

## Safer Recruitment Policy

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## **1 Introduction**

- 1.1 Castles Education is committed to safeguarding and promoting the welfare of children and young people and expects all employees, volunteers, and contractors to share this commitment.
- 1.2 Castles Education is dedicated to appointing the best person for the job. Employing the right person for the job is critical to the success of delivering the best education to pupils. However, it is essential that the right person be recruited following safer recruitment practices and procedures.
- 1.3 The success of a safer recruitment process is dependent on the recognition and consequent rejection of potentially unsuitable applicants before or at the interview. Any approach that undermines this process (either by failing to focus on behaviour and attitudes or by failing to reject applicants who are unsuitable) places us at risk of jeopardising the safety and welfare of our children and young people.
- 1.4 The Safeguarding Vulnerable Groups Act (2006) (as amended) sets out the activities and work which are categorised as 'Regulated Activity'. 'A person who has been barred by the Disclosure and Barring Service (DBS) must not carry out work which meets the definition of 'Regulated Activity'. The Act makes it a statutory obligation to make appropriate checks before any employee or volunteer works with children or vulnerable adults. It is therefore imperative that all vetting checks, DBS checks and the receipt and validation of references are completed before an individual starts work.
- 1.5 Regulated activity focuses on work which involves close and unsupervised contact with vulnerable groups, including children. A more detailed definition of regulated activity can be found in Keeping Children Safe in Education 2022.
- 1.6 This policy should be used in conjunction with the statutory guidance; Keeping Children Safe in Education 2022 and Working Together to Safeguard Children.

## **2 Purpose**

- 2.1 The purpose of this document is to describe the recruitment and selection process and to provide a set of operating guidelines for hiring employees into Castles Education. This policy sets out the minimum requirements of the recruitment process that aims to:
  - attract the best possible applicants to vacancies.
  - deter prospective applicants who are unsuitable for work with children and young people.
  - identify and reject applicants who are unsuitable for work with children and young people.

### **3 Scope**

- 3.1 The measures described in this policy should be applied in relation to everyone who works, or applies to work, at Castles Education when there are pupils under 18 years of age and who is likely to be perceived by the pupils as a safe and trustworthy adult. This will not only apply to people who regularly come into contact with pupils, or who will be responsible for pupils, as a result of their work. It will also include people who regularly work at Castles Education when the pupils are present, who may not have direct contact with pupils as a result of their job, but nevertheless will be seen as safe and trustworthy because of their regular presence in the setting. This includes workers not on the payroll, e.g. staff employed by contractors, and unpaid volunteers.

### **4 Equal opportunities**

- 4.1 No person seeking employment within a school will be treated less favourably than any other person or group because of any of the following protected characteristics as defined in the Equality Act 2010:

- Age
- Disability
- Gender Reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Religion or Belief
- Sex
- Sexual Orientation

- 4.2 Further information can be found in the Equal Opportunities Policy.

- 4.3 All applicants for employment, or voluntary work, will be assessed on their relevant skills, qualifications, and experience. Applicants will only be prevented from being appointed if previous offences are directly relevant to the position being applied for and it is considered that if appointed they would pose a risk to children, young people, the public, property or public funds. This procedure incorporates a policy for the recruitment of ex-offenders or where there is a positive DBS or previous convictions disclosed.

### **5 Start of the recruitment process.**

- 5.1 The recruitment process is usually initiated by a resignation - but not always. A vacancy can be created by additional sources of funding attached to a specified role, or due to increased workload requiring additional resources.

5.2 In the case of a vacancy created by a resignation, it is often tempting to fill the post on a like for like basis. However, opportunity should be taken to review:

- the necessity for the post.
- relevance and appropriateness of the job role.
- whether certain aspects can be used to enrich the role of existing post holders.
- whether the role could be performed in another way e.g., through enhancing IT, or by job sharing, part-time working etc.

5.3 This review will take into account the developments within the school development plan, the known and anticipated challenges for Castles Education and financial projections.

5.4 One valuable source of information can be the post holder who is resigning, through conducting an exit interview.

## **6 Planning and preparation**

6.1 A well planned and structured recruitment process ensures the best chance of recruiting the best person for the role, and ensures that any information that could be important in determining whether or not someone is safe to work with children is not missed.

