



KING EDWARD VI  
SHELDON HEATH ACADEMY

## SAFER RECRUITMENT POLICY

In line with recent guidance and legislation including:

Sections 157 and 175 of the Education Act 2002

The Children Act 1989, revised in 2004 (Sections 11 and 14 of the Children Act 2004)

Safeguarding Children and Safer Recruitment in Education 2014

Working Together to Safeguard Children (DfE 2015)

The Procedures of Birmingham Safeguarding Board

The Education Act 2002 S175/S157

Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges  
(DfE September 2016)

See also:

Child Protection Policy

Staff Safeguarding Children Policy

Safeguarding Children and Young People Vulnerable to Violent Extremism Policy

Staff Conduct

**Friendship**  
Integrity Benevolence  
Honesty **Equality**  
Respect Community  
Tolerance Aspiration  
**Our values**  
Humility Personal responsibility  
Justice Dignity Ambition  
Co-operation **Humanity**  
Excellence Embracing diversity  
**Belief** Empathy Kindness  
Understanding Charity  
**Compassion**

This policy was adopted by the Student Welfare Committee in September 2016.  
Next review due Autumn Term 2017, or earlier if the need arises.

## **1. Rationale**

The safe recruitment of staff at King Edward VI Sheldon Heath Academy is the first step to safeguarding and promoting the welfare of children in education. The Academy is committed to safeguarding and promoting the welfare of all students in its care. As an employer, the Academy expects all staff and volunteers to share this commitment.

The Academy takes very seriously its duty of care for all students; to help safeguard and promote the welfare of all its students, the Academy is committed to a thorough and consistent Safer Recruitment Policy. This policy describes in detail those checks that are, or may be, required for any individual working in any capacity at, or visiting, the Academy. Governing bodies and proprietors must act reasonably in making decisions about the suitability of the prospective employee based on checks and evidence including: criminal record checks (DBS checks), barred list checks and prohibition checks together with references and interview information.

## **2. Aims and objectives**

The aim of the Safer Recruitment policy is to help deter, reject or identify people who might abuse pupils or are otherwise unsuited to working with them by having appropriate procedures for appointing staff.

The Academy 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 at the Academy 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 involvement in the recruitment and selection decision-making process.

This policy's 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 the Academy.

## **3. Roles and responsibilities**

It is the responsibility of the governing body to:

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

It is the responsibility of the Principal, Vice Principal, HR Officer and other Managers involved in recruitment to:

- Ensure that the Academy operates safe recruitment procedures and makes sure all appropriate checks are carried out on all staff and volunteers who work at the Academy.
- Monitor contractors' and agencies' compliance with this document.
- Promote welfare of children and young people at every stage of the procedure.

In accordance with the School Staffing Regulations, the governing body has delegated responsibility to the Principal (teaching staff) and HR Manager (support staff) to lead in all appointments. Academy governors may be involved in staff appointments but the final decision will rest with the Principal.

#### **4. Recruitment and selection procedure**

##### **a) Advertising**

To ensure equality of opportunity, the Academy will advertise all vacant posts to encourage as wide a field of applicants as possible; normally this entails an external advertisement. Any advertisement will make clear the Academy's commitment to safeguarding and promoting the welfare of children. All documentation relating to applicants will be treated confidentially in accordance with the Data Protection Act (DPA).

##### **b) Application Forms**

The Academy 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). The application form includes the applicant's declaration regarding convictions and working with children, and makes it clear that the post is exempt from the provisions of the Rehabilitation of Offenders Act 1974. Curriculum Vitae are not accepted.

All applicants are made aware that providing false information is an offence and could result in the application being rejected or summary dismissal if the applicant has been selected, and possible referral to the police and other professional regulatory bodies.

