Introduction

Woodside Academy, as part of the Synaptic Trust, is committed to providing good care and education to its pupils, and to safeguarding and promoting the welfare of children. The Trust recognises that, in order to achieve these aims, it is of importance to attract, recruit and retain staff of high calibre who share this commitment.

We are committed to using disciplinary procedures that deal effectively with adults who fail to comply with the school's safeguarding and child protection procedures and practices, including referring any allegation of abuse against an adult working with children to the Local Authority Designated Officer (LADO) within one working day of the allegation being made. A referral will be made if an adult has:

- behaved in a way that has harmed a child, or may have harmed a child
- possibly committed a criminal offence against or related to a child
- behaved towards a child or children in a way that indicates he or she would pose a risk of harm if they work regularly or closely with children

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

- To ensure that the best staff are recruited, on the basis of their merits, abilities and suitability for the position;
 - Deter prospective applicants who are unsuitable to work with children or young people
 - Identify and reject applicants who are unsuitable to work with children or young people
 - To ensure that all job applicants are considered equitably and consistently;
 - To ensure that no job applicant is treated unfairly on any grounds including race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital status, disability or age;
 - To ensure compliance with all relevant recommendations and guidance including the Code of Practice published by the Disclosure and Barring Service (DBS); and
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- To ensure the Trust meets its commitment to safeguarding and promoting the welfare of children by carrying out all necessary pre-employment checks.

The appointment of all employees will be made on merit and in accordance with the provisions of Employment Law, Keeping Children Safe in Education and the school's Single Equality Scheme. We will ensure that people are treated solely on the basis of their abilities and potential, in line with our Equality Policy.

We will comply with the requirements of DfE Keeping Children Safe in Education

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

Roles and Responsibilities

The Governing Body of the school will:

- ensure the school has effective policies and procedures in place for the safe and fair recruitment and selection of staff and volunteers in accordance with Department for Education guidance and legal requirements
- monitor the school's compliance with them
- ensure that appropriate staff and governors have completed safer recruitment training

The Principal will:

- ensure that the school operates safe and fair recruitment and selection procedures which are regularly reviewed and up-dated to reflect any changes to legislation and statutory guidance
- ensure that all appropriate checks have been carried out on staff and volunteers in the school (see Appendix 1)
- monitor any contractors' and agencies' compliance with this document
- promote the safety and well-being of children and young people at every stage of this process

Recruitment & Selection Procedure

Delegation of Appointments and Constitution of Selection Panel

The Governing Body delegates the power to offer employment for all posts to the Principal. The Principal may delegate the power to offer employment to a member of the SLT.

Selection panels will comprise a minimum of two people (normally three). In accordance with the statutory requirement, every selection panel will have at least one member who has undertaken Safer Recruitment Training.

Advertising

All vacant posts will be advertised to ensure equality of opportunity and encourage as wide a field of candidates as possible. This will normally mean placing an advertisement externally. However, where there is a reasonable expectation that there are sufficient, suitably qualified internal candidates, or staff are at risk of redundancy, vacancies may be advertised internally before an external advertisement is placed. Any internal recruitment process will follow the procedures set out in this policy.

All advertisements for posts, paid or unpaid, will include the following statements:

“Woodside Academy is committed to safeguarding and promoting the welfare of children and young people and requires all staff and volunteers to share and demonstrate this commitment”

“The successful candidate will have to meet the requirements of the person specification and will be subject to pre-employment checks including a health check, an enhanced DBS check and satisfactory references.”

Information for Applicants

All applicants will be provided with:

- A Job Description, outlining the duties of the post, and a Person Specification
- An Application Form (CVs will not be accepted)
- A description of the school, relevant to the vacant post
- Reference to the school's policy on Single Equality
- Reference to the Child Protection Policy, Safeguarding Policy, Safer Recruitment and Selection Policy, DBS and other pre-employment requirements
- An outline of terms of employment including salary
- The closing date for the receipt of applications

All applicants for employment will be required to complete an application form containing questions about their academic and employment history and their suitability for the role. Incomplete application forms will be returned to the applicant where the deadline for completed application forms has not passed. A curriculum vitae will not be accepted in place of the completed application form. The applicant may then be invited to attend a formal interview at which his/her relevant skills and experience will be discussed in more detail. If it is decided to make an offer of employment following the formal interview, any such offer will be conditional on the following:

- The agreement of a mutually acceptable start date and the signing of a contract incorporating the Trust's standard terms and conditions of employment;
- The receipt of at least two satisfactory references (one of which must be from the applicant's most recent employer) which the Trust considers satisfactory; and

- The receipt of a Disclosure from the DBS with which the Trust is satisfied. If the offer is accepted and the above conditions are satisfied, the applicant will be issued with a contract of employment as confirmation of employment.
- The receipt of a satisfactory medical clearance.

Short Listing and Reference Requests

The selection panel will shortlist applicants against the Person Specification for the post. The criteria for selection will be consistently applied to all applicants. The selection panel will agree the applicants to be invited to interview.

Two references, one of which must be from the candidate's current/most recent employer, will be taken up before the selection stage so that any discrepancies may be probed during this stage of the selection process. Candidates are entitled to see and receive copies of their employment references and should request these from their referees.

References will be sought directly from the referee and, where necessary, s/he will be contacted to clarify any anomalies or discrepancies. Detailed written records will be kept of such exchanges.

Where necessary, previous employers who have not been named as referees may be contacted in order to clarify any such anomalies or discrepancies. Detailed written records will be kept of such exchanges. If a candidate for a post working with children is not currently employed in a post working with children, a reference will be sought from the most recent employment in which the candidate has worked with children to confirm details of the candidate's employment and his/her reasons for leaving.

Reference requests will ask the referee to confirm, in writing:

- The referee's relationship to the candidate
- Details of the candidate's current post and salary
- The candidate's performance history and conduct
- Whether the candidate has been subject to capability procedures and the outcome of this
- Whether the candidate has been subject to disciplinary action relating to the safety and welfare of children, including where the sanction has expired, and the outcome of this
- Details of any substantiated allegations or concerns about the candidate relating to the safety and welfare of children
- Whether the referee has any reservations as to the candidate's suitability to work with children and young people (if so, the school will ask for specific details of the concerns and the reasons why the referee believes the candidate may be unsuitable to work with children)
- The candidate's suitability for the post with explicit reference to the job description and person specification.

All appointments are subject to satisfactory references, vetting procedures, satisfactory medical and DBS clearance.

References are the "property" of the selection panel and strict confidentiality will be observed. Employer testimonials i.e. those provided by the candidate and/or marked 'to whom it may concern' will not be accepted. References must be in writing and be specific to the job for which the candidate has applied. The selection panel will not accept references from relatives or people writing solely in the capacity as a friend of the candidate, for any post. References will be verified and any discrepancies or areas of potential concern will be discussed with the candidate at interview.

If the field of applicants is felt to be weak, the post may be re-advertised.

Interviews

Before the interviews, the selection panel will agree on the interview format.

Selection techniques will be determined by the nature and duties of the vacant post, but all vacancies will require an interview of short-listed candidates.

Interviews will always be face-to-face. Telephone interviews may be used at the short-listing stage but will not be a substitute for a face-to-face interview (which may be via visual electronic link).

Candidates invited to interview will receive:

- A letter confirming the interview and any other selection techniques
- Details of the interview day including details of the panel members
- Details of any tasks to be undertaken as part of the interview process
- The opportunity to discuss the process prior to the interview

The questions asked will be aimed at obtaining evidence of how each candidate meets the requirement of the Job Description and the Person Specification and each candidate will be assessed against all of the criteria for the post.

The same areas of questioning will be covered for each applicant and no questions which would discriminate directly or indirectly on protected characteristics under the Equality Act will be asked.

The selection process for every post will include exploration of the candidate's understanding of child safeguarding issues.

Candidates will always be required:

- To explain satisfactorily any gaps in employment
- To explain satisfactorily any anomalies or discrepancies in the information available to the selection panel
- To declare any information that is likely to appear on a DBS disclosure
- To demonstrate their capacity to safeguard and protect the welfare of children and young people

The interview will also include a discussion of any convictions, cautions or pending prosecutions, other than those protected, that the candidate has declared and are relevant to the prospective employment.