6.2 It is important to be clear about what mix of qualities, qualifications and experience a successful candidate will need to demonstrate, and whether there are any particular matters that need to be mentioned in the advert for the post.

6.3 It is important to note that the recruitment process from advertising a post to a new recruit starting work, can take at least 12 weeks.

## **7 Forming a selection panel.**

7.1 The Directors will determine the delegation of roles and responsibilities for recruitment. In normal circumstances the Directors should delegate the responsibility for all staff appointments, other than the leadership team, to the headteacher.

7.2 Directors may support the headteacher in the recruitment process. The selection panel should comprise of preferably three individuals, or in exceptional circumstances, two.

7.3 Castles Education requires that at least one of the persons who conducts an interview has completed safer recruitment training. The training should cover, as a minimum, the content of Keeping Children Safe in Education 2022 and be delivered in accordance with Safer Recruitment Consortium standards.

7.4 The interview panel for appointments, must have at least one member of that panel safer recruitment trained.

7.5 The panel should be agreed in advance of short listing and should be involved at both short listing and interview stages. Panel members should be aware of the need for confidentiality throughout the process.

- 7.6 The schedule for the day should allow adequate time for the panel to assess and score each candidate at every stage. If candidates have been made aware of interview dates via the advert and subsequently find that the date offered is not convenient, the panel is under no obligation to offer an alternative date. However, if attendance becomes impossible due to illness or for another substantial or unavoidable reason the panel may wish to accommodate a request for an alternative date.
- 7.7 The panel should agree a set of questions they will ask all candidates relating to the requirements of the post, and the issues they will explore with each candidate based on the information provided in the candidate's application and references. A candidate's response to a question about an issue will determine whether and how that is followed up. The panel cannot, therefore, agree in advance an exhaustive list of questions for each candidate from which they will not deviate

## **8 Safeguarding children statement**

- 8.1 The safeguarding statement that is relevant to all posts within Castles Education is:  
"The Company is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment".
- 8.2 This statement clearly sets out the extent of the relationships/contact with children and the degree of responsibility for children that the person will have in the position to be filled. (N.B. all work in the Company involves some degree of responsibility for safeguarding children, although the extent of that responsibility will vary according to the nature of the post.) Research confirms that unsuitable applicants will be deterred if they believe an organisation is alert to safeguarding issues and has appropriate policies in place.
- 8.3 All recruitment and selection literature should include the above safeguarding statement in addition to the DBS statement below: "Applicants must be willing to undergo child protection screening appropriate to the post, including checks with past employers/online checks and the Disclosure and Barring Service."
- 8.4 Candidates should also be made aware that CVs will not be accepted for the post.

## **9 Job descriptions and person specifications**

- 9.1 When the decision has been taken to fill a vacancy, the first task will be writing or reviewing a job description. The job description will give a clear and precise definition of the post, its main responsibilities (which have a clear result or outcome and which the job holder is responsible for achieving) and the context in which it operates.

9.2 Devising a person specification is also a critical part of the process of recruitment and selection as it provides the basis for the advert, short listing, interview questions and the use of other selection methods and the final decision between candidates. It can also be used for the purpose of performance appraisal and determining training and development needs. It is therefore essential that the person specification is accurate and reflects what is actually needed to perform the role effectively as described in the job description. It is also critical that the person specification is not discriminatory. Specifically, care must be taken to avoid unintentional contravention of the Equality Act 2010 in relation to the protected characteristics set out above.

9.3 The job description forms the basis of the person specification. There should not be any criteria contained within the person specification that are not clearly required to meet the responsibilities in the job description. Having produced an accurate job description, the next step is therefore to identify the knowledge, skills, experience and abilities needed to fulfil each of the principal responsibilities and then to summarise these into the headings within the person specification.

## 10 **Equality issues**

10.1 Equality issues are an essential criteria for all roles in the Company, therefore it is a requirement to have at least one equality related criterion is included in the person specification.

## 11 **Measuring and testing against criteria**

11.1 In order to give complete clarity and transparency to the process it is good practice to include against each of the criteria at the application stage how the assessment will be made. Some criteria may be tested by a combination of two or more methods, for example:

- interview
- tests or practical exercises
- presentation
- technical tests
- in-tray exercise
- group exercise
- personal interviews for posts with access to children
- lesson observations

11.2 Candidates should be told in advance of the type of test they may be expected to take by including the appropriate numbers in the 'How Measured' column of the person specification, for example: 1 = application form 2 = interview 3 = test 4 = proof of qualification 5 = practical exercise

**12 Positive action**

- 12.1 It is lawful under the Equality Act (2010) for an employer to take action when it reasonably thinks that people with a protected characteristic (listed in section 4) are under-represented in the workforce, or suffer a disadvantage connected to that protected characteristic. This is known as Positive Action.
- 12.2 Positive action must not be confused with positive discrimination which is unlawful. An example of positive discrimination would be appointing to a post because the candidate suffered a disadvantage connected to a protected characteristic and not because that person was best for the job.
- 12.3 If there is under-representation of people with a protected characteristic in your Company, then you can encourage applications from these individuals when advertising. To do this, the following standard wording should be applied in your advert: 'We particularly welcome applications from women and/or men and/or people from ethnic minorities who are under-represented in our Trust'. As laid down in the Equality Act 2010.
- 12.4 The relationship between positive action and operational need is very close. One form that 'positive action' takes is including the requirement for oral and/or written competency in a specific language.

**13 The advert**

- 13.1 The aim of the advertising process is to attract the maximum number of applicants who have the necessary skills and experience to be able to perform the role effectively, but to help deter unsuitable people from applying for the job from the outset. What is said in the advert and where it is placed will have an important bearing upon the response elicited.
- 13.2 To ensure equality of opportunity it is the policy to advertise all posts externally unless the following circumstances apply such as:
- There are or may be employees with the appropriate skills already employed within the Company and the post offers progression opportunities
  - There are or may potentially be redundant employees with appropriate skills within the Company.
  - The Company is re-organising, amalgamating, or enlarging.
  - A post has been occupied in a temporary or fixed term capacity for more than two years and the post is continuing on a permanent basis.

### 13.3 Writing the advert.

An advert should:

- present a positive image of the school, selling both the job and the school.
- portray a clear and accurate description of the post.
- be clearly written.
- be drawn directly from the job description and person specification.
- be free of bias and discrimination.
- include the job title, location, salary, and hours (including pro rata salary)

Make clear how to apply The advert must include the statements, in bold, regarding the employer's commitment to safeguarding and promoting the welfare of children and the need for the successful applicant to undertake a criminal record check via the DBS, and that all relevant checks will be undertaken to ensure suitability of employment. In this way, Castles Education can present an unequivocal message in relation to safer recruitment practices, leaving no room for misinterpretation. In emphasising the commitment to safeguarding children, these statements should serve as a deterrent to abusers. The advert forms part of the contract of employment, therefore accuracy is critical and attempts to 'oversell' the post may be misleading and result in a dissatisfied employee and problems with retention.

## 14 **The application form**

14.1 An application form must be submitted by all applicants prior to short listing. A statement confirming that the application form must be completed in full before it can be considered should also be included with the application form which states that an incomplete application form or a form containing gaps in the information provided may be returned for completion before it can be considered.

14.2 Identical procedures should be followed for internal and external applicants.

14.3 The Company must not accept any other form of application, e.g., CVs. Candidates should be made aware that CVs will not be accepted in the content of the advert.

## 15 **References and referees**

15.1 The purpose of seeking references is to obtain objective and factual information to support appointment decisions and the use of a reference pro forma can help to achieve this. Two references should be taken up before interview for the short listed candidates, including internal applicants. This will ensure that any issues or concerns raised by the content of the references can be explored further with the referee, and/or taken up with the candidate at interview.

15.2 Referees should be supplied with a copy of the job description and person specification for the vacancy and asked to comment on the applicant's suitability in relation to it.

15.3 Guidance on obtaining and receiving references can be sought from the HR Manager.



**16 Scrutinising and shortlisting**

- 16.1 A Scrutinising Record Template must be used.
- 16.2 The panel should be supplied with all applications received up to and including the closing date. It will be at the panel's discretion as to whether late applications are accepted. The panel should not receive any equality data relating to applicants.
- 16.3 All applications should be scrutinised to ensure that they are fully and properly completed; that the information provided is consistent and does not contain any discrepancies, and to identify any gaps in employment. Incomplete applications should not be accepted and should be returned for completion.
- 16.4 To ensure a fair and equitable procedure, and to ensure that the appointed candidate is suitable to carry out the duties and responsibilities of the post, all candidates should be assessed equally against the criteria contained in the person specification, without exception or variation.
- 16.5 Once received, information provided on references should be crosschecked with information provided on the application form to ensure that it is consistent. Any discrepancy in the information should be taken up with the applicant. References should also be checked to ensure that all specific questions have been answered satisfactorily.
- 16.6 Open references, for example, that begin with 'To whom it may concern' or are provided as part of the application, or that are not completed on the reference pro forma document should be queried with the applicant and potentially rejected. If you are unsure on the content of a reference, further advice can be sought from the HR Manager.
- 16.7 Any information about past disciplinary action or allegations should be considered in the circumstances of the individual case. A history of repeated concerns or allegations over time is also likely to give cause for concern.
- 16.8 In exceptional circumstances it might not be possible to obtain references prior to interview, either because of delay on the part of the referee, or because a candidate strongly objects to their current employer being approached at that stage, but that should be the aim in all cases. It is up to the person conducting the recruitment to decide whether to accede to a candidate's request to approach his/her current employer only if s/he is the preferred candidate after the interview, but it is not recommended as good practice.
- 16.9 Where a reference has not been obtained on a preferred candidate before interview, it must be ensured that the reference is received and scrutinised, and any concerns are resolved satisfactorily, before the person's appointment is confirmed.
- 16.10 Assessment of the applicant's suitability to work with children can only be done by considering a person's attitudes and motivation, as far as this can be assessed from the information supplied by the applicant at this stage. Any concerns should be explored and clarified at interview and cross-referenced with other checks.

- 16.11 The recommended method for undertaking the short-listing process is included in Appendix 8. This method involves each candidate being assessed against each essential criteria in the person specification on the following basis: 0 - does not meet the criteria 1 - insufficient information on application to rate 2 - appears to meet requirement 3 - definitely meets requirement. Candidates who score 0 against an essential criteria cannot be short-listed.
- 16.12 In some instances, individual criteria may be deemed by the panel to be of sufficient importance that they should be weighted more highly than other criteria; for example to score twice the points of other criteria. This must be agreed prior to shortlisting and continued into the interview stage.
- 16.13 At the end of the short-listing process, the product will be a list of applicants who meet or appear to meet all essential criteria. It may not be possible to interview all applicants for the role, therefore the panel should interview the highest scoring candidates only.

## **17 Other checks before or at interview**

- 17.1
- identity check – identity checking guidelines can be found on GOV.UK
  - a completed criminal background self-disclosure form
  - Online checks
  - check of qualifications / certificates The school should check:
  - qualification certificates and QTS status via the TRA website
  - right to work in the UK (Birth Certificate and proof of NI, Passport, or appropriate visa documentation)

## **18 Selection methods**

- 18.1 At the time of short listing, the panel must decide upon the components of the selection process. This will always include an interview and should usually include, at least, one other job-related task or test. All these components must produce information which will enable panel members to make an assessment of candidates against the person specification. It is common and good practice for candidates to be invited to visit a school prior to the selection process or receive a tour on the day.

## **19 Preparing questions.**

- 19.1 Interview questions must relate to the person specification, and elicit information that is relevant and measurable. The panel is more likely to get meaningful information from candidates if the questions are grouped in an organised way.
- 19.2 Competency based interviewing is the recommended approach to asking interview questions which should maximise the amount of information available to the panel about each candidate. It is essential that factual notes of responses given are made by each panel member.