##### **c) Job Descriptions and Person Specifications**

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

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

##### **d) Recruitment, selection and pre-employment vetting**

The Academy creates a culture of safe recruitment and, as part of that, has adopted recruitment procedures that help deter, reject or identify people who might abuse children. To achieve this, the Academy follows the Keeping Children Safe in

Education: Statutory Guidance for Schools and Colleges (DfE September 2016) guidance as outlined below.

The Governing body, Principal, Vice Principal and all others involved in recruitment act reasonably in making decisions about the suitability of the prospective employee based on checks and evidence including: criminal record checks (DBS checks), barred list checks and prohibition checks together with references and interview information.

The level of DBS check required, and whether a prohibition check is required, will depend on the role and duties of an applicant to work in a school or college, as outlined in this guidance. For most appointments, an enhanced DBS check with barred list information will be appropriate as the majority of staff will be engaging in regulated activity. A person will be considered to be in 'regulated activity' if as a result of their work they:

- will be responsible, on a regular basis, in any setting for the care or supervision of children; or
- will regularly work in a school or college at times when children are on school or college premises (where the person's work requires interaction with children, whether or not the work is paid (unless they are a supervised volunteer), or whether the person is directly employed or employed by a contractor); or
- engage in intimate or personal care or overnight activity, even if this happens only once; or
- in a college, will regularly come into contact with children under 18 years of age.

For all other staff 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.

A supervised volunteer who regularly teaches or looks after children is not in regulated activity; this is covered by separate statutory guidance from the DfE on supervision and regulated activity which the Academy has regard to when considering which checks should be undertaken on volunteers.

In addition to obtaining the DBS certificate described, anyone who is appointed to carry out teaching work requires an additional check to ensure they are not prohibited from teaching. For those engaged in management roles (in independent schools - including academies and free schools) an additional check is required to ensure they are not prohibited under section 128 provisions.

### 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 have produced a 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 well-being, or driving a vehicle only for children,
- b) work for a limited range of establishments (known as 'specified places', which include schools and colleges), with the opportunity for contact with children, but not including work done by supervised volunteers;

Work under (a) or (b) is regulated activity only if done regularly. Some activities are always regulated activities, regardless of their 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, for reasons of age, illness or disability, with eating or drinking, or in connection with toileting, washing, bathing and dressing;
- health care means care for children provided by, or under the direction or supervision of, a regulated health care professional.

It is not intended that personal care includes such activities as, for example, parent volunteers helping with costumes for school plays or helping a child lace up football boots.

In addition to the DBS checks described, anyone who is appointed to carry out teaching work will require an additional check to ensure they are not prohibited from teaching. Refer to the pre-appointments section on page 6.

### **e) Types of check**

#### Disclosure and barring service (DBS checks)

The DBS is responsible for administering three types of checks:

- Standard: a check of the Police National Computer (PNC) records of convictions, cautions, reprimands and warnings;
- Enhanced: a check of the PNC records as above, plus other information held by the police that is considered relevant by the police; and
- Enhanced with barred list check: for people working in regulated activity with children. This adds checks of the DBS Children's Barred List to the enhanced check.

The Academy may use the DBS Update Service with the consent from the applicant. When this happens, the Academy will confirm that the certificate matches the individual's identity and will examine the original certificate to ensure that it is for the appropriate workforce and level of check.

Once the checks are complete, the DBS will send a certificate (the DBS certificate) to the applicant. The Academy insists that all applicants show their DBS certificate before they take up post. Individuals are not allowed to start work in regulated activities before the DBS certificate is available unless in exceptional circumstances and then only if the individual is appropriately supervised and that all other checks, including a separate barred list check, have been completed.

If the Academy knows or has reason to believe that an individual is barred, it commits an offence if it allows the individual to carry out any form of regulated activity. There are penalties of up to five years in prison if a barred individual is convicted of attempting to engage or engaging in such work.

#### Secretary of State Prohibition Orders

Prohibition orders prevent a person from carrying out teaching work in schools, sixth form colleges, 16 to 19 academies, relevant youth accommodation and children's homes in England. A person who is prohibited from teaching must not be appointed to work as a teacher in such a setting.

