



STAFF SAFER RECRUITMENT POLICY

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1. Safe recruitment of staff (including volunteers and governors)

Trent College and The Elms ("the school") are committed to safeguarding the welfare of all children and young people as outlined in the latest version of Keeping Children Safe in Education ("KCSIE") and the Prevent Duty. DfE Departmental advice for schools and childcare providers expects all staff and volunteers to share this commitment.

We are committed to promoting and supporting positive pupil mental health and wellbeing through our policies and practice. Our first consideration, as professional, adult practitioners, will be how our actions support and promote the wellbeing of every child.

The school aims to recruit staff that share and understand our commitment and to ensure that no job applicant is treated unfairly by reason of a protected characteristic as defined within the Equality Act 2010.

All queries on the school's Application Form and recruitment process must be directed to the school's Head of HR.

An entry will be made on the Single Central Register for all current members of staff at the school, the governors and all individuals who work in regular contact with children including volunteers, supply staff and those employed as third parties.

All checks will be made in advance of appointment or as soon as practicable after appointment. Where all checks have not been completed a Risk Assessment must be undertaken and agreed by either the Head of Trent or The Elms or the Bursar.

2. Scope of this policy

The Staff Safer Recruitment Policy refers and applies to staff directly recruited and employed by the school. In the Education (Independent schools Standards) (England) Regulations 2014, staff are defined as:

Any person working at the school whether under a contract of employment, under a contract for services or otherwise than under a contract, but does not include supply staff or a volunteer.

In the case of agency or contract workers, the school should set out their safeguarding requirements in the contract between the organisation and the school and must obtain written confirmation from the agency or company that it has carried out the appropriate checks. The school conducts identity checks on agency and contract workers on arrival in school and, in the

case of agency workers which includes supply staff, the school must be provided with a copy of the appropriate level of DBS check for such staff.

The school will check with the relevant supply agency that the required checks have been carried out (identity, enhanced disclosure – renewed every three years, right to work in the UK, barred list, prohibition, qualifications, overseas checks plus those checks set out in KCSIE as 'pre-employment' checks) before they are permitted to carry out work for the school. The Single Central Register shows these checks have been made and the school carries out its own identity check and has seen a copy of the disclosure (whether or not it discloses any information).

In respect of contractors, unchecked contractors will under no circumstances be allowed to work unsupervised in school. The school will determine the appropriate level of supervision depending on the circumstances. The school will conduct appropriate risk assessments.

Certain individuals are automatically disqualified from acting in senior management positions within a charity. Whether an individual falls into the category of a senior management position is judged using the following criteria:

- A person who is accountable only to the governors, and who carries overall responsibility for the day-to-day management and control of the charity. At Trent College and The Elms this would be the Head.
- A person who is accountable only to the Head or the governors, and who is responsible for the overall management and control of the charity's finances. At Trent College and The Elms this would be the Bursar.

Being disqualified means that a person can't take on, or stay in, a senior manager position – even on an interim basis, unless the Charity Commission has removed (or 'waived') the disqualification.

Any staff who TUPE transfer into the school's staff will be required to undertake the statutory requirements with regard to safer recruitment checks.

If staff are transferred under TUPE (gap of three months or less and information complete) information will be passed to the new employer and a note made on the Single Central Register that details have been accepted under TUPE.

3. Application for a post

Job vacancies when advertised will include a statement outlining the school's commitment to safeguarding and promoting the welfare of children and young people and the expectation that all staff and volunteers share this commitment. The school will only accept applications from candidates completing the relevant Application Form in full. CVs will not be accepted in substitution for completed Application Forms.

The school will make candidates aware that all posts in the school involve some degree of responsibility for safeguarding children, although the extent of that responsibility will vary according to the nature of the post. Candidates for employed posts will receive a Job Description and Person Specification for the role applied for but are permitted to be submitted alongside an application form.

