

# Charlestown Primary School



## Safer Recruitment Policy MCC adopted October 2023

**Approved by: Full  
Governing Body**

Date: October 2023

**Last reviewed on:**

October 2022

**Next review due by:**

October 2024

# Manchester City Council (MCC) Safer Recruitment Policy For Schools

**Adopted by Charlestown Primary  
School**

**Date: September 2023**

This policy will be reviewed annually unless an incident or new legislation or guidance suggests the need for an interim review.

Review date	Changes made	By whom
September 2023	October 2023	Sarah Bailey

#### Ratification by Governing Body

Academic year	Date of ratification	Chair of Governors
2023/24	October 2023	Bridget McKeown

## SAFER RECRUITMENT POLICY

### Charlestown Primary School

The Headteacher\* who has ultimate responsibility for safeguarding is Allison Collis

Mrs Sharon Peters is the Safeguarding Lead.

In their absence, the authorised member of staff is Claire Boocker (Deputy Head)

### KEY SCHOOL STAFF & ROLES

Name	Role	Location and/or Contact Phone Number Main School Number:
Sharon Peters	Deputy Headteacher Safeguarding Lead	0161 740 3529 07711300701
Caroline Morrison	Family Worker - Deputy DSL	0161 740 3529 07982660356
Nazia Aslam	Attendance Officer – Deputy DSL	0161 740 3529
Shelley Griffin	Learning Mentor – Safeguarding Officer	0161 740 3529
Michael Greaves	Learning Mentor – Safeguarding Officer	0161 740 3529
Liz McGowan	Teaching Assistant – Safeguarding Officer	0161 740 3529
Allison Collis	Headteