



SIKH ACADEMIES TRUST  
Faith Inspired Education

**SAT  
SAFER  
RECRUTIMENT  
POLICY**

Date reviewed: Autumn 2024  
Date of next review: Autumn 2025

## **SAFER RECRUITMENT**

### **Introduction**

This policy applies to all schools and operations of the Sikh Academies Trust (the “Trust”), and to all its workforce and volunteers.

The Trust is committed to safeguarding and promoting the welfare of children and young people in its schools. All trustees, staff and volunteers have a duty to ensure that students are safeguarded. To meet this responsibility, its schools follow a rigorous selection process to discourage and screen out unsuitable applicants.

This policy has been developed to embed safer recruitment practices and procedures throughout the Trust and to support the creation of a safer culture by reinforcing the safeguarding and well-being of children and young people in our care. This policy complies with guidance outlined in Part 3 in the [Keeping children safe in education - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

### **Aims and Objectives**

This policy is an essential element in creating and maintaining a safe and supportive environment for all pupils, staff and others within the Trust and aims to ensure both safe and fair recruitment and selection of all staff and volunteers by:

- attracting the best possible candidates/volunteers to vacancies
- deterring prospective candidates/volunteers who are unsuitable from applying for vacancies
- identifying and rejecting those candidates/volunteers who are unsuitable to work with children and young people

The Trust is committed to using procedures that deal effectively with those adults who fail to comply with our safeguarding and child protection procedures and practices

The Trust has a principle of open competition in its approach to recruitment and will seek to recruit the best applicant for the job. The recruitment and selection process should ensure the identification of the person best suited to the job based on the applicant’s abilities, qualification, experience, and merit as measured against the job description and person specification. The recruitment and selection of staff will be conducted in a professional, timely and responsive manner and in compliance with current employment legislation.

If a member of staff involved in the recruitment process has a close personal or familial relationship with an applicant, they must declare as soon as they are aware of the individual’s application and avoid any potential conflict of interests.

The policy objectives are to operate this procedure consistently and thoroughly while obtaining, collating, analysing, and evaluating information from and about applicants applying for job vacancies at Sikh Academies Trust.

## **Roles and Responsibilities**

Sikh Academies Trust will:

- Ensure effective policies and procedures are in place for recruitment of all staff and volunteers in accordance with DfE guidance and legal requirements
- Monitor the academies compliance with them
- Ensure that appropriate staff and trustees have completed safer recruitment training (and repeat this every three years)
- Ensure that at least one of the persons who conducts an interview has completed safer recruitment training.

The headteacher(s) will:

- Ensure the school(s) operate safe and fair recruitment and selection procedures which the Trust have put in place.
- HTs have responsibility for the appointment of staff, including leadership posts within the school. Senior SAT team appointments will be made by the Executive Headteacher.
- Ensure that all appropriate checks have been carried out on staff and volunteers within the Trust.
- Monitor any contractors and agencies compliances with this document
- Promote the safety and well-being of children and young people at every stage of the process.

## **Recruitment and Selection process**

The Trust will record all information on the checks carried out in the school's single central record (SCR). Copies of these checks, where appropriate, will be held in individuals' personnel files.

To make sure we recruit suitable people, we will ensure that those involved in the recruitment and employment of staff to work with children have received appropriate safer recruitment training.

We have put the following steps in place during our recruitment and selection process to ensure we are committed to safeguarding and promoting the welfare of children.

We will comply with the requirements of the Equality Act (2010) and are committed to ensuring that throughout our recruitment and selection processes no applicant is disadvantaged or discriminated against because of the protected characteristics of age, disability, gender, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief and sexual orientation.

As a Disability Confident employer, we are committed to inclusivity and accessibility. We guarantee to interview a disabled applicant, provided they meet the minimum criteria for the job. This applies to all internal and external vacancies.

If an applicant makes the school aware, at any stage of the recruitment process, that they have a disability then reasonable adjustments must be considered to ensure the applicant is not disadvantaged by the process.