Checks will be made of previous employment history to ascertain satisfactory reasons for any gaps in employment. These checks will then be checked against references and any discrepancies discussed with the candidate.

The successful applicant will be required to confirm their identity documents via an online DBS application process from the Disclosure and Barring Service ("DBS") for the position and, where appropriate, a check of the Barred List will be undertaken. Any offer of employment will be conditional on obtaining such satisfactory checks. Additionally, successful applicants should be aware that they are required to notify the school immediately if they are any reasons why they should not be working with children. This includes any staff who are disqualified from childcare or registration.

The statutory guidance "Disqualification under the Childcare Act 2006" applies to those providing early years childcare or later years childcare, including before school and after school

clubs, to children who have not attained the age of 8 AND to those who are directly concerned in the management of that childcare.

The school takes its responsibility to safeguard children very seriously and any staff member and/or successful candidate who is aware of anything that may affect his/her suitability to work with children must notify the school immediately. This will include notification of any convictions, cautions, court orders, reprimands or warnings he/she may receive.

Staff and/or successful candidates who are disqualified from childcare or registration may apply to Ofsted for a waiver of disqualification. Such individuals may not be employed in the areas from which they are disqualified, or involved in the management of those settings, unless and until such waiver is confirmed.

The school has a legal duty under section 26 of the Counter-Terrorism and Security Act 2015 to have 'due regard to the need to prevent people from being drawn into terrorism'. This is known as the Prevent duty. Schools are required to assess the risk of children being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology.

If the candidate is currently working with children, on either a paid or voluntary basis, the school will ask their current employer about disciplinary offences, including disciplinary offences relating to children or young persons (whether the disciplinary sanction is current or time expired), and whether the candidate has been the subject of any child protection allegations or concerns and if so the outcome of any enquiry or disciplinary procedure.

If the candidate is not currently working with children but has done so in the past, the school will ask the previous employer about those issues. Where neither the current nor previous employment has involved working with children, the school will still ask the current employer about the candidate's suitability to work with children. Where the candidate has no previous employment history, the school may request character references which may include references from the candidate's school or university.

All candidates should be aware that provision of false information is an offence and could result in the application being rejected or summary dismissal by the school if they have been appointed, and a possible referral to the police and/or DBS.

4. Invitation to Interview

The school will shortlist applicants according to the relevance and applicability of their professional attributes and personal qualities to the role. At least two people will carry out the shortlisting exercise, consider any inconsistencies, look for gaps in employment and reasons given for them, and explore all potential concerns.

As part of the shortlisting process, the school will carry out an online search on shortlisted candidates as part of its due diligence (candidates will be informed of this). This may help to identify any incidents or issues that have happened, and are publicly available online, which the school may want to explore with an applicant at interview. This forms part of the school's wider safeguarding due diligence which aims to prevent and/or deter individuals who may be unsuitable to work with children from working in a school environment.

Shortlisted applicants will then be invited to attend a formal interview at which his/her relevant skills and experience will be discussed in more detail.

Candidates will be asked to complete a self-declaration in relation to their criminal record or information that would make them unsuitable to work with children. This declaration is contained within the application form. Self-declaration is subject to Ministry of Justice guidance on the disclosure of criminal records. Applicants will be asked to sign a declaration confirming that the information they have provided is true. Where there is an electronic signature, the shortlisted candidate should physically sign a hard copy of the application at the point of interview.

The school will, where possible, obtain references prior to interview or, in any case, on conditional offer of employment. This allows any concerns raised to be explored further with the referee and can be taken up with the shortlisted candidate at interview or shortly thereafter.-

All formal interviews will have a panel of at least two senior staff and will follow planned questions. At least one of the panel members will have undertaken safer recruitment training. The Chair of Governors should chair the panel for the Bursar's/Head's appointment. The interviewers involved will be required to state any prior personal relationship or knowledge of any of the candidates and a judgement will be made by the Chair as to whether or not an interviewer should withdraw from the panel.

The interview will be conducted in person, except in exceptional circumstances, and the areas which it will explore will include suitability to work with children. Any discussion of information shared by a candidate in their self-declaration form will take place with HR. Any gaps in employment or frequent changes in employment will be included in questioning at interview.

All candidates invited to interview must bring documents confirming any educational and professional qualifications that are necessary or relevant for the post (e.g. the original or certified copy of certificates, diplomas etc). Where originals or certified copies are not available for the successful candidate, written confirmation of the relevant qualifications must be obtained by the candidate from the awarding body.

The school requests that all candidates invited to interview also bring with them:

- A current driving licence including a photograph or a passport and a full birth certificate;
- A utility bill or financial statement issued within the last three months showing the candidate's current name and address;
- Where appropriate any documentation evidencing a change of name;
- Where applicable, proof of entitlement to work and reside in the UK.

Please note that originals of the above are necessary. Photocopies or certified copies are not sufficient.

Candidates with a disability who are invited to interview should inform the school of any necessary reasonable adjustments or arrangements to assist them in attending the interview.

5. Conditional Offer of Appointment: Pre-Appointment Checks

As part of the recruitment process, all staff and volunteers (collectively referred to as "applicants" for the purposes of this policy) who work within the school will have their suitability to work with children assessed. An enhanced DBS check will be required for applicants who will be engaged in regulated activity. In summary "regulated activity" means if as a result of their work they:

- will be responsible, on a regular basis in school, for teaching, training instructing, caring for or supervising children; or
- will carry out paid, or unsupervised unpaid, work regularly in school where that work provides an opportunity for contact with children; or
- engage in intimate or personal care or overnight activity, even if this happens only once.

In some cases an applicant will be supervised to such a level that they are not in regulated activity. The school will need to consider:

- whether the individual will be supervised by a member of staff in a regulated activity, and whether the supervision will be regular and day to day;
- whether the supervision will be reasonable in all the circumstances to ensure the protection of children: and
- whether the supervised individual is a volunteer.

Any offer to a successful candidate will be conditional upon:

- Receipt of at least two satisfactory references (if these have not already been received);
- Verification of identity and qualifications including, where appropriate, evidence of the right to work in the UK (if not already received);
- A satisfactory enhanced DBS check and, if appropriate, a check of the Barred List maintained by the DBS;
- For a candidate to be employed as a teacher, a check that the candidate is not subject to a prohibition order issued by the Secretary of State or any sanction or

restriction imposed (that remains current) by the historic General Teaching Council for England before its abolition in March 2012. Teaching work is defined in The Teachers' Disciplinary (England) Regulations 2012 to encompass:

- Planning and preparing lessons and courses for pupils;
 - Delivering and preparing lessons to pupils;
 - Assessing the development, progress and attainment of pupils; and
 - Reporting on the development, progress and attainment of pupils;
- Verification of professional qualifications, including Qualified Teacher Status, where appropriate;
 - Verification of successful completion of statutory induction period (for teaching posts – applies to those who obtained QTS after 7 May 1999);
 - ***Where the successful candidate has worked or been resident overseas, particularly in the 5 preceding years:*** Such further checks and confirmations as the school may consider appropriate will be undertaken so that any relevant events that occurred outside the UK can be considered. Such checks will include a police check with the country of residence prior to moving to the UK. Where possible, this shall include the candidate providing the school with proof of his/her past conduct as a teacher in the form of a letter of professional standing from the professional regulating authority in the country in which s/he has worked. Candidates will have to provide evidence of a right to live and work in the UK and must provide any visa documentation including their current status which may be either temporary leave to remain or indefinite leave to remain. Immigration status will continue to be monitored by the school during employment except where the candidate becomes a British citizen;
 - Evidence of satisfactory medical fitness;
 - Confirmation that the candidate is not disqualified from providing childcare as set out in the statutory guidance "Disqualification under the Childcare Act 2006" **OR** Receipt of a signed Self-Declaration form showing that the candidate is not disqualified from providing childcare as set out in the statutory guidance "Disqualification under the Childcare Act 2006";
 - For a candidate to be employed into a senior management position as set out above under "Scope of this Policy", receipt of a signed "senior charity manager positions: automatic disqualification declaration" confirming that the candidate is not disqualified from acting in a senior management position for a charity in accordance with the automatic disqualification rules for charities.
 - Where the successful candidate will be taking part in the management of the school, a check will be carried out under section 128 of the Independent Educational Provision in England (Prohibition on Participation in Management) Regulations 2014. This applies to all Governors, Senior Management Team and teaching heads of department; and

