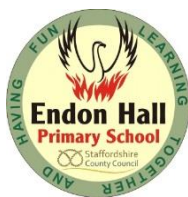


Endon Hall Primary & Nursery School

'Learning Together and having fun'



Safer Recruitment Policy

Policy in place: November 2018

Reviewed: November 2021

Reviewed Date: November 2024

1.0 Introduction

- 1.1 Endon Hall Primary & Nursery School is committed to providing the highest level of education and care to its pupils and to safeguarding and promoting the welfare of children and young people.
- 1.2 Endon Hall Primary & Nursery School recognises that the safe recruitment of its staff in school is essential to safeguard the children in attendance.
- 1.3 Safer practice in recruitment means thinking about and including issues relating to child protection and safeguarding and promoting the welfare of children at every stage of the process and for all people being recruited.
- 1.4 This policy is **NOT** a Recruitment and Selection Guide and deals only with safer recruitment. The content of this policy is in line with Keeping Children Safe in Education 2021

2.0 Aims and Objectives

- 2.1 The aims of this Safer Recruitment Policy are as follows;
 - to help deter, reject or identify people who are unsuitable to work with pupils by having appropriate selection and appointment procedures
 - to ensure that the best staff are recruited on the basis of their suitability, merits and abilities as measured against the job description and person specification
 - to ensure that no applicant is discriminated against on any grounds as per the Equality Act 2010
 - to ensure compliance with the Keeping Children Safe in Education September 2021 statutory guidance for schools and colleges on safeguarding children and safer recruitment in education
 - to ensure compliance with current employment legislation
- 2.2 It is recommended that this guidance is used in conjunction with the advice and support of the school's HR provider.

2.3 Definitions

Regulated activity includes:

Teaching, training, instructing, caring for or supervising children if the person is unsupervised, or providing advice or guidance on physical, emotional or educational wellbeing, or driving a vehicle only for children.

Working 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 undertaken by supervised volunteers.

Engaging in intimate or personal care or healthcare or any overnight activity, even if this happens only once.

Regulated activities do not include:

- paid work in specified places which is occasional and temporary and does not involve teaching or training.
- supervised activities which are paid in non-specified settings.
- a supervised volunteer who regularly teaches or looks after children.

Teaching role – refers to a role involving planning and preparing lessons and courses for pupils; delivering lessons to pupils; and assessing and reporting on the development, progress and attainment of pupils. These activities are not teaching work for the purposes of KCSIE if the person carrying out the activity does so (other than for the purposes of induction) subject to the direction and supervision of a qualified teacher or other person nominated by the Headteacher to provide such direction and supervision.

Standard DBS – this provides information about convictions, cautions, reprimands and warnings held on the Police National Computer, regardless of whether or not they are spent under the Rehabilitation of Offenders Act 1974.

Enhanced DBS – this provides the same information as the standard DBS, plus any additional information held by the police which a chief officer reasonably believes to be relevant and considers ought to be disclosed.

Enhanced DBS with barred list check – this check is required for when people are working or seeking to work in regulated activity with children. This check allows for additional checks to be made as to whether the person appears on the children’s barred list.

Children’s barred list – the DBS maintains a ‘barred list’ of individuals who are unsuitable to work with children and vulnerable adults. In addition, where an enhanced DBS including a barred list check is obtained, the certificate will also detail whether the candidate is subject to a direction under section 128 of the Education and Skills Act 2008 or section 167A of the Education Act 2002.

Section 128 check – this provides for the Secretary of State to direct that a person may be prohibited or restricted from participating in the management of an independent school (which includes academies and free schools). A person prohibited under section 128 is also disqualified from holding or continuing to hold office as a governor of a maintained school.

Safer recruitment – this is the safeguarding and protection of pupils during the recruitment and selection process. Its overall purpose is to help identify and deter or reject individuals who are deemed to be at risk of abusing children.

3.0 **Roles and Responsibilities**

3.1 It is the responsibility of the Headteacher and all other staff involved in recruitment to:

- ensure that the school operates safe recruitment procedures
- ensure that appropriate checks are carried out on all staff, volunteers, contractors and agency workers who work at the school
- ensure that appropriate supervision of employees and volunteers is organised, and for promoting the safety and wellbeing of pupils generally and throughout the recruitment process.
- lead the interview.
- ensure that all relevant staff members are familiarised with this policy.
- decide when it is appropriate or necessary, as the Designated Safeguarding Lead, to disclose any safeguarding concerns or allegations as part of a reference.
- discuss the suitability of a candidate when a reference has disclosed safeguarding concerns or prior allegations.
- to monitor contractors and agencies compliance with this policy

3.2 At Endon Hall Primary School the Governing Board has delegated responsibility to the Headteacher for all appointments.

The appointing officer is responsible for:

- managing the entire recruitment process.
- sourcing suitable candidates.
- acting as a point of contact between candidates and the school.
- reviewing candidates’ applications.
- preparing the recruitment panel to conduct interviews.

- organising interviews with shortlisted candidates.
- ensuring the recruitment process is carried out in line with the relevant school policies.
- ensuring that the candidate chosen to fill a vacancy is suitable for the role.

3.3 It is the responsibility of the Governing Board to:

- ensure the school has effective policies and procedures in place for recruitment of all staff and volunteers
- ensure that staff recruitment is as safe as possible, as well as fair and compliant with the relevant legislation.
- ensure appropriate checks have been carried out on staff, volunteers, contractors and agency workers working within the school.
- appoint an appropriate recruitment panel.
- ensure that all recruitment panel members have undertaken unconscious bias training before the selection process begins.
- ensure that at least one member of the recruitment panel has undergone safer recruitment training.
- ensure that all members of the recruitment panel understand their role, i.e. advisory or decision making.
- monitor the advertising of vacancies, assessing how they are being advertised and whether the adverts are maximising all of the opportunities to attract the appropriate candidates.
- ensure a member of the board is on the recruitment panel for a new Headteacher.
- ensure that all members of the recruitment panel are familiar with their obligations with regards to safer recruitment, as set out in Keeping Children Safe in Education (KCSIE).
- monitor the school's Single Central Record (SCR) to ensure that the necessary vetting checks for employees are carried out.
- ensure that equal opportunities are established and implemented throughout the recruitment process.
- ensure that the salary of the successful candidate is determined.
- accommodate the needs of new employees and making reasonable adjustments when necessary.
- establish a recruitment panel including at least one individual who has completed safer recruitment training within the past five years.
- monitor the school's compliance with them

4.0 Recruitment and Selection Procedure

It is the responsibility of the recruitment panel to:

- create the advert and ensuring it meets all the necessary requirements.
- shortlist the potential candidates with the aim of reducing the application field and identifying those with the potential to effectively undertake the role.
- ensure that the interview addresses leadership ability, team working skills, reasons for interest in joining the school, integrity, understanding of the school's ethos and vision, and why the candidate believes they would be a good fit for the school.
- ensure that the interview addresses safeguarding practices.
- appoint an appointing officer who will be responsible for the entire management of the recruitment process.
- agree with the successful candidate when other members of the school community will be informed about their appointment, including staff members and parents.
- ensure that references have been received where requested.
- ensure that all references for a shortlisted candidate are properly scrutinised and that information is not contradictory, unclear, or incomplete, with clarification requested when appropriate.
- ask previous employers of new staff members whether the individual has been subject to capability procedures in the previous two years.

4.1 Selection Panel

4.1.1 Any person with a **personal** or **pecuniary interest** in the appointment of a particular applicant must declare it as soon as they are aware of the individual's application and avoid any involvement in the recruitment and selection decision making.

4.1.2 At least one member of the selection panel will have completed Safer Recruitment Training¹

4.2 Job Descriptions and Person Specifications

4.2.1 Every job description and person specification will make reference to the post holder's responsibility for safeguarding and promoting the welfare of children.

4.2.2 The person specification will include specific reference to suitability to work with children.

4.3 Advertisements

4.3.1 Adverts for all posts will include the school's commitment to Safeguarding and the fact the post is exempt from the Rehabilitation of Offenders Act i.e.:

Endon Hall Primary & Nursery School is committed to safeguarding and promoting the welfare of children and young people/vulnerable adults and expects all staff and volunteers to share this commitment.

This position is subject to appropriate vetting procedures including a criminal record check from the Disclosure and Barring Service (formerly CRB) which will require you to disclose details of all unspent and unfiltered spent reprimands, formal warnings, cautions and convictions in your application form.

4.4 Application Forms

4.4.1 Where the role involves engaging in regulated activity relevant to children, a statement will be included in the application form or elsewhere in the information provided to applicants that it is an offence to apply for the role if the applicant is barred from engaging in regulated activity relevant to children.

4.4.2 All prospective applicants must complete, in full, an application form. The application form includes a statement that the information provided is true. Where there is an electronic signature, the shortlisted candidate should physically sign a hard copy of the application at point of interview. The application form will include the following:

- personal details, current and former names, current address and national insurance number;
- details of the applicants present (or last) employment and reason for leaving;
- full employment history, (since leaving school, including education, employment and voluntary work) including reasons for any gaps in employment;
- qualifications, the awarding body and date of award;
- details of referees/references (see below for further information); and
- a statement of the personal qualities and experience that the applicant believes are relevant to their suitability for the post advertised and how they meet the person specification

4.4.3 CV's or general letters of application **will not** be accepted.

4.4.4 Application forms and supporting information will be scrutinised fully and explored with the applicant where necessary to resolve any discrepancies or anomalies.

4.4.5 As part of the application process (usually on the application form) applicants will be asked to complete a criminal records self-disclosure. All applicants will also be provided in the application pack (or with a link to the website) with a copy of the Safer Recruitment policy, the Child Protection/ Safeguarding policy, and policy on the employment of ex-offenders.

4.5 Shortlisting

4.5.1 Shortlisted candidates will be asked to complete a self-declaration of their criminal record and information that would make them unsuitable to work with children. For example:

- if they have a criminal history;
- whether they are included on the barred list;
- whether they are prohibited from teaching;

- whether 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 social care;
- if they have been disqualified from providing childcare and,
- any relevant overseas information

4.5.2. This information will only be requested from applicants who have been shortlisted. The information will not be requested in the application form to decide who should be shortlisted.

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

4.5.4 We will:

- ensure that at least two people carry out the shortlisting exercise (it is recommended that those who shortlist carry out the interview for a consistent approach);
- consider any inconsistencies and look for gaps in employment and reasons given for them; and,
- explore all potential concerns.

4.5.5 The relevant job description and person specification will be utilised in the shortlisting process.

4.6 References

4.6.1 **References will always be obtained from the candidate's current employer.** Where a candidate is not currently employed, verification of their most recent period of employment and reasons for leaving will be obtained from the school, college, or organisation at which they were last employed.

4.6.2 References will include specific questions relating to the role applied for, a candidate's suitability to work with children, any substantiated allegations relating to children and/or any disciplinary action taken in relation to their work or contact with children as a result of which penalties or sanctions have either expired or remain in force.

4.6.3 References will also be used to confirm details provided by the applicant in the application form (such as the experience and qualifications claimed by the applicant).

4.6.4 References will always be sought and obtained directly from the referee – they will not be accepted directly from the applicant.

4.6.5 Where necessary, referees will be contacted by telephone or email in order to clarify any anomalies or discrepancies. A detailed written note will be kept of such exchanges.

4.6.6 Open references or testimonials will not be accepted, and only written references will be considered.

4.6.7 Where electronic references are received we will ensure that they originate from a legitimate source.

4.6.8 References will be sought on all shortlisted candidates, including internal ones, and where possible will be obtained before interview so that any issues of concern they raise can be explored further with the referee, and taken up with the candidate at interview. Where it is not possible to obtain references prior to interview because of delay on the part of the referee a reference will be received and scrutinised prior to confirmation of appointment.

4.6.9 In all instances where an applicant currently works in a school or educational setting, a reference will **always** be sought from the Headteacher (or Chair of Governors for Headteacher appointments) of that establishment.

4.6.10 If a candidate for a position is not currently employed in a school, but has been in their past, we will check with the school, college or local authority at which they were most recently employed, to confirm details of their employment and their reasons for leaving.

4.6.11 A minimum of two references will be received and scrutinised.

- 4.6.12 Information provided by the Headteacher for an internal candidate will be considered like a reference for an external candidate.
- 4.6.13 If a panel member knows something factual (i.e. that can be supported by evidence) about a potential candidate that other members may not know, the information will be shared so that the panel itself can decide if it is relevant.
- 4.6.14 Any information about past disciplinary action or allegations should be considered carefully when assessing the applicant's suitability for the post (including information obtained from the TRA Teacher Services checks referred to below).

4.7 Interviews

- 4.7.1 Interviews will be required for all shortlisted applicants and will always be conducted face to face. Telephone interviews may be used at the shortlisting stage but will not be a substitute for a face to face interview.
- 4.7.2 Candidates will always be required to;
- explain any gaps in employment
 - explain any anomalies or discrepancies in the information available to the selection panel
 - declare any information that is likely to appear on a DBS disclosure
 - demonstrate their attitudes, motives and values for working with children and young people, and their capacity to safeguard and protect the welfare of children and young people
 - bring with them evidence of their identity (photographic), address and qualifications. Original documents only will be accepted, and photocopies will be taken. Unsuccessful applicant's documents (copies) will be destroyed.

5.0 Making the Offer of Appointment

- 5.1 An offer of appointment to a successful candidate, including one who has lived or worked abroad, is conditional upon satisfactory completion of the following pre-employment checks.

The Appointing Officer will:

- verify a candidate's identity, following the DBS identity checking guidelines <https://www.gov.uk/government/publications/dbs-identity-checking-guidelines/id-checking-guidelines-for-dbs-check-applications> It is important to be sure that the person is who they claim to be, this includes being aware of the potential for individuals changing their name. Best practice is checking the name on their birth certificate, where this is available.
- obtain a certificate for an enhanced DBS check with a barred list information where the person will be engaging in regulated activity. Note that when using the DBS update service, you still need to obtain the original physical certificate.
- obtain a separate barred list check if an individual will start work in regulated activity before the DBS certificate is available;
- check that a candidate to be employed as a teacher, or to carry out 'teaching' work, is not subject to a prohibition order issued by the Secretary of State, using the TRA Teacher Services website (formerly called 'Employer Access Online');
- check that a candidate to be employed in a management position within a school is not prohibited from doing so (a section 128 direction), using the TRA Teacher Services website. Individuals taking part in 'management' may include individuals who are members of proprietor bodies (including governors if the Governing is the proprietor body for the school), and such staff positions as follows: Headteacher, any teaching positions on the senior leadership team, and any teaching positions which carry a department headship. Whether other individuals such as teachers with additional responsibilities could be prohibited from 'taking part in management' depends on the facts of each case;
- verify the candidate's mental and physical fitness to carry out their work responsibilities – PEAQ or Assessment of Fitness to Work;
- conduct other checks related to the requirements of the role e.g. driving licence or valid insurance;
- verify the person's right to work in the UK;
- if a person has lived, or worked outside the UK make any further appropriate checks (see para 16 below);

- verify professional qualifications, by requesting certificates of evidence as appropriate;
- for staff who work in childcare provision or who are directly concerned with the management of such provision we will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the Childcare (Disqualification) Regulations 2009 by requiring signature on a declaration form.

5.2 DBS Certificate

5.2.1 A DBS certificate will be obtained from the candidate before or as soon as practicable after appointment. It is preferable to have the DBS in place prior to allowing the employee to commence work. Therefore, it may be that a start date is not agreed until it is received. However, where a start date needs to be agreed, employment will be conditional and subject to a risk assessment (5.2.2). This in itself will potentially limit the role the staff member can undertake in school. As such, this must be kept to an absolute minimum of 1 month. Alternatively, if the applicant has subscribed to it and gives permission, we may undertake an online update check through the DBS Update Service.

Before using the Update Service, we will:

- a. obtain consent from the applicant to do so;
- b. confirm the certificate matches the individual's identity; and
- c. examine the original certificate to ensure that it is for the appropriate workforce and level of check, e.g. enhanced certificate/enhanced including barred list information.

5.2.2 Where we allow an individual to start work before a DBS is available, we will always ensure that the individual is appropriately supervised at all times and that all other checks, including a separate barred list check, have been completed.

5.2.3 If a DBS check is not returned within the expected period of three weeks, we will begin investigating to determine the cause of the delay.

6.0 Agency and Third-Party Staff

6.1 Endon Hall Primary & Nursery School obtain written notification from any agency, or third-party organisation we use that the organisation has carried out the checks on an individual who will be working at the school that we would otherwise perform. This will include, as necessary, a barred list check prior to appointing that individual. We will also check that the person presenting themselves for work is the same person on whom the checks have been made.

6.2 Where the agency or organisation has obtained an enhanced DBS certificate before the person is due to begin work at the school or college, which has disclosed any matter or information, or any information was provided to the employment business, we will obtain a copy of the certificate from the agency.