## **Advertising**

When advertising roles, we will make clear:

- Our school's commitment to safeguarding and promoting the welfare of children
- That safeguarding checks will be undertaken
- The safeguarding requirements and responsibilities of the role, such as the extent to which the role will involve contact with children
- Outline the skills, abilities, experience, attitudes, and behaviours required for the post.
- Whether or not the role is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020. If the role is exempt, certain spent convictions and cautions are 'protected,' so they do not need to be disclosed, and if they are disclosed, we cannot take them into account

To ensure equality of opportunity, the Trust and its schools will advertise all vacant posts to encourage as wide a field of applicant as possible, normally this entails an external advertisement. All documentation relating to applicants will be treated confidentially in accordance with the Data Protection Act (DPA).

Occasionally the decision may be taken not to advertise a post. This may occur, for example, when a similar post has recently been advertised and an appointment can be made from the subsequent interviewees, or because a temporary appointment needs to be made as soon as possible to ensure continuity within a post.

All advertisements for posts of regulated activity, paid or unpaid, will include the following statement.

Sikh Academies Trust is committed to safeguarding and promoting the welfare of children and expects all staff to share this commitment. An enhanced DBS check is required for all successful candidates.

Under Part 7 of the Immigration Act 2016, the Public Sector fluency duty requires state funded schools to ensure candidates for their customer facing roles have the necessary standard of spoken English. For example, a teaching assistant required to communicate with pupils to support their learning, would be viewed as operating in a public-facing role. Adverts (and Job Descriptions) will make clear the necessary standard of spoken English or Welsh required for the role.

## **Application Forms**

SAT uses its own application form and all applicants for employment will be required to complete an application form containing questions about their academic and full employment history and their suitability for the role (in addition all applicants are required to account for any gaps or discrepancies in employment history).

Our application forms will include:

- personal details, current and former names, current address and national insurance number
- details of their 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.
- We will:
  - Include a statement saying that it is an offence to apply for the role if an applicant is barred from engaging in regulated activity relevant to children (where the role involves this type of regulated activity). Providing false information is an offence and could result in the application being rejected or a summary dismissal. Consideration will be given as to whether to refer to the police and/or other professional regulatory bodies (e.g., General Teaching Council for England).
  - Include a copy of, or link to, our child protection and safeguarding policy and our policy on the employment of ex-offenders is included in all our recruitment packs

Only short-listed candidates will be required to complete a self-declaration under the Rehabilitation of Offenders Act 1974 before interview.

Curriculum Vitae will not be accepted in place of a completed application form.

## **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 recruitment process. It will clearly set out the degree of responsibility for children and young people that the postholder will have.

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. Candidates will be asked values-based questions relating to safeguarding to determine their suitability to work with children.

## References

We will obtain references before the interview where possible. Any concerns raised will be explored further with referees and taken up with the candidate at interview.

When seeking references, we will:

- not accept open references e.g. to whom it may concern
- not rely on applicants to obtain their reference
- ensure any references are from the candidate's current employer and have been completed by a senior person with appropriate authority (if the referee is school or college based, the reference should be confirmed by the headteacher/principal as accurate in respect of any disciplinary investigations)
- obtain verification of the individual's most recent relevant period of employment
- where the applicant is not currently employed
- secure a reference from the relevant employer from the last time the applicant worked with children (if not currently working with children), if the applicant has never worked with children, then ensure a reference from their current employer
- always verify any 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
- establish the reason for the candidate leaving their current or most recent post
- ensure any concerns are resolved satisfactorily before appointment is confirmed.

References for short listed applicants will be sent immediately after short listing. The only exception is where an applicant has indicated on their application form that they do not wish their current employer to be contacted. In such cases, this reference will be taken up immediately after the interview and prior to any formal offer of employment being made.

Two professional/character references must be provided. These will always be sought and obtained directly from the referee and their purpose is to provide objective and information to support appointment decisions. Any discrepancies or anomalies will be followed up

In order to comply with the Equality Act 2010, information relating to sickness absence will only be requested after a conditional offer of employment has been made.

## **Shortlisting:**

Our shortlisting process will involve at least 2 people and will:

- Consider any inconsistencies and look for gaps in employment and reasons given for them
- Explore all potential concerns

Once we have shortlisted candidates, we will ask shortlisted candidates to:

Complete a self-declaration of their criminal record or any information that would make them unsuitable to work with children, so that they have the opportunity to share relevant information and discuss it at the interview stage. In certain cases, it may be necessary to have a discussion with the applicant prior to the interview.

The information we will ask for includes:

- If they have a criminal history
- Whether they are included on the barred list
- Whether they are prohibited from teaching
- Information about any criminal offences committed in any country in line with the law as applicable in England and Wales
- Any relevant overseas information
- Sign a declaration confirming the information they have provided is true

We will also consider carrying out an online search on shortlisted candidates to help identify any incidents or issues that are publicly available online. Shortlisted candidates will be informed that we may carry out these checks as part of our due diligence process.

Recruitment will be solely on the basis of the applicant's abilities and individual merit as measured against the criteria for the job. Qualifications, knowledge, experience, and skills will be assessed at the level that is relevant to the job.

SAT schools will conduct interviews in line with KCSIE guidance with at least two people carrying out the shortlisting assessment.

## **Interview and selection**

When interviewing candidates, we will:

- Probe any gaps in employment, or where the candidate has changed employment or location frequently and ask candidates to explain this (in line with the Safer Recruitment Consortium Training).
- Explore any potential areas of concern to determine the candidate's suitability to work with children including 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.

- Explore the applicant's ability to carry out the job description and meet the person specification
- Record all information considered and decisions made
- The same panel will see all the applicants for the vacant position for consistency
- There will be appropriate, face-to-face, or virtual interview

At least one person on any interview/appointment panel for a post at the school will have undertaken safer recruitment training. This will cover, as a minimum, the contents of the Department for Education's statutory guidance, Keeping Children Safe in Education, and be in line with local safeguarding procedures.

Before the interview commences the interview, panel should have:

- Prepared appropriate questions for the role
- Prepared appropriate questions to test the applicant's suitability to work with children and young people
- Identified any areas for further probing, e.g., if a criminal record has been declared, any information about past disciplinary action/allegations, or if there are gaps in employment etc
- Agreed assessment criteria which reflects the person specification
- Decided a structure to the interview and established which member of the panel will ask which questions.
- A set of common questions relating to the requirements of the post will be asked of each applicant. Their response will determine whether that is followed up through further questioning
- Candidates shortlisted for interview will be asked about their suitability to work with children.
- Areas that may be concerning and lead to further questions include:
  - implication that adults and children 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
- Any gaps in employment history and any concerns identified as part of the online and social media checking process must be explored during the interview process

All applicants called to interview will be asked to provide proof of identity and relevant qualifications. Original documents requested are:

- Passport,
- Birth Certificate
- Driving Licence
- Marriage Certificate (if appropriate)
- Utility Bill or Bank Statement (issued in the last three months),



- Relevant qualifications

Original documents will only be accepted, and photocopies will be taken. Unsuccessful applicant documents will be destroyed following the end of the recruitment programme.

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.

Shortlisted candidates will be required to complete a self-declaration of their criminal record or information that would make them unsuitable to work with children. Applicants will only be asked to disclose and discuss criminal convictions and/or cautions which are not protected under the amendments to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020) that may deem them unsuitable. Where this is provided electronically, the shortlisted candidate will be asked to physically sign a hard copy at the point of the interview.

### **Other selection methods**

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

- Observation of teaching practice in our [academy/trust] or in the applicant's current school
- One or more additional panel interviews (for example, a panel made up of pupils from our [academy])
- A presentation
- In tray exercises
- Psychometric testing

Those responsible for deciding the arrangements for recruitment to a specific post will determine the selection method(s). They will be relevant and appropriate to the role and will be based on the requirements for the particular post as set out in the job description and person specification.

Candidates will be informed in advance if any selection methods are to be used in addition to a face-to-face interview and what these are.

### **Pre-appointment vetting checks**

We will record all information on the checks carried out in the school's single central record (SCR).

Copies of these checks, where appropriate, will be held in individuals' personnel files. We follow requirements and best practice in retaining copies of these checks, as set out below.