The recruitment documentation will be retained. Under the Data Protection / GDPR Act, applicants have the right to request access to notes written about them during the recruitment process. After 6 months, all information about unsuccessful candidates will be securely destroyed.

Pre-Employment Checks

The Trust carries out a number of pre-employment checks in respect of all prospective employees.

Verification of Identity & Address

All applicants who are invited to an interview will be required to bring the following evidence of identity, address and qualifications (or at least to provide them at a DBS stage):

- Current driving licence (including photograph) or passport or full birth certificate (original), except where, for exceptional reasons, none is available, the advice of HR will be sought if this is the case;
- Two utility bills or statements (from different sources) showing their name and home address;

- Documentation confirming their National Insurance number (P45, P60) or National Insurance card); and
- Documents confirming any educational and professional qualifications referred to in their Application Form.
- Obtain a certificate for an enhanced DBS check with a barred list information where the candidate will be engaging in regulated activity
- Obtain a separate barred list check if, after carrying out a risk assessment, an individual will be judged as suitable to start work in regulated activity before the DBS enhanced disclosure is available
- Check that a candidate to be employed as a teacher is not subject to a Prohibition Order issued by the Secretary of State, using the Employer Access Online Service
- Use the Employer Access Online Service to check information about any teacher qualifications held and whether induction has been passed
- Verify the candidate's mental and physical fitness to carry out their work responsibilities (a job applicant can be asked relevant questions about disability and health in order to establish whether they have the physical and mental capacity for the specific role)
- Verify the candidate's right to work in the UK (if there is uncertainty about whether an individual needs permission to work in the UK, then we will follow advice on the GOV.UK website)
- Make any further checks that we consider appropriate if the candidate has lived or worked outside the UK including information on sanctions or restrictions imposed by EEA professional regulating authorities.
- Verify professional qualifications (original certificates), as appropriate
- Require the candidate to complete the school's Staff Suitability Declaration (to check for potential 'by association' safeguarding concerns) where applicable to the role in school i.e. in a 'relevant childcare' role – Appendix 1

Where an applicant claims to have changed his/her name by deed poll or any other mechanism (e.g. marriage, adoption, statutory declaration) he/she will be required to provide documentary evidence of the change.

All checks will be:

- Documented and retained on the personnel file
- Recorded on the school's Single Central Record
- Followed up if they are unsatisfactory or if there are any discrepancies in the information received

Offer of Employment by the Selection Panel

The offer of employment by the selection panel and acceptance by the candidate is binding on both parties, subject to satisfactory completion of the pre-employment checks and satisfactory references. The successful candidate will be informed, normally by offer letter, that the appointment is subject to satisfactory completion of these checks.

Personnel file and Single Central Record

Recruitment and selection information for the successful candidate will be retained securely and confidentially including:

- Application form – signed by the applicant
- Interview notes – including explanation of any gaps in the employment history
- references – minimum of two
- Proof of identity
- Proof of right to work in the UK
- Proof of relevant academic qualifications
- Evidence of medical clearance from the Occupational Health service

- Evidence of DBS clearance, Barred List (where applicable) and Teacher Prohibition checks
- Offer of employment letter and signed contract of employment

Please also see our privacy notice as per GDPR.

The school will maintain a Single Central Record of employment checks in accordance with DfE guidance.

Start of Employment and Induction

The pre-employment checks listed above must be completed before the employee starts work. Exceptions will only be made in circumstances where a risk assessment has been undertaken. Exceptions will never be made in the case of the Barred List and Teacher Prohibition checks.

All new employees will be provided with an induction programme which will cover all relevant matters of school policy including safeguarding and promoting the welfare of children, child protection procedures, whistle blowing and guidance on safe working practices.

Adults working with children who are not employed directly by the school

Supply Staff and Agencies for After-School Clubs

We will only use those agencies, which operate a Safer Recruitment Policy and supply written confirmation that all relevant checks have been satisfactorily completed. We will carry out identity checks when the supply staff member arrives at school.

Peripatetic staff

We use staff employed by the Borough of Croydon who ensure and confirm that necessary checks and DBS requirements have been satisfactorily completed for peripatetic staff.