7.0 Volunteers

7.1 Endon Hall Primary & Nursery School will obtain an enhanced DBS check (which should include children's barred list information) for all volunteers who are working in regulated activity with children, i.e. where they are unsupervised and teach or look after children regularly, or provide personal care on a one-off basis.

7.2 Endon Hall Primary & Nursery School prevent people who pose a risk of harm from working with children by adhering to statutory responsibilities to check staff who work with children, taking proportionate decisions on whether to ask for any checks beyond what is required; and ensuring volunteers are appropriately supervised. Under no circumstances will we allow a volunteer in respect of whom no checks have been obtained to be left unsupervised or allowed to work in regulated activity.

7.3 If Endon Hall Primary & Nursery School engage volunteers we will adopt the same recruitment measures as we would for paid staff. Where the volunteering role will be a one-off such as accompanying teachers and pupils on a day outing or helping at a school fete, such measures would be unnecessary provided that the person is not to be left alone and unsupervised in charge of children.

- 7.4 Endon Hall Primary & Nursery School undertake a risk assessment and use our professional judgement and experience when deciding whether to obtain an enhanced DBS certificate for any volunteer not engaging in regulated activity. In doing so we will consider:
- the nature of the work with children;
 - what we know about the volunteer, including formal or informal information offered by staff, parents and other volunteers;
 - whether the volunteer has other employment or undertakes voluntary activities where referees can advise on suitability;
 - whether the role is eligible for an enhanced DBS check;

Details of the risk assessment will be recorded.

8.0 Governors (maintained schools)

- 8.1 All Governors in maintained schools must have an Enhanced DBS check. Any Governors who volunteer in our establishment will be treated on the same basis as other volunteers, that is, an Enhanced DBS check with a barred list check if they are to be engaged in regulated activity.
- 8.2 Following the stipulation in Keeping Children Safe in Education September 2021, we will also use the DfE Sign-in ~~TRA~~ Teacher Services website to check if any person we propose to recruit as a governor (and any existing governor) is subject to a Section 128 direction.

10.0 Contractors

- 10.1 Where we use contractors to provide services, we will set out our safeguarding requirements in the contract between the organisation and the school.
- 10.2 Endon Hall Primary & Nursery School ensure that any contractor, or any employee of the contractor, who is to work at the school has been subject to the appropriate level of DBS check. Contractors engaging in regulated activity will require an enhanced DBS certificate (including barred list information). For all other contractors who are not engaging in regulated activity, but whose work provides them with an opportunity for regular contact with children, an enhanced DBS check (not including barred list information) will be required.
- 10.3 Under no circumstances will a contractor in respect of whom no checks have been obtained be allowed to work unsupervised or engage in regulated activity.
- 10.4 Endon Hall Primary & Nursery School always check the identity of contractors and their staff on arrival at school.

11.0 Visitors

- 11.1 Endon Hall Primary & Nursery School check identification of professional visitors upon their arrival to school and ensure that they sign in and out of the building. Where applicable, we will check that the visitor has the appropriate level of DBS check.
- 11.2 Endon Hall Primary & Nursery School use our professional judgment about the need to escort or supervise visitors on school site.
- 11.3 Whilst external organisations can provide a varied and useful range of information, resources and speakers that can help schools and colleges enrich children's education, careful consideration will be given to the suitability of any external organisations. Proof of all robust verification checks undertaken will be required.

12.0 Alternative Provision

- 12.1 If Endon Hall Primary & Nursery School place a pupil with an alternative provision provider, we continue to be responsible for the safeguarding of that pupil, and therefore need to be satisfied that the provider meets the needs of the pupil. We will 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 we would otherwise perform in respect of our own staff.

13.0 Induction

13.1 All new employees will be given an induction programme which will include systems within the school which support safeguarding.

This includes (but is not limited to):

- the Child Protection/ Safeguarding Policy which should, amongst other things, also include the policy and procedures to deal with peer on peer abuse
- the Behaviour Policy which should include measures to prevent bullying, including cyberbullying, prejudice-based and discriminatory bullying
- the Staff Code of Conduct
- the safeguarding response to children who go missing from education
- the role and identity of the Designated Safeguarding Lead (and any deputies)

13.2 All staff members will also receive appropriate child protection training which is regularly updated.

13.3 All staff will be required as part of their induction to read and understand at least part one of Keeping Children Safe in Education 2021 statutory guidance.