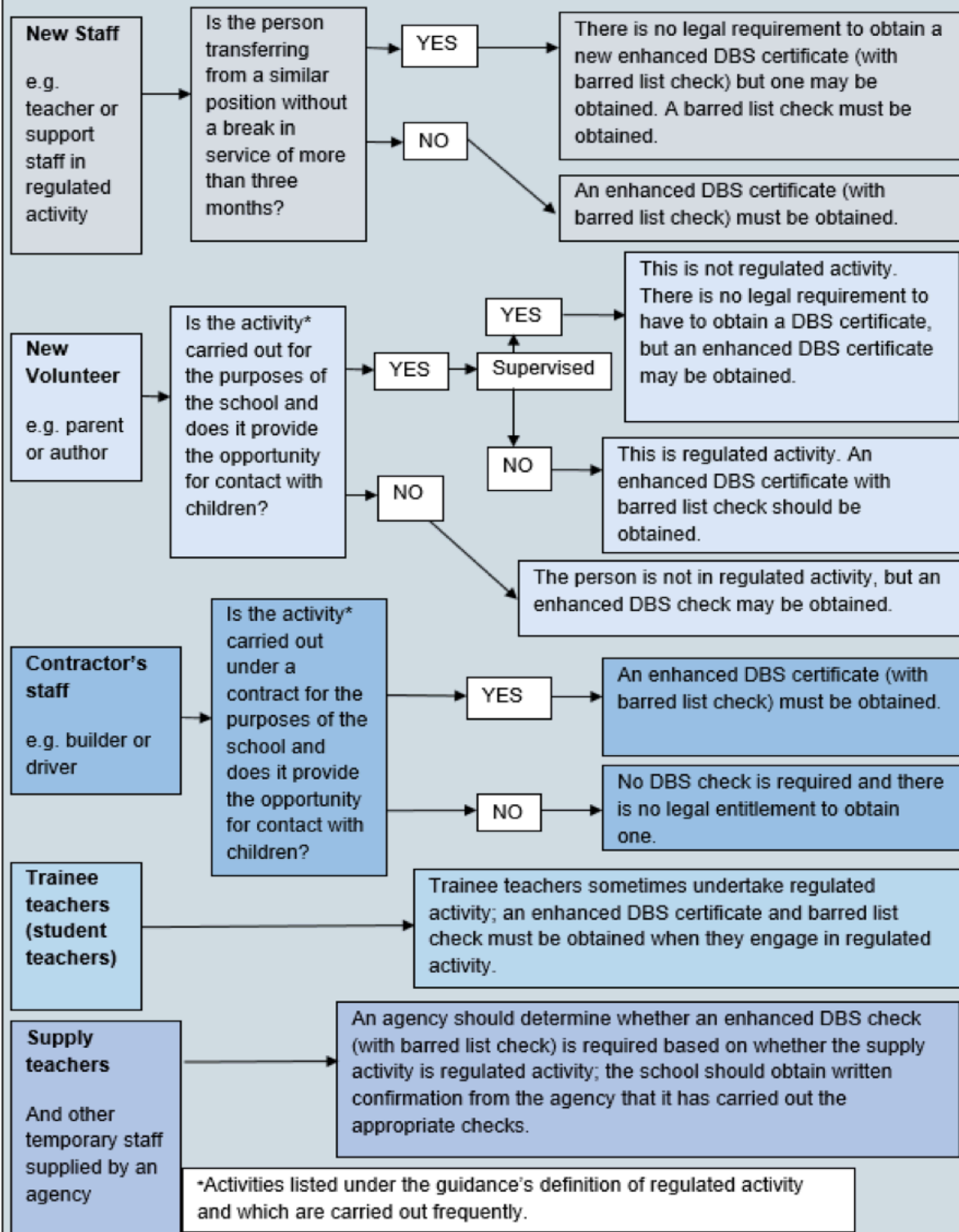
All offers of appointment will be conditional until satisfactory completion of the necessary pre-employment checks. When appointing new staff, we will:

- verify a candidate's identity, 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. Further identification checking guidelines can be found on the GOV.UK website.
- obtain (via the applicant) an enhanced DBS check (including children's barred list information, for those who will be engaging in regulated activity with children). Note that when using the DBS update service, we will still obtain the original physical certificate (see paragraphs 255-258).
- obtain a separate children's barred list check if an individual will start work in regulated activity with children before the DBS certificate is available; See paragraph 267-268 on how to obtain a separate children's barred list check.
- 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 person's right to work in the UK, including EU nationals. If there is uncertainty about whether an individual needs permission to work in the UK, we will follow advice on the GOV.UK website
- if the person has lived or worked outside the UK, make any further checks we will consider appropriate (see 286-290) and,
- verify professional qualifications, as appropriate. The Teaching Regulation Agency's (TRA) Employer Access Service will be used to verify any award of qualified teacher status (QTS), and the completion of teacher induction or probation.

In addition:

- We check that a person taking up a management position as described at paragraph 262 is not subject to a section 128 direction made by the Secretary of State
- We check that an applicant to be employed to carry out teaching work is not subject to a prohibition order issued by the Secretary of State (see paragraph 259) for prohibition checks or any sanction or restriction imposed (that remains current) by the GTCE (see paragraph 261), before its abolition in March 2012
- We ensure that appropriate checks are carried out to ensure that individuals employed to work in reception classes, or in wraparound care for children up to the age of 8, are not disqualified from working in these settings under the 2018 Childcare Disqualification Regulations. Further details about the application of these arrangements are provided at paragraphs 269-273.

**FLOWCHART OF DISCLOSURE AND BARRING SERVICE CRIMINAL RECORD CHECKS AND BARRED LIST CHECKS**



### **Considering which type of check is required**

- Most staff in a school working with children will be engaging in regulated activity relating to children, in which case an enhanced DBS check which includes children's barred list information, will be required.
- For all other staff (e.g. contractors) who have an opportunity for regular contact with children who are not engaging in regulated activity, an enhanced DBS certificate, which does not include a barred list check, will be appropriate.
- Barred list information must not be requested on any person who is not engaging in or seeking to engage in regulated activity.
- The flowchart below (above) provides more information on the decision making process.
- Where a DBS certificate is required, it must be obtained from the candidate before, or as soon as practicable after, the person's appointment, including when using the DBS update service (see paragraph 255 – 258 of KCSIE 2024).
- Once the checks are complete, the DBS will send a DBS certificate to the applicant. The applicant must show the original paper DBS certificate to their potential employer before they take up post, or as soon as practicable afterwards.
- SAT will be able to compare any information disclosed on the certificate with any information shared by the applicant during the recruitment process. DBS guidance on how to check a DBS certificate can be found on GOV.UK.
- We will assess cases fairly, on an individual basis. A decision not to appoint somebody because of their conviction(s) will be clearly documented, so if challenged we can defend its decision, in line with the policy on the recruitment of ex-offenders.
- When assessing any disclosure information on a DBS certificate, we will take into consideration the explanation from the applicant, including for example:
  - the seriousness of any offence and relevance to the post applied for
  - how long ago the offence occurred
  - whether it was a one-off incident or a history of incidents
  - the circumstances around the incident, and,
  - whether the individual accepted responsibility for their actions.
- We will consider the incident in the context of the Teachers' standards and Teacher misconduct guidance, if the applicant is applying for a teaching post.
- Where we allow an individual to start work in regulated activity relating to children before the DBS certificate is available, we will ensure that the individual is appropriately supervised and that they carry out all other checks, including a separate children's barred list check.
- Separate barred list checks must only be carried out in the following circumstances:
  - for newly appointed staff who are engaging in regulated activity, pending the receipt of an Enhanced Certificate with Barred List information from the

Disclosure and Barring Service (DBS) (and where all other relevant checks as per paragraph 238 of KCSIE 2024 have been carried out), or

- where an individual has worked in a post in a school or college that brought them into regular contact with children or young persons which ended not more than three months prior to that person's appointment to the organisation (and where all other relevant checks as per paragraph have been carried out).

**Regulated activity** means:

### **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 [Factual note on regulated activity in relation to children: scope](#).