The Academy uses the DBS 'barred lists' of individuals who are unsuitable for working with children and adults to ensure that none such individuals are appointed at the Academy.

#### Section 128 direction

A section 128 direction prohibits or restricts a person from taking part in the management of an independent school, including academies and free schools. A person who is prohibited, is unable to participate in any management of an independent school such as: a management position in an independent school, academy or free school as an employee; a trustee of an academy or free school trust; a governor or member of a proprietor body for an independent school; or a governor on any governing body in an independent school, academy or free school that retains or has been delegated any management responsibilities.

#### **f) Pre-appointment checks**

All offers of appointment to a successful candidate for a regulated activity are conditional upon satisfactory completion of pre-employment checks. When appointing new staff:

- The candidate's identity, preferably from current photographic ID and proof of address is verified.
- A certificate for an enhanced DBS check with a barred list information where the person will be engaging in regulated activity is obtained.
- A separate barred list check if an individual will start work in regulated activity before the DBS certificate is available is obtained.
- The Teacher Services' system is used to check that a candidate to be employed as a teacher is not subject to a prohibition order issued by the Secretary of State.
- The candidate's mental and physical fitness to carry out their work responsibilities is verified.
- The person's right to work in the UK is verified.
- Professional qualifications are verified as appropriate.
- The section 128 direction is checked for candidates successful in a management position.
- Further checks, as appropriate are made for a person who has lived or worked outside the UK.

Where an enhanced DBS certificate is required, it must be obtained from the candidate before, or as soon as practicable after, the person's appointment.

There is **no requirement** to obtain an enhanced DBS certificate or carry out checks for events that may have occurred outside the UK if, in the three months prior to their appointment, the applicant has worked:

- in a school in England in a post which brought them into regular contact with children or young persons in any post in a school since 12 May 2006; or
- in an institution within the further education sector in England or in a 16-19 Academy, in a post which involved the provision of education which brought the person regularly into contact with children or young persons.

All other 'pre-appointment checks must still be completed, including where the individual is engaging in regulated activity, a barred list check. Schools or colleges may also choose to request an enhanced DBS certificate should they wish to do so.

### **g) Employment history and references**

The Academy always asks for two written references about previous employment history and checks that information is not contradictory or incomplete. If a candidate for a teaching post is not currently employed as a teacher, the Academy also requires a written reference from the school, college or local authority at which they were most recently employed, to confirm details of their employment and their reasons for leaving.

References for short listed applicants, including internal ones, will be sent for immediately after short listing. 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 factual information to support appointment decisions. Direct contact by phone or face-to-face will be undertaken with each referee to verify the reference.

References are always obtained, scrutinised and any concerns resolved satisfactorily, before the appointment is confirmed. They are always requested directly from the referee. The Academy does not accept open references, for example in the form of 'to whom it may concern' testimonials. Where possible, references are sought on all short-listed candidates, including internal ones, before interview, so that any issues of concern can be explored further with the referee, and taken up with the candidate at interview.

All references are checked to ensure that all specific questions have been answered satisfactorily. The referee is contacted to provide further clarification as appropriate, for example if the answers are vague. They are also compared for consistency with the information provided by the candidate on their application form. Any discrepancies are taken up with the candidate.

Any information about past disciplinary action or allegations is considered carefully when assessing the applicant's suitability for the post (including information obtained from the Teachers Services' checks referred to previously).

### **h) Interviews**

At least one member of any interviewing panel will have undertaken safer recruitment training or refresher training as applicable.

There are face-to-face interviews wherever possible, and the same panel sees all the applicants for the vacant position. The interview process explores the applicant's ability to carry out the job description and meet the person specification. It enables the panel to explore any anomalies or identified gaps in order to satisfy themselves that the chosen applicant can meet the safeguarding criteria. Any information in regard to past disciplinary action or allegations, cautions or convictions is discussed and considered in the circumstance of the individual case during the interview process.

All applicants who are invited to an interview are required to bring evidence of their identity, address and qualifications. Original documents only are accepted and photocopies are taken. Unsuccessful applicant documents are destroyed at the end of the recruitment programme.

### **i) Offer of appointment and new employee process**

The appointment of all new employees is subject to the receipt of a satisfactory DBS Certificate, references, medical checks, copies of qualification and proof of identity. A personal file checklist is used to track and audit paperwork obtained (Appendix 1). The checklist is retained in personnel files. The Human Resources Department contacts the appointing SLT to confirm that all paperwork has been received and a start date can be agreed.

### **j) Staff training**

All staff involved in recruitment regularly undertake safer recruitment training. When interviewing candidates, at least one panel member has attended safer recruitment training. The person shortlisting candidates has also attended safer recruitment training; the applications of shortlisted candidates are then checked by a second person, who has also attended safer recruitment training and scanned for issues of concern.

## **5. Single central record**

In addition to the various staff records kept at the Academy and on individual personnel files, a single centralised record of recruitment and vetting checks is kept in accordance with the DfE requirements. This is kept up-to-date and retained by the Human Resources Department. This single central record is referred to in the regulations as the register. The single central record must cover the following people:

- all staff (including supply staff and teacher trainees on salaried routes) who work at the Academy;
- all others who work in regular contact with children at the Academy, including volunteers, governors, peripatetic staff and people brought into the Academy to provide additional teaching or instruction for pupils but who are not staff members eg: sports coaches etc; and
- all members of the proprietor body.

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;
- a prohibition from teaching check;
- a section 128 check;
- further checks on people living or working outside the UK; this would include recording checks for EEA teacher sanctions and restrictions;
- a check of professional qualifications; and
- a check to establish the person's right to work in the United Kingdom.

The Academy does not keep a copy of the DBS certificate for longer than six months. A copy of the other documents used to verify the successful candidate's identity, right to work and required qualifications is kept in the personnel file.

## **6. Safer recruitment for different groups**

### **Individuals who have lived or worked outside the UK**

The Academy ensures that individuals who have lived or worked outside the UK undergo the same checks as all other staff. In addition, further checks are made as

appropriate so that any relevant events that occurred outside the UK can be considered. These further checks include a check for information about any teacher sanction or restriction that an EEA professional regulating authority has imposed, using the NCTL Teacher Services' system. The Academy uses the advice on GOV.UK about the criminal record information (which may be obtained from overseas police forces) published by the Home Office and the guidance on the employment of overseas-trained teachers by the DfE when such appointments are made.

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

The Academy obtains written notification from any agency, or third-party organisation, used that the organisation has carried out the checks on an individual who will be working at the Academy that the Academy would otherwise perform. This includes a barred list check, prior to appointing that individual. The Academy also checks that the person presenting themselves for work is the same person on whom the checks have been made (photo ID).

### **Trainee/student teachers**

As trainee teachers can undertake regulated activity, sometimes unsupervised, an enhanced DBS certificate and barred list check is obtained. Where trainee teachers are salaried, the Academy ensures that all necessary checks are carried out. Where trainee teachers are fee-funded, it is the responsibility of the initial teacher training provider to carry out the necessary checks. The Academy asks for confirmation that this is done. There is no requirement for the Academy to record details of fee-funded trainees on the single central record.

### **Existing staff**

When there are concerns about an existing staff member's suitability to work with children, the Academy carries out all relevant checks as if the person were a new member of staff. Similarly, if a person working at the Academy moves from a post that was not regulated activity, into work which is regulated activity, the relevant checks for the regulated activity are carried out. Apart from these circumstances, the Academy does not request a DBS check or barred list check from existing staff.

**The Academy has a legal duty to refer to the DBS anyone who has harmed, or poses a risk of harm, to a child, or if there is reason to believe the member of staff has committed one of a number of listed offences, and who has been removed from working (paid or unpaid) in regulated activity, or would have been removed had they not left.** The DBS will consider whether to bar the person. Referrals should be made as soon as possible after the resignation or removal of the individual.

Where a teacher's employer, including an agency, ceases to use the services of a teacher because of serious misconduct, or would have dismissed them had they not left first, they must consider whether to refer the case to the Secretary of State, as required by sections 141D and 141E of the Education Act 2002. The Secretary of State may investigate the case, and if s/he finds there is a case to answer, must then decide whether to make a prohibition order in respect of the person.

## Volunteers

Under no circumstances should a volunteer in respect of whom no checks have been obtained is to be left unsupervised or allowed to work in regulated activity at the Academy or with students from the Academy:

- For new volunteers in regulated activity who will regularly teach or look after children on an unsupervised basis or provide personal care on a one-off basis the Academy will obtain an enhanced DBS certificate with barred list check.
- For new volunteers not in regulated activity the Academy will obtain an enhanced DBS certificate.
- For existing volunteers who provide personal care, the Academy will obtain an enhanced DBS certificate with barred list check.
- For other existing volunteers who are unsupervised and continuing with their current duties, unless there is cause for concern the Academy will not request a DBS check with barred list check because the volunteer has already been checked.
- For existing volunteers not in regulated activity there is no requirement to request an enhanced DBS check. However, the Academy will request one.
- For volunteers who are not engaging in regulated activity, but have the opportunity to come into contact with children on a regular basis, e.g. supervised volunteers, an enhanced DBS certificate is required.

Relevant guidance suggests that if a volunteer is not engaging in regulated activity, the Academy should undertake a risk assessment and use professional judgement and experience when deciding whether to seek an enhanced DBS check. The Academy should consider:

- the nature of the work with children;
- what the Academy knows 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; and
- whether the role is eligible for an enhanced DBS check.

The Protection of Freedoms Act 2012 amended the Safeguarding Vulnerable Groups Act 2006, removing supervised volunteers from regulated activity and applying a duty on the Secretary of State to issue guidance to assist regulated activity providers such as Academies, to decide what level of supervision is required so that this exclusion would apply. If the volunteer is to be supervised while undertaking an activity which would be regulated activity if it was unsupervised, the statutory guidance must be followed. The guidance issued following this change requires that:

- there must be supervision by a person who is in regulated activity;
- the supervision must be regular and day to day; and
- the supervision must be “reasonable in all the circumstances to ensure the protection of children”.

Employers are not legally allowed to request a barred list check on a volunteer who, because they are supervised, is not in regulated activity. The DBS cannot provide barred list information on any person, including volunteers, who are not in or seeking to enter regulated activity.

## **Academy governors**

Guidance suggests that Academy governors who are volunteers should be treated on the same basis as other volunteers, that is, an enhanced DBS check with barred list check should only be requested if the governor will be engaged in regulated activity. Governing bodies and proprietors can request an enhanced DBS check without a barred list check on an individual as part of the appointment process for governors.

All Academy governors have an enhanced DBS check with barred list check.

## **Contractors**

The Academy has arrangements in place with contractors to make sure that the contractor, or any employee of the contractor, working at the Academy has been subject to the appropriate level of DBS check; contractors engaging in regulated activity 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) is required. In considering whether the contact is regular, it is irrelevant whether the contractor works on a single site or across a number of sites. Under no circumstances should a contractor in respect of whom no checks have been obtained be allowed to work unsupervised, or engage in regulated activity. The Academy is responsible for determining the appropriate level of supervision depending on the circumstances.

If a contractor is self-employed, the Academy considers obtaining the DBS check, as self-employed people are not able to make an application directly to the DBS on their own account.

The Academy always checks the identity of contractors and their staff on arrival at the site.