14.0 Single Central Record

14.1 A single centralised record is kept in accordance with the DfE requirements. This is kept up to date by the school's Admin Officer or School Bursar and is retained securely by the school. It contains the details of the following;

- all staff (including supply staff, and teacher trainees on salaried routes and any agency and third party supply staff, even if they work for one day) who work at the school
- regular volunteers who are engaged in regulated activity
- Governors

14.2 The information recorded on these individuals is whether or not the following checks have been carried out or certificates obtained, and the date on which the checks were completed:

- an identity check;
- a barred list check;
- an Enhanced DBS check requested/certificate provided;
- a prohibition from teaching check;
- a S128 check (where applicable - see above);
- further checks on people living or working outside the UK (see below);
- a check of professional qualifications, where required;
- a check to establish the person's right to work in the United Kingdom;
- childcare disqualification declaration, where relevant

14.3 For supply staff, we will also include whether written confirmation (and the date) that the employment business supplying the member of supply staff has carried out the relevant checks and obtained the appropriate certificates.

14.4 A designated Governor will be responsible for auditing the Single Central Record and reporting their findings to the Full Governing Board annually.

15.0 Record Retention

15.1 Copies of DBS certificates will not be retained as this is not a requirement of the duty to maintain the Single Central Record.

15.2 A copy of the other documents used to verify the successful candidate's identity, right to work and required qualifications will be kept for the personnel file.

15.3 Interview notes on unsuccessful applicants will be retained for a period of 6 months, after which they will be destroyed.

16.0 Applications from Overseas Applicants

16.1 Individuals who have lived or worked outside the UK must undergo the same checks as all other staff in schools or colleges. 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. The Home Office guidance on criminal records checks for overseas applicants can be found on GOV.UK.

16.2 These checks could include, where available:

- criminal records check for overseas applicants - Home Office guidance can be found on GOV.UK; and for teaching positions
- obtaining a letter (via the applicant) from the professional regulating authority in the country (or countries) in which the applicant has worked confirming that they have not imposed any sanctions or restrictions, and or that they are aware of any reason why they may be unsuitable to teach. Applicants can find contact details of regulatory bodies in the EU/EEA and Switzerland on the Regulated Professions database. Applicants can also contact the UK Centre for Professional Qualifications who will signpost them to the appropriate EEA regulatory body. Where available, such evidence can be considered together with information obtained through other pre-appointment checks to help assess their suitability.

16.3 Where this information is not available, schools and colleges should seek alternative methods of checking suitability and or undertake a risk assessment that supports informed decision making on whether to proceed with the appointment.

17.0 A Wider Culture of Vigilance

17.1 Endon Hall Nursery & Primary School is committed to providing the highest level of education and care to its pupils and to safeguarding and promoting the welfare of children and young people. It is recognised that safer recruitment does not end at appointment. Our school is committed to creating a 'safer culture' and will ensure the following:

- That there are clear procedures in place to monitor, support and review new entrants to the organisation
- That there are clear procedures for reporting concerns
- That any employee who reports a concern is supported in doing so and there is a clear commitment to taking appropriate action.

Annexe: Policy Statement on the Recruitment of Ex-Offenders

Exemption from the Rehabilitation of Offenders Act 1974

Ex-offenders have to disclose information about spent, as well as unspent convictions if the job for which they are applying is exempted from the Rehabilitation of Offenders Act 1974.

How this affects school-based positions

All school-based roles are exempt from the Rehabilitation of Offenders Act as the work brings employees into contact with children who are regarded by the Act as a vulnerable group. Applicants for school-based jobs must, therefore, disclose all spent and unspent, unfiltered convictions.

All applicants who are offered employment in our organisation will be subject to a criminal record check from the Disclosure and Barring Service before an appointment is confirmed. This will include details of cautions, reprimands and warnings as well as spent and unspent, unfiltered, convictions. An enhanced DBS (check) may also contain non-conviction information from local police records which a chief police officer thinks may be relevant.

Having a criminal record will not necessarily bar someone from working in our school.

Criminal records will be taken into account for recruitment purposes only when the conviction is relevant.