- 19.3 Examples of questions around child protection can be found in your Safer Recruitment Consortium Workbook.
- 20 **Invitation to interview.**
- 20.1 A model template letter from the HR Manager must be used.
- 20.2 A copy of the documents used to verify the successful candidate's identity and qualifications must be checked, signed and dated on the day of interview so that candidates can take them home with them. Any foreign language documents must be accompanied by an authorised translation. If these documents are not produced, it is the school's discretion whether the interview is suspended until these documents can be produced. If the interview is not suspended, the school must ensure that these documents are produced and scrutinised before a firm offer of employment is made.
- 20.3 The documents should then be retained on the individual's personnel file.
- 20.4 The panel will agree a chairperson for the purposes of conducting the selection procedure. The structure is likely to comprise the following steps:
- welcome, introductions, explanation of the structure of the process, information about the post if relevant;
  - request original documentation for identity and proof of eligibility to work in the UK together with original copies of relevant qualifications.
  - deliver agreed questions, commencing with an open, general question to encourage candidates to talk;
  - provide an opportunity for the applicant to ask questions.
  - give information about the next steps. All relevant paperwork should be to hand (application form, references, prepared questions, interview grid etc.) in a form that can be easily referred to.
- 20.5 In addition to assessing and evaluating the applicant's suitability for the particular post, the interview panel should also explore:
- the candidate's attitude toward children and young people through careful questioning
  - his/her ability to support the authority/establishment's agenda for safeguarding and promoting the welfare of children.
  - gaps in the candidate's employment history
  - whether the candidate wishes to declare anything in light of the requirement for a DBS check
- 20.6 If, for whatever reason, references are not obtained before the interview, the candidate should also be asked at interview if there is anything s/he wishes to declare/discuss in light of the questions that have been (or will be) put to his/her referees. It is vital that the references are obtained and scrutinised before a person's appointment is confirmed and before s/he starts work.

- 20.7 Any information arising from online checks must be discussed with the candidate at interview. You must have informed the shortlisted candidate of your intention to carry out an online checks and sought consent from them.
- 21 **Danger signs**
- 21.1 Individuals unsuited to working with children may show one or more characteristics that can be viewed as possible 'danger signs':
- The candidate may imply that adults and children are equal in every sense, ignoring disparities of power and authority
  - There may be an inability to recognise the inherent vulnerability of children from troubled or disadvantaged backgrounds
  - There may be a tendency to view children and young people in idealised or romanticised terms
  - They may appear dogmatic, autocratic, arrogant, or over-confident.
  - There may appear to be an over-identification with young people, and a lack of appropriate, intimate or supportive relationships with other adults.
- 21.2 A 'best practice' system for marking candidates through the selection process is: 1 poor 2 fair 3 average 4 good 5 excellent
- 21.3 These assessments are to be made relative to each criteria as it applies to the post. This is not intended as a mechanism to be applied strictly, which may then not recognise unanticipated but equally relevant responses, but as a helpful aide memoir.
- 21.4 Panel members should make individual assessments of each candidate immediately after the interview has taken place, i.e., between interviews. Information gained about candidates through other means, e.g. tests and tasks set, should be used only to inform the marking process against the criteria. Assessments of other skills and qualities which the candidate may or may not possess which come to light via those other means must be regarded as irrelevant.
- 21.5 Where an interviewee has a disability it may have direct relevance to their ability to do the job or parts of the job. Under such circumstances you may need to establish the need for any adjustments. The candidate should be assured that this discussion will not preclude them from full consideration for the job.
- 21.6 After all information has been gathered through the selection process, panel members will, through the sharing of their scores and by discussion, arrive at a view as to who is the best candidate, noting reasons for rejection of other candidates. Comprehensive sets of notes are critical because they may be required for inspection or for evidence at an Employment Tribunal. The notes should demonstrate whether a criterion was or was not met by each candidate and why. The panel will agree a composite score as a record of their decision and the successful candidate will be that which scores highest against the essential criteria. The desirable criteria will be called in to play where there is an equal score on two (or more) applicants on essential criteria.