## **Visitors**

The Academy does not have the power to request DBS checks and barred list checks, or ask to see DBS certificates, for visitors (for example children's relatives or other visitors attending a sports day). Therefore, all visitors to the Academy are escorted and supervised whilst on Academy premises.

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

The Academy when organising work experience placements ensures that policies and procedures are in place to protect children from harm. Barred list checks by the DBS are required on some people who supervise a child under the age of 16 on a work experience placement. The Academy considers the specific circumstances of the work experience, in particular the nature of the supervision and the frequency of the activity being supervised, to determine what checks are necessary. These considerations include whether the person providing the teaching/training/instruction/supervision to the child will be:

- unsupervised; and
- providing the teaching/training/instruction frequently (at least once a week or on more than three days in a 30 day period, or overnight).

If the person working with the child is unsupervised and the same person is in frequent contact with the child, the work is likely to be regulated activity. If so, the Academy asks the employer providing the work experience to ensure that the person providing

the instruction or training is not a barred person. The Academy is not able to request an enhanced DBS check with barred list information for staff supervising children aged 16 to 17 on work experience.

When the activity undertaken by the child on work experience takes place in a 'specified place', such as the Academy, and gives the opportunity for contact with children, this is considered to be regulated activity and thus where the child is 16 years of age or over, the work experience provider should consider whether a DBS enhanced check should be requested for the child/young person in question. DBS checks cannot be requested for children/young people under the age of 16.

### **Proprietors of academies**

Relevant guidance suggests that before an individual becomes either the proprietor or the chair of a body of people which is the proprietor, the Secretary of State will:

- carry out an enhanced DBS check (either including or not including barred list information as appropriate);
- confirm the individual's identity; and
- if the individual lives or has lived outside of the UK, making an enhanced check insufficient, such other checks as the Secretary of State considers appropriate.

The requirement for an enhanced DBS check is disapplied for the chair of an academy trust if the academy is converting from a maintained school and the person has already been subject to a check carried out by the local authority.

The chair of Governors ensures that enhanced DBS certificates are obtained for the other members of the body and that identity checks are completed before any individual takes up their position. Further checks as the chair considers appropriate are undertaken where, by reason of the individual's living or having lived overseas, obtaining an enhanced DBS check is not sufficient to establish his or her suitability to work at the Academy.

### **Children staying with host families**

The Academy does not make any arrangements for students to have learning experiences where, for short periods, the students may be provided with care and accommodation by a host family to which they are not related. However, should this be the case in future, the Academy is well aware that such arrangements amount to "private fostering" under the Children Act 1989 or the Safeguarding Vulnerable Groups Act 2006, or both and thus will act accordingly.

## **7. Monitoring and Evaluation**

The Principal and Human Resources Manager will be responsible for ensuring that this policy is monitored and evaluated throughout the Academy; the Principal will report annually to the governing body.

This policy is subject to change without notice to ensure that it remains within the most recent legislation and relevant guidelines. More details on current procedures can be found in appendix 2.



**New Appointment check list**

<b>New Appointment:</b>			
<b>Proposed start date:</b>			
<b>Role/Post of new appointment:</b>			
<b>Checks completed:</b>	<b>How</b>	<b>Who</b>	<b>Notes/Follow up needed</b>
The candidate's identity is verified. (Current photographic ID and proof of address)			
Enhanced DBS check with a barred list information.	Certificate copied and filed.		
A separate barred list check (if to start work before the DBS certificate is available is obtained)			
The candidate to be employed as a teacher is not subject to a prohibition order issued by the Secretary of State.	Employer Access Online service check		
Section 128 direction (where appropriate).			
The candidate's mental and physical fitness to carry out their work responsibilities.			
Right to work in the UK.			
Professional qualifications. State which.			
Two written references obtained and checked.			