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.<sup>75</sup> 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;<sup>76</sup>
  - 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.

## **Existing staff**

There are limited circumstances where schools and colleges will need to carry out new checks on existing staff. These are when:

- an individual working at the school or college moves from a post that was not regulated
- regulated activity with children into work which is considered to be regulated
- activity with children. In such circumstances, the relevant checks for that regulated activity must be carried out
- there has been a break in service of 12 weeks or more, or
- there are concerns about an individual's suitability to work with children.

## **Members, Trustees and Local Advisory Boards (LAB)**

SAT requires enhanced DBS checks on all members of the academy trust, individual charity trustees, and the chair of the board of charity trustees. SAT has the same responsibilities as all independent schools in relation to requesting enhanced DBS checks for permanent and supply staff. Where we delegate responsibilities to any delegate or committee (including a local advisory board), the trust must require an enhanced DBS check on all delegates and all members of such committees. Academy trusts must also check that members are not disqualified from taking part in the management of the school as a result of a section 128 direction.

The chair of the board will have their DBS check countersigned by the Secretary of State.

All trustees, local advisory board and members will also have the following checks:

- A section 128 check (to check prohibition on participation in management under section 128 of the Education and Skills Act 2008).
- Identity
- Right to work in the UK
- Other checks deemed necessary if they have lived or worked outside the UK

In addition, Sec 128 checks will be carried out for:

- Executive Headteacher and any central post on the central Executive Team
- Headteachers
- Teaching posts on senior leadership teams
- The Trust will assess on a case-by-case basis whether the 128 check should be carried out when appointments are made to teaching and support roles which carry additional responsibilities.

All checks will be:

- Documented and retained on the personnel file
- Recorded on each school Single Central Record (SCR) online
- Followed up if they are unsatisfactory or if there are any discrepancies in the information received.

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

We will obtain written notification from any agency or third-party organisation that it has carried out the necessary safer recruitment checks that we would otherwise perform. We will also check that the person presenting themselves for work is the same person on whom the checks have been made.

## **Contractors**

- 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 relating to children will require an enhanced DBS check (including children's barred list information).
- For all other contractors who are not engaging in regulated activity relating to children, but whose work provides them with an opportunity for regular contact with schools should 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 relating to children will require an enhanced DBS check (including children's barred list information).
- For all other contractors who are not engaging in regulated activity relating to children, but whose work provides them with an opportunity for regular contact with children, an enhanced DBS check (not including children's barred list information) will be required.
- In considering whether the contact is regular, it is irrelevant whether the contractor works on a single site or across several sites. In cases where the contractor does not have opportunity for regular contact with children, schools should decide on whether a basic DBS disclosure would be appropriate.
- Under no circumstances should a contractor on whom no checks have been obtained be allowed to work unsupervised or engage in regulated activity relating to children. Schools are responsible for determining the appropriate level of supervision depending on the circumstances.
- If an individual working at a school is self-employed, the school should 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 always check the identity of contractors on arrival at the school.

## **Trainee/student teachers**

- Where applicants for initial teacher training are salaried by us, we will ensure that all necessary checks are carried out.
- Where trainee teachers are fee-funded, we will obtain written confirmation from the training provider that necessary checks have been carried out and that the trainee has been judged by the provider to be suitable to work with children.

- **For KPS:** In both cases, this includes checks to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006.

### Visitors

- Schools have different types of visitors, those with a professional role i.e. educational psychologists, social workers etc. those connected with the building, grounds maintenance, children's relatives or other visitors attending an activity in school such as a sports day.
- For visitors provided via a third party see paragraphs 292-295 of KCSIE 2024.
- Schools should not request DBS checks or barred list checks, or ask to see existing DBS certificates, for visitors such as children's relatives or other visitors attending a sports day.
- Headteachers should use their professional judgement about the need to escort or supervise such visitors.
- For visitors who are there in a professional capacity schools should check ID and be assured that the visitor has had the appropriate DBS check (or the visitor's employers have confirmed that their staff have appropriate checks. Schools should not ask to see the certificate in these circumstances).
- Whilst external organisations can provide a varied and useful range of information, resources and speakers that can help schools enrich children's education, careful consideration should be given to the suitability of any external organisations.
- School safeguarding policies should set out the arrangements for individuals coming onto their premises, which may include an assessment of the education value, the age appropriateness of what is going to be delivered and whether relevant checks will be required. Please see our Visitor Policy (2024-25).