**22 Involving pupils.**

22.1 Involving pupils in the recruitment and selection process in some way, or observing short listed candidates' interaction with pupils is common, and recognised as good practice. There are different ways of doing that. For example, candidates for teaching posts might be asked to teach a lesson; short listed candidates might be shown round the school by pupils and a senior member of staff, and/or meet with pupils and staff. A school adult should be present at all times. Care should be taken to ensure that each candidate enjoys conditions which are as similar as possible, e.g. in terms of age, range of abilities and behaviour standards.

**23 Post interview**

23.1 Once the decision is made, in order to inform the preferred candidate of the status of their application, a letter may be sent out stating that, subject to satisfactory clearances, the post may be offered to them and that the school will contact them when the checks have come through.

**24 Conditional offer of appointment: pre appointment checks**

24.1 A final offer of employment should only be made when all checks have been satisfactorily completed and no offer letter should be sent which does not specify these terms, should there be any checks outstanding.

24.2 Issuing an offer of appointment to the successful candidate before the contract is sent out is a good practice measure as it ensures the preferred candidate is informed in writing in the interim, thereby promoting a positive, professional image of the school and ensures the candidate is kept up to date.

24.3 An offer of appointment to the successful candidate should be conditional upon:

- the receipt of at least two satisfactory references (if those have not already been received)
- verification of the candidate's identity and proof of eligibility to work in the UK (if that could not be verified at the interview) by original documentary evidence, preferably including a photograph.
- a check of the Barred list and, a satisfactory DBS disclosure. (N. B. for employees who have lived or worked outside the UK, a letter of good conduct.
- a letter of professional standing (for overseas teachers only).
- prohibition order check (if applicable)
- Satisfactory online checks
- verification of qualifications from documentation brought to interview (or verified after the interview);
  - verification of professional status where required e.g. Teaching Agency registration, QTS status (unless properly exempted), NPQH;

- (for teaching posts) verification of successful completion of statutory induction period (applies to those who obtained QTS after 7 May 1999); unless they are an NQT
- (for non teaching posts) satisfactory completion of the probationary period if coming from another LA maintained school.

24.2 A conditional offer letter must be made.

24.3 If two satisfactory references are not received but the individual has started work the offer cannot be withdrawn even if the contract stipulates that the offer is 'conditional'. Undertaking this practice is in breach of Keeping Children Safe in Education 2022 . In this case, a dismissal procedure would need to be invoked. Please contact the HR Manager for assistance. This is another reason why it is important to obtain satisfactory checks before the successful candidate starts their employment.

24.4 Advice should also be sought from the HR Manager where:

- an applicant has provided false information in, or in support of his/her application.
- there are serious concerns about an applicant's suitability to work with children.
- the candidate is found to be on the Barred List or the DBS disclosure shows s/he has been disqualified from working with children by a court

## 25 **DBS checks**

25.1 The safeguarding of children and young people is paramount and Castles Education is fully committed to the rigorous implementation of the DBS requirements. It is a statutory requirement that all new appointments to the workforce must have an enhanced DBS Disclosure under the School Staffing (England) Regulations 2009. This includes those recruited to the school from overseas, where additional checks will also be made. There is also a requirement under the regulations for each school to keep a single central record detailing a range of checks carried out on their staff. Please see Single Central Record Guidance for more information.

25.2 All staff employed at Castles Education and all regular volunteers, who will be unsupervised, should have an up-to-date enhanced DBS disclosure prior to taking up their post.

25.3 The Police Act 1997 sets out what information must be disclosed on an enhanced DBS certificate. An enhanced certificate will disclose the following:

- Adult cautions (simple and conditional) which are not eligible to be filtered.
- Juvenile and adult convictions which are not eligible to be filtered.
- An enhanced certificate may also include any other information that the police hold about the applicant, where they feel disclosure is justified in order to safeguard the children or vulnerable adults that they have applied to work with.

- 25.4 For posts that meet the definition of 'Regulated Activity' an enhanced DBS check must be carried out, along with a check against the barred list. This check is required by law, and is to check if the applicant has been barred from working with the relevant group.