Date all checks completed: \_\_\_\_\_

Checked by Principal/Vice Principal: \_\_\_\_\_

**Appointment has met all above requirements and can start work at KESH: YES/NO**

## Appendix 2

### More information

#### **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 at the Academy.

#### **DBS (Disclosure and Barring Service) Certificate (formerly known as CRB Disclosure)**

The Academy requires that an enhanced DBS Certificate and therefore a DBS Certificate must be obtained before the commencement of employment of any new employee.

It is the Academy's policy to re-check employee's DBS Certificates as appropriate and in addition any employee that takes leave for more than three months (ie: maternity leave, career break etc.) must be re-checked before they return back to work.

Members of staff at the Academy are aware of their obligation to inform the Principal or HR Department of any cautions or convictions that arise between these checks taking place.

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

The DBS code of Practice, the Independent Boarding School Association and OFSTED does not facilitate portability of DBS Certificate checks unless the applicant has registered to the DBS Update Service. For clarity portability refers to the re-use of a DBS Certificate obtained for a position in one organisation and later used for another position in another organisation. The Academy is committed to adhering to these Codes of Practice and does not accept DBS Certificates carried out by another organisation unless they are registered with the DBS Update Service.

#### **Dealing with convictions**

The Academy operates a formal procedure if a DBS Certificate is returned with details of convictions. Consideration will be given to the Rehabilitation of Offenders Act 1974 and also:

- the nature, seriousness and relevance of the offence;
- how long ago the offence occurred;
- one-off or history of offences;
- changes in circumstances;
- decriminalisation and remorse.

A formal meeting will take place face-to-face to establish the facts with the Principal. A decision will be made following this meeting.

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

All applicants invited to attend an interview at the Academy will be required to bring their identification documentation such as passport, birth certificate, driving licence etc. with them as proof of identity/eligibility to work in UK in accordance with those set

out in the Immigration, Asylum and Nationality Act 2006 and DBS Code of Practice Regulations.

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.

### **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 medical questionnaire and where appropriate a doctor's medical report may be required.

### **Overseas checks**

All new employees where persons have lived outside the UK are subject to additional checks in accordance with Immigration, Asylum and Nationality Act 2006. The Academy, in accordance with the UK Border Agency Code of Practice, will sponsor all new foreign members of staff.

### **Induction Programme**

All new employees are given an induction programme which clearly identifies the Academy policies and procedures, including the Child Protection Policy, and makes clear the expectation and codes of conduct which govern how staff carry out their roles and responsibilities.

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

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

All information retained on employees is kept centrally in the Human Resources Office in a locked and secure cabinet.

### **Ongoing Employment**

The Academy recognises that safer recruitment and selection is not just about the start of employment, but should be part of a larger policy framework for all staff. The Academy therefore provides ongoing training and support for all staff, as necessary.

### **Concerns and Allegations**

Despite the best efforts to recruit safely there will be occasions when allegations of abuse against children and young people are raised. In cases relating to the behaviour of an employee (these behaviours are within the context of four categories of abuse (ie: physical, sexual and emotional and neglect) the Academy's Disciplinary Policy will apply.