### Volunteers

We will:

- Never leave an unchecked volunteer unsupervised or allow them to work in regulated activity
- Obtain an enhanced DBS check with barred list information for all volunteers who are new to working in regulated activity
- Carry out a risk assessment when deciding whether to seek an enhanced DBS check without barred list information for any volunteers not engaging in regulated activity.
- We will retain a record of this risk assessment

**For KPS:** Ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006.



When we decide that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought.

### **Staff working in alternative provision settings**

- Where a school places a pupil with an alternative provision provider, it continues to be responsible for the safeguarding of that pupil and should be satisfied that the placement meets the pupil's needs.
- The cohort of pupils in Alternative Provision often have complex needs, it is important that Trustees and proprietors of these settings are aware of the additional risk of harm that their pupils may be vulnerable too.
- Guidance is available at:
- [Alternative provision](#) - DfE Statutory Guidance
- [Education for children with health needs who cannot attend school](#) - DfE Statutory Guidance
- Where we place one of our pupils with an alternative provision provider, we continue to be responsible for the safeguarding of our pupil and will seek written assurances in order to be satisfied that the provider meets the needs of our pupil.

### **Adults who supervise pupils on work experience**

When organising work experience, we will ensure that policies and procedures are in place to protect children from harm.

We will also consider whether it is necessary for barred list checks to be carried out on the individuals who supervise a pupil under 16 on work experience. This will depend on the specific circumstances of the work experience, including the nature of the supervision, the frequency of the activity being supervised, and whether the work is regulated activity.

### **The Rehabilitation of Offenders Act 1974**

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 within the Trust. We will signpost candidates to UNLOCK to consider convictions they must declare here: [Home - Unlock](#)

Any declaration must be placed in an envelope, marked Private & Confidential and addressed to the Headteacher ahead of the interview.

## **Dealing with convictions**

Applicants will only be asked to declare convictions and cautions that are not protected under the amendments to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020).

Information relating to an individual's criminal record will only be shared with the relevant people to enable the School/ Trust to make a decision about their suitability to work with children and young people. 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.

All employees are aware of their obligation to inform the Headteacher of any cautions or convictions that arise between these checks taking place.

The Trust operates a formal procedure if a DBS Certificate is returned with details of convictions.

## **Disclosure and Barring Service (DBS) checks - existing employees and volunteers**

An enhanced DBS check and a children's barred list check will be carried out for all existing staff and unsupervised volunteers (subject to risk assessment) where their contact with children or young people has increased from that at their time of appointment.

An enhanced DBS and children's barred list check may be carried out on any employee or unsupervised volunteer (subject to risk assessment) where the school has concerns about an individual's suitability to work with children and young people. An enhanced DBS (no barred list check) may be carried out on any supervised volunteer (subject to risk assessment) where the school has concerns about their suitability to work with children and young people.

DBS certificates will only be issued to the applicant. The School/Trust expects all applicants to produce the disclosure when requested to do so. Any existing employee who does not produce their DBS disclosure will be managed through the disciplinary procedure.

All existing employees are required to inform the School/ Trust of any change in their criminal record. This includes convictions, cautions, arrests, and police investigations which are not protected under the amendments to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020). Each school may require all employees to sign a declaration on an [annual] basis that there has been no change in their criminal

record. Action may be taken as a result of any change or any failure to inform the School/ Trust of any change.

### **Medical Fitness**

Anyone appointed to a post involving regular contact with children must possess the appropriate level of physical and mental fitness before any appointment offer is confirmed. All applicants are requested to complete a SAT medical questionnaire and where appropriate a doctor's medical report may be required.

### **Induction Programme**

All new employees will have an induction meeting which will clearly identify the Trust policies and procedures, including the Safeguarding Policy, Code of conduct, managing allegations against professionals, Low level concerns policy and make clear the expectation and codes of conduct which will govern how staff carry out their roles and responsibilities. They will also receive an Induction handbook.