It is the school's practice that a successful candidate must complete a pre-employment health questionnaire. The information contained in the questionnaire will then be held by the school in strictest confidence and processed in accordance with the Privacy Notice – Staff and Governors and Data Protection Policy. This information will be reviewed against the Job Description and the Person Specification for the particular role, together with details of any other physical or mental requirements of the role i.e. proposed workload, extra-curricular activities, and/or layout of the school.

The school is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, considering medical evidence and considering reasonable adjustments.

6. References

The school will seek the references referred to in section 5 above for shortlisted candidates (including internal applicants) and will approach previous employers for information to verify particular experience or qualifications, before interview, or as soon as possible thereafter. One of the references must be from the applicant's current or most recent employer. References must be received by a senior person with appropriate authority. If the candidate does not wish the school to take up references in advance of the interview, they should notify the school at the time of applying.

The school will ask all referees if the candidate is suitable to work with children and to provide facts of any substantiated safeguarding concerns/allegations that meet the harm threshold set out in Part 4 of the statutory guidance 'Keeping Children Safe in Education'.

The school will only accept references obtained directly from the referee and it will not rely on references or testimonials provided by the applicant or on open references or testimonials. The school will verify all references. Where references are received electronically, the school will ensure they originate from a legitimate source.

The school will compare any information provided by the referee with that provided by the candidate on the Application Form. Any inconsistencies will be discussed with the candidate.

7. Criminal Records Policy

The school will refer to the Department for Education ("DfE") document, 'Keeping Children Safe in Education' and any amended version in carrying out the necessary required DBS checks.

The school complies with the provisions of the DBS Code of Practice, a copy of which may be obtained on request.

DBS Update Service

Where an applicant subscribes to the DBS Update Service the applicant must give consent to the school to check there have not been changes since the issue of a disclosure certificate. A barred list check will still be required.

If disclosure is delayed

A short period of work is allowed under controlled conditions, at the Head's discretion. However, if an 'enhanced disclosure' is delayed, a Head may allow the member of staff to commence work:

- Without confirming the appointment;
- After a satisfactory check of the barred list if the person will be working in regulated activity and all other relevant checks (including any appropriate prohibition checks) having been completed satisfactorily;
- Provided that the DBS application has been made in advance;
- With appropriate risk assessment and safeguarding conditions taken;
- Safeguards reviewed at least every two weeks by the Head/Bursar and member of staff;
- The person in question is informed what these safeguards are; and
- As a recommendation, that a note is added to the single central register and evidence kept of the measures put in place.

8. Retention, Security of Records and Data Protection Obligations

The school will comply with its obligations regarding the retention and security of records in accordance with the DBS Code of Practice and its obligations under its Data Protection Policy. Copies of DBS certificates will not be retained for longer than 6 months.

Recruitment records for staff (and where applicable for volunteers) will hold the following details, confirmed in writing:

- Disclosure Reference number of the DBS check at the highest available level.
- a minimum of two written references, including the most recent employer, with a reference request letter that specifically asks all referees to state any known reason why the person should not be employed to work with children and that there should be no material mis-statement or omission relevant to the suitability of the applicant.
- a written record of the job interview with the member of staff.
- a written copy of the job description the member of staff was recruited into.