When reaching a recruitment decision, the following factors will be taken into account:

- Whether the conviction or other matter revealed is relevant to the position in question
- The seriousness of any offence or other matter revealed
- The length of time since the offence or other matter occurred
- Whether the applicant has a pattern of offending behaviour or other relevant matters
- Whether the applicant's circumstances have changed since the offending behaviour or the other relevant matters, and
- The circumstances surrounding the offence and the explanation(s) offered of the offending person.

As an organisation assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS), we comply fully with the DBS code of practice and undertake to treat all applicants for positions fairly.

Endon Hall Primary & Nursery School undertake not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.

Endon Hall Primary & Nursery School can only ask an individual to provide details of convictions and cautions that we are legally entitled to know about. Where a DBS certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act Regulations as amended).

Endon Hall Primary & Nursery School can only ask an individual about convictions and cautions that are not protected.

Endon Hall Primary & Nursery School are committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.

Endon Hall Primary & Nursery School have this written policy statement on the recruitment of ex-offenders, which is made available to all DBS applicants at the start of the recruitment process.

Endon Hall Primary & Nursery School actively promote equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records.

Endon Hall Primary & Nursery School select all candidates for interview based on their skills, qualifications and experience.

All application forms, job adverts and recruitment briefs will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being conditionally offered the position.

Endon Hall Primary & Nursery School ensures that all those in the organisation who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences.

Endon Hall Primary & Nursery School also ensures that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

At interview, or in a separate discussion, we will ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.

Endon Hall Primary & Nursery School make every subject of a criminal record check submitted to DBS aware of the existence of the code of practice and makes a copy available on request.

Endon Hall Primary & Nursery School undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing any conditional offer of employment.

November 30, 2021

Dear Headteachers/Principals

Re: Disclosure and Barring Service (DBS) checks on visitors

In response to concerns raised, the Local Authority have been alerted that external front line staff are being refused legitimate access to children and young people in educational settings without a DBS check. The safeguarding partners of the Staffordshire Safeguarding Children Board would therefore wish to offer greater clarity around this issue in line with the statutory guidance Keeping children safe in education 2021 (KCSiE) Guidance <https://bit.ly/3FV47FY>.

Who should be checked?

Under the statutory guidance KCSiE external professionals such as social workers, health visitors, police officers, school nurses, commissioned Tier 2 providers and early help professionals are all classed as visitors, not agency and third-party staff. This means that they are not required to produce a DBS check or a DBS number.

Working Together 2018 outlines that all organisations and agencies under section 11 of the Children Act 2004 should have in place arrangements that reflect the importance of safeguarding and promoting the welfare of children, including:

- safe recruitment practices and ongoing safe working practices for individuals whom the organisation or agency permit to work regularly with children, including policies on when to obtain a criminal record check

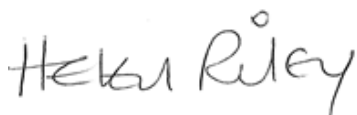
This letter serves as confirmation that our statutory partners, Staffordshire County Council, Staffordshire Police and Staffordshire and Stoke-on-Trent Clinical Commissioning Groups adhere to statutory safer recruitment processes and undertake the required pre-employment vetting for employees who work with children and young people, some of whom may be visiting your school. Therefore, as mentioned previously staff from the partner agencies should not be asked to provide DBS certificates or numbers.

Where requests of this nature have happened in the past, and you have stored numbers in your single central record, these must be removed to comply with GDPR. The single central records should only store such information in line with pre-employment checks for your own staff and KCSiE para 250 -251.

If you need any further guidance with regards to this please contact the Staffordshire Education Safeguarding Leads, Roz Randall roz.randall@staffordshire.gov.uk or Viki Hulme viki.hulme@staffordshire.gov.uk

Kind regards

Staffordshire Safeguarding Children Board Partners



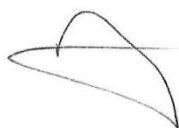
Helen Riley
Deputy Chief Executive and
Director for Families and
Communities, Staffordshire
County Council



Heather Johnstone
Executive Director of
Nursing and Quality
Staffordshire Clinical
Commissioning Groups



Jennifer Mattinson
Temporary Assistant Chief Constable
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Kenny Laing
Executive Director of Nursing & Quality
Director of Infection Prevention & Control
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Shaun Coulson
Head of Strategic Safeguarding
Midlands Partnership NHS Foundation Trust



NHS North Staffordshire Clinical Commissioning Group
NHS Stoke-on-Trent Clinical Commissioning Group