### **Centralised Register– Single Central Record (SCR)**

Schools 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”.

The single central record must cover the following people:

All staff, including teacher trainees on salaried routes (see paragraph 302-304), agency and third-party supply staff, even if they work for one day, (see paragraph 292-295).

- In the case of academies and free schools, this means the members and trustees of the academy trust.
- The minimum information that must be recorded in respect of staff members (including teacher trainees on salaried routes) is set out below:
- For agency and third-party supply staff, schools must include whether written confirmation has been received that the employment business supplying the member of supply staff has carried out the relevant checks and obtained the appropriate certificates, the date this confirmation was received and whether details of any enhanced DBS certificate have been provided in respect of the member of staff.
- The single central record must indicate whether the following checks have been carried out or certificates obtained, and the date on which each check was completed or certificate obtained:
  - an identity check, (identification checking guidelines can be found on the GOV.UK website)
  - a standalone children's barred list check
  - an enhanced DBS check (with children's barred list check) requested/certificate provided
  - a prohibition from teaching check

- further checks on people who have lived or worked outside the UK (see paragraphs 286-290)
- a check of professional qualifications, where required, and,
- a check to establish the person's right to work in the United Kingdom.

In addition, schools (including academies and free schools) must record details of the section 128 checks undertaken for those in management positions.

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

### **Non statutory information**

Schools 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
- dates on which safeguarding and safer recruitment training was undertaken
- the name of the person who carried out each check
- name of person and date of SCR checks

The single central record can be kept in paper or electronic form.

### **Record Retention / Data Protection**

The Trust will retain all interview notes on all applicants for a period of 6 months, after which time the notes will be destroyed (i.e., shredded). The 6-month retention period is in accordance with the Data Protection Act 1998 and will also allow the Trust to deal with any data access requests, recruitment complaints or to respond to any complaints made to an Employment Tribunal.

### **Breaches of the policy**

Any instances of this policy not being adhered to will be taken very seriously and appropriate disciplinary action will be taken.

Any complaint in relation to this policy, including its application will be managed through the complaints policy or grievance policy (for existing employees).

### **Monitoring and Evaluation**

The Trust Board will be responsible for ensuring that this policy is monitored and evaluated throughout the Trust. This will be undertaken through formal audits SCR, recruitment processes checks.

## **Appendix 1: Disqualification from Childcare information for new employees**

This information is to make you aware of your obligations relating to disqualification under the Childcare Act 2006 which came into force in schools and academies in late 2014.

Your role within our school has been identified as one which the disqualification declaration applies to.

### **So, what does this mean in practice?**

We need to make you aware that there are certain things that may mean that you are automatically disqualified from providing childcare (affecting your role within this school) by you having committed a disqualifiable offence or a disqualifying event. These broadly fall into the four below categories:

1. That you have a caution/conviction for certain violent/sexual offences
2. Grounds relating to the care of children
3. That you have had registration refused/cancelled in relation to childcare
4. That you have committed an offence overseas which would constitute an offence regarding disqualification under the 2009 Regulations if it had been done in any part of the United Kingdom.

Ofsted have provided a list of disqualifiable offences/events in tables A & B of the below guidance [Disqualification-under-the-childcare-act-2006](#)

You need to read this and report to the Head without delay if there is anything to declare under the disqualification guidance. It is only the offences/events on this list that we require you to declare. If you are unsure if a specific offence/event is applicable after reading the Ofsted lists, then please let us know so that we can advise you appropriately.

You should also be aware that from this point forward if your circumstances change relating to the disqualification guidance, you are obligated to inform us of this without delay.

You will be required to sign to confirm that you are clear relating to your obligations regarding disclosure pertaining to Disqualification under the Childcare Act 2016, so please make sure that you ask any questions that you are unclear on. If you wish to do this, please speak with the Head in person.

If you require additional information or help with any aspect of this, then please let the Head know so that we can take advice from our HR provider on your behalf.

I have read and understood the information in this document.

Signed

Print name

Date