Volunteers

We carry out DBS and pre-start vetting checks appropriate to the post (as above) and require regular volunteers to provide details of two referees. References are taken up, as detailed in this policy. Volunteers who help on an occasional basis (e.g. trips/PTA events) are supervised, in accordance with legislation.

Students on placement

When volunteers are working in school as part of a recognised training course (such as PGCE, NVQ etc.), references and completion of an application form will not be required. However, we will require proof of DBS enhanced clearance with barred list check and will carry out identity checks when the student arrives at school. We will also require students to complete the Staff Suitability Declaration if they are working within the EYFS.

Students on work experience

Students on work experience will always be supervised.

Contractors

We ensure that contractors, or any employee of the contractor, working at the school have been subject to the appropriate level of DBS check, if any such check is required.

Contractors and contractors' employees for whom an appropriate DBS check has not been undertaken will be supervised if they will have contact with children.

If a contractor working at school is self-employed and will be in regulated activity, we will consider obtaining the DBS check, as self-employed people are not able to make an application directly to the DBS on their own account.

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

This policy will be regularly reviewed and updated to reflect any changes to legislation and statutory guidance.

Criminal Records Check Policy Statement

The safety of children and young people is paramount, and this Trust is committed to implementing the Disclosure and Barring (DBS) procedures and arrangements. We will comply with the DBS Code of Practice and National Care Standards guidance regarding the correct handling, use, storage, retention and disposal of Certificates.

Procedure

There are two different levels of Certificate:

Standard Certificates contain details of all convictions on record (including spent convictions) plus details of any cautions, reprimands or warnings. Information obtained on the government lists is of people considered unsuitable to work, or gain access to sensitive information relating to children/young people.

Enhanced Certificates involve an extra level of check with local police force records in addition to checks with the Police National Computer and the government department lists held by the Department for Children, Schools and Families and Department of Health, where appropriate. The government's safer recruitment initiative stipulates that all staff in an educational establishment must have an enhanced Certificate.

Job applicants will be asked to state any convictions on their application form. Those invited to attend an interview will be advised in writing that relevant criminal convictions will be discussed at the interview in order to assess job-related risks. Applicants are encouraged to submit written details, dates and any other relevant information, in confidence, to the Human Resources Manager, who will ensure the security of this sensitive information.

The Trust will apply for a DBS Certificate only for applicants offered a position. The information obtained will be used to help establish whether that person has a background that might make him/her unsuitable for the job or voluntary position in question. The Trust will not apply to the DBS Certificate to run a check without the knowledge and consent of the person concerned. The forms of unsuccessful applicants will be destroyed after a period of six months.

If a DBS Certificate reveals any convictions, the person concerned will be invited to attend an interview with the Human Resources Manager to discuss the conviction(s) and circumstances. Having a criminal record will not necessarily bar applicants from working at the School. This will depend on the nature, circumstances and background of the offence, and the time elapsed since the offence. However, failure to reveal information directly relevant to the position sought could lead to the withdrawal of any offer of employment.

Disqualification Requirements

The "Keeping Children Safe" Statutory Guidance from the DfE details a new requirement for childcare disqualification checks to be in place from February 2015. The Regulations prohibit anyone who is disqualified themselves, under the Regulations, or who lives in the same household as a disqualified person, from working in relevant settings, including schools.

We will ensure that all new staff have signed the Disqualification Declaration Form before they start work at the school to ensure that they are suitable to be working with children to the age of 8.

Check on staff recruited from abroad

If an applicant has not previously lived in the UK, no purpose will be served by seeking a DBS check on arrival. The person will not have a criminal record in this country, nor will he/she appear on List 994 or the Protection of Children's Act List. The Trust will comply with the National Minimum

Standards for Boarding Schools recommendations for the recruitment of staff from overseas.

Renewal of DBS Certificates

The DBS Certificate does not recommend a specific renewal interval for DBS checks. However, following the National Care Standards' recommendation, it is the Trust's policy to renew all DBS Certificate every three years.

Storage and access

DBS Certificate information will be kept in a locked cabinet with access strictly limited to those who are entitled to see it as part of their duties. It is a criminal offence to pass this information to anyone who is not entitled to receive it.