The school will comply with its data protection obligations in respect of the processing of criminal records information. More information on this is included in the Privacy Notice – Staff and Governors and the Data Protection Policy.

Monitoring

- The monitoring of the Safer Recruitment Policy is undertaken by the Bursar, who line – manages the Head of HR. The Bursar will, prior to any new member of staff/volunteer commencing work at the school, check the individual is entered correctly onto the Single Central Register (SCR) and that all necessary dates for recruitment checks have been entered into the SCR in accordance with the Independent schools Standards Regulations. The Head of HR will share the staff/volunteer file with the Bursar for verification.
- The Head of Trent College and Head of The Elms will receive a termly update highlighting the new employees at the school on the SCR. Both Heads will undertake a termly visit (either jointly or individually) to the HR Department to examine the school's SCR and audit a sample of staff files to ensure they are compliant with all current regulations.
- On behalf of the Board of Governors, one governor from the Child Protection, Welfare & Boarding Committee and one governor from the Compliance & Risk Committee will each undertake an annual monitoring visit to the HR Department to examine the school's SCR and audit a sample of staff files to ensure they are compliant with all current regulations. The Board of Governors may delegate this monitoring visit to an external paid consultant, who will provide a report directly to the Chair of Governors.

The annual monitoring of the SCR will be entered into the minutes of the main Board at the meeting where the report of the Governor's monitoring visit will be tabled.

Appendix

Policy on the Recruitment of Ex-Offenders

The school will not unfairly discriminate against any candidate for employment on the basis of conviction or other details revealed. The school makes appointment decisions on the basis of merit and ability. If an individual has a criminal record this will not automatically bar him/her from employment within the school. Instead, each case will be decided on its merits in accordance with the objective assessment criteria set out below.

All candidates should be aware that provision of false information is an offence and could result in the application being rejected or summary dismissal if they have been appointed, and a possible referral to the police and/or DBS.

Under the relevant legislation, it is unlawful for the school to employ anyone who is included on the lists maintained by the DBS of individuals who are considered unsuitable to work with children. In addition, it will also be unlawful for the school to employ anyone who is the subject of a disqualifying order made on being convicted or charged with the following offences against children: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence. It is also unlawful for the school to knowingly employ someone who works in the relevant settings and is disqualified from providing childcare under the statutory guidance "Disqualification under the Childcare Act 2006".

It is a criminal offence for any person who is disqualified from working with children to attempt to apply for a position within the school. The school will report the matter to the Police and/or the DBS if:

- the school receives an application from a disqualified person;
- is provided with false information in, or in support of, an applicant's application; or
- the school has serious concerns about an applicant's suitability to work with children.

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the school will consider the following factors before reaching a recruitment decision:

- whether the conviction or other matter revealed is relevant to the position in question;
- whether the conviction or caution is 'protected' as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2020 (if yes, it will not be taken into account);
- the seriousness of any offence or other matter revealed;
- the length of time since the offence or other matter occurred;
- whether the applicant has a pattern of offending behaviour or other relevant matters;
- whether the applicant's circumstances have changed since the offending behaviour or other relevant matters;
- in the case of disqualification from providing childcare, whether the applicant has or is able to obtain an Ofsted waiver from disqualification; and
- the circumstances surrounding the offence and the explanation(s) offered by the convicted person.

If the post involves regular contact with children, it is the school's normal policy to consider it a high risk to employ anyone who has been convicted at any time of any the following offences: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence, serious class A drug related offences, robbery, burglary, theft, deception or fraud.

If the post involves access to money or budget responsibility, it is the school's normal policy to consider it a high risk to employ anyone who has been convicted at any time of robbery, burglary, theft, deception or fraud.

If the post involves some driving responsibilities, it is the school's normal policy to consider it a high risk to employ anyone who has been convicted of drink driving.