## 26 **Decisions on DBS disclosures for prospective employees**

- 26.1 When a positive DBS reveals information, you should contact your DBS provider, who should confidentially discuss this with the headteacher.
- 26.2 In all cases a meeting must be held between the headteacher and the applicant, and the positive risk assessment form completed by the headteacher.
- 26.3 If the decision is not to accept the DBS clearance then please speak to the HR Manager before any further action is taken.
- 26.4 Authorisation of the outcome decision must be signed by headteacher. A copy of this assessment sent which will be stored securely on the applicants HR file.
- 26.5 Offences ruling out appointment, some offences will preclude appointment. Each case will be considered on its own merits, taking into account the nature of the offence and the vacancy for which the person has applied. The final decision falls to the headteacher. Further guidance on DBS disclosures can be obtained from the HR Manager.

## 26.6 **Contractors & agencies**

The school must ensure adherence to this policy when selecting contractors. In addition, the school will ensure that other agencies used to provide services to and on behalf of the school, have in place a similar policy/guideline that complies with the DBS Code of Practice and Safer Recruitment Practices.

Supply agencies are required to guarantee that candidates put forward have been properly and fully vetted in line with Keeping Children Safe in Education 2022 guidelines and other relevant statutory guidance.

The school will require evidence that contractors and other agencies meet the requirements of this Policy. This usually comes in the form of a letter from the contractors / other agencies on headed paper confirming that all necessary checks have been carried out.

Confirmation of receipt of this information needs to be recorded onto the school's Single Central Record.

## 27 **Data Protection Act 2018 and GDPR**

- 27.1 Castles Education and its employees must comply fully with its obligations under the Data Protection Act 2018, DBS Code of Practice and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of disclosure information.

27.2 Storing disclosure information Schools no longer directly receive a copy of an applicant's DBS certificate, it is a single certificate only, which means the applicant is the only person who receives the certificate. Keeping Children Safe in Education 2022 states that an applicant must show the original DBS certificate to their potential employer before they take up a post or as soon as practicable afterwards. When recruiting, the school must request to see the original certificate. The school will also receive confirmation from their DBS Team to confirm clearance. The confirmation email should be retained on the employee's personnel file. Schools are not permitted to retain a photocopy of the DBS certificate. A copy of an applicant's disclosure certificate should only be taken if requested by the HR Manager in order to comply with the Positive Risk Assessment. It should be sent to the HR Manager straight away with the risk assessment for clearance.

## 28 **Checks on overseas applicants**

28.1 Individuals who have lived or worked outside the UK must undergo the same checks as all other staff, which includes a barred list check. Teachers should also be asked to provide a 'letter of professional standing' from the organisation responsible for regulating teachers in the country in which they qualified.

28.2 In all cases where an applicant has worked or been resident overseas, a check should, where possible, be obtained of the applicant's criminal record from the relevant authority in that country. This is known as a letter of good conduct.

28.3 Since April 2017, it has been a requirement for all Tier 2 skilled workers applying for entry clearance to present a criminal record certificate from any country where they have lived for 12 months or more (whether continuous or in total) in the last 10 years before their application, while aged 18 or over.

## 29 **Checks on volunteers**

29.1 Volunteers are seen by children as safe and trustworthy adults. The same recruitment measures should be adopted as for paid staff if the school is actively seeking volunteers and is considering candidates about whom the school has little or no recent knowledge. An application form for volunteers can be found in the Volunteer Policy. The application form requires the volunteer to supply the details of two referees. The school should obtain references and other necessary checks before allowing the volunteer to work at the school. Under no circumstances should a school allow a volunteer to be left unsupervised or to carry out regulated activity before the necessary checks have been obtained.



29.2 Volunteers who will be left unsupervised to teach or look after children regularly or to provide personal care on a one-off basis must undergo an enhanced DBS check (including a barred list check). The school may choose to obtain an enhanced DBS check (without a barred list check) for volunteers who are not engaging in regulated activity, The school should undertake a risk assessment and use their professional judgement and experience to decide whether to obtain an enhanced DBS certificate for volunteers not engaging in regulated activity. Where volunteers are recruited by another organisation to work in a school the school should obtain written assurance from that organisation that the person has been properly vetted.

### 30 **Checks on contractors/agencies**

30.1 As detailed above for volunteers, the school should also ensure that written assurance is obtained from any external organisation supplying contractors or agency staff that the necessary vetting checks have been undertaken.