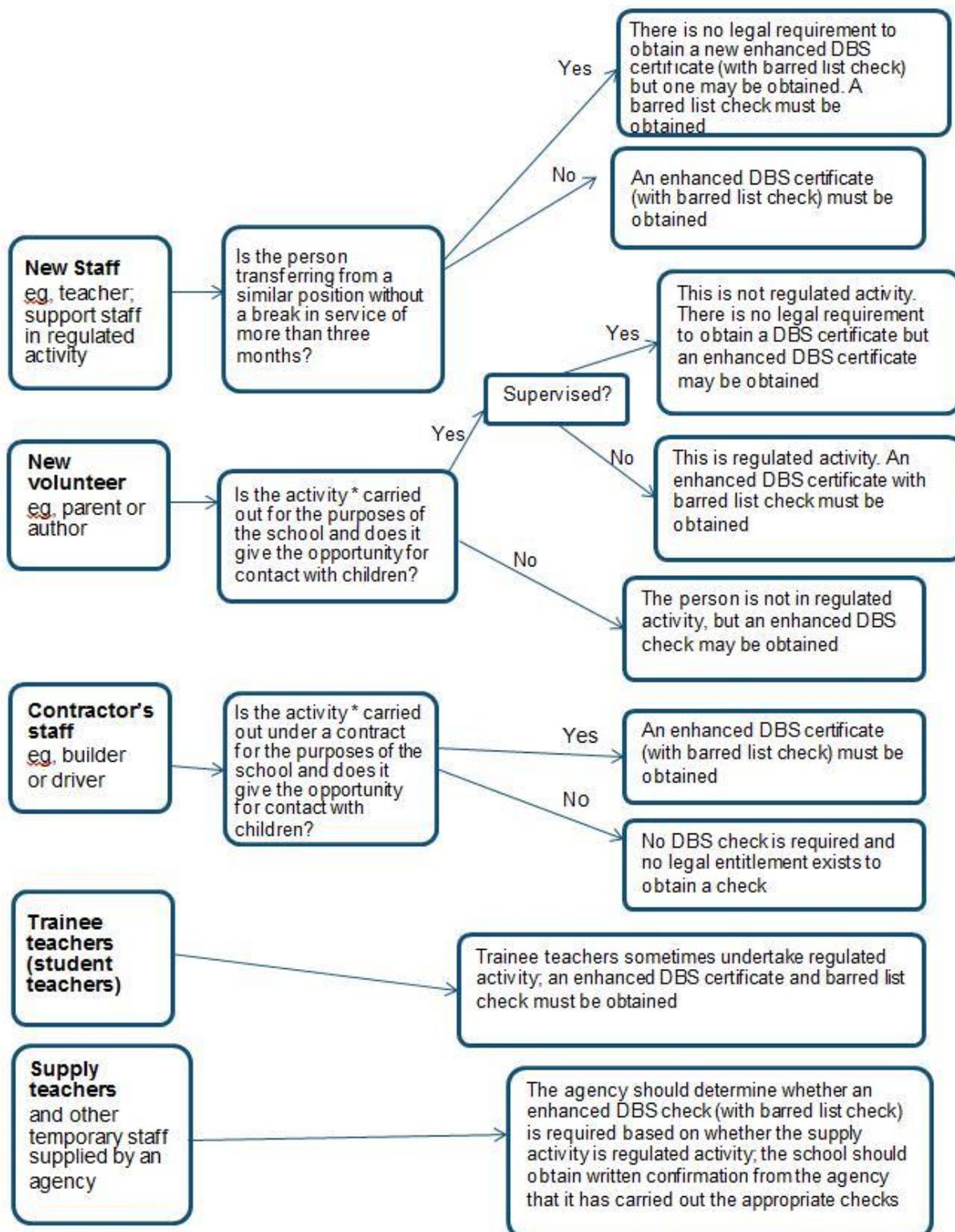
If this should occur, all will be entitled to a fair hearing and procedures are in place to address this. Any complaint about staff behaviour should be made to the Principal or to the Chair of Governors in line with the Academy's whistleblowing policy. For

complaints which give rise to child protection issues, refer to the Staff safeguarding Children Policy for more details.

All staff need to be aware of their vulnerability to allegations and must address their practice accordingly. All staff must adhere to the Academy's policy/guidance in respect to safe conduct. Where an allegation by a student is shown to be deliberately invented or malicious, the Academy will consider whether to take disciplinary action in accordance with the relevant policy. Where a parent has made a deliberately invented or malicious allegation, the Principal will consider whether to require that parent to withdraw their child or children from the Academy on the basis that they have threatened the Academy or a member of staff unreasonably.

### Appendix 3

### Flowchart of Disclosure and Barring Service criminal record checks and bared list checks



\* Activities listed under the guidance's definition of regulated activity and which are carried out 'frequently'