Usage

Certificate information is used only for the specific purpose for which it was requested and for which the applicant's full consent has been given.

Retention

Due to new guidelines copies of DBS certificates will be kept on file during the duration of employment, however will be destroyed 1 year after termination of employment.

Disposal

Once the retention period has elapsed, any Certificate information will be destroyed by secure means, i.e. by shredding, pulping or burning. We will not keep a copy of the Certificate or record its contents. We may, however, keep a record of the date of issue of a Certificate, the name of the subject, the type of Certificate requested, the position for which it was requested, the unique reference number of the Certificate and the details of the recruitment decision taken.

Policy Agreed:	June 2018
Policy To Be Reviewed:	June 2019

Appendix 1

- In regulated activity = people who work with or have access to children between 2 a.m. and 6 a.m.or more than 3 times in a 30 day period ...or once a week or more (or who carry out personal care or health care (carried out on behalf of, or by, a health care professional) at any time))
- In unregulated activity = people who work with or have access to children fewer than 3 times in 30 days ...or less than once a week
- Staff can start work before DBS clearance but need a risk assessment and barred list check before commencing and appropriate supervision
- Volunteers who need to be supervised (in non-regulated activity): we would need to carry out a risk assessment as to the level of supervision needed – needs to be supervision by a DBS-enhanced-and-barred-checked person, 'day to day' and 'reasonable in the circumstances to ensure the protection of children'. Clarified as someone fully DBS checked 'in the vicinity, most of the time'....

- A criminal record is a record of a person's convictions, whether spent or unspent, under the Rehabilitation of Offenders Act 1974, cautions, reprimands, final warnings and other non-conviction information such as acquittals.
- A criminal conviction is a finding of guilty by a criminal court. Criminal convictions form part of the criminal record.
- Spent convictions happened some time ago and normally no longer need to be revealed. The Rehabilitation of Offenders Act 1974 gives people with criminal records the right not to disclose them after a rehabilitation period. However, there are exemptions and Synaptic Trust has the right to ask employees and those offered employment for such information.
- A List 99 check is a DfES list of people who are banned from working with children (s.142 check).

Appendix 2

FREQUENTLY ASKED QUESTIONS

1. How long does it take to receive my DBS Certificate?

As the DBS check is now done online, it comes back relatively quickly, sometimes within a day, but can take up to 6 months, depending on which documentation was provided at time of checking.

2. What do I receive from the DBS?

You will receive a certificate from the DBS stating whether or not you have a police record and, where appropriate, will confirm that your details have been checked against the list of those banned from working with vulnerable adults or children. In order for the Trust to verify the DBS certificate you must contact the HR office for them to take a copy.

3. Is my DBS certificate portable?

Yes, if you register with the DBS update service. Further details can be found at <https://www.gov.uk/dbs-update-service>

4. What happens if I have a previous conviction(s)?

Having a criminal record will not necessarily stop you from working at Synaptic Trust. This will depend on the nature of your work, the circumstances and background of the offence(s) and the time elapsed.

5. What happens if I have a criminal conviction during employment?

It is important, if you have a criminal conviction, that you disclose this information either to the Head of School as soon as possible. You will be asked to attend an interview to explain the background and circumstances regarding the conviction. Failure to reveal information directly relevant your role may lead to disciplinary action.

6. Who will know about my criminal record?

If a criminal record is revealed through a DBS check, Principal and Human Resources Manager will know the details of the convictions, and any agencies with which the School is obliged to share that information (i.e. if you have applied to work with children when banned from doing so).

7. The information on my Certificate is wrong – what can I do?

If you think that any information contained on your Certificate is wrong, please contact the DBS Certificate Dispute line on 0870 9090 778 who will advise on their dispute procedures.

8. Can I refuse to apply for a Certificate? It is compulsory to check your details against the list of people banned from working with children. The Trust is obliged to insist on DBS Certificate from applicants and members of staff.

9. How long are Certificates valid?

A Certificate carries no period of validity. The information it contains reflects the position at the date of its issue. The closer this date, the more reliance can be placed on its content. However, as part of Croydon's safeguarding policy we will renew any DBS every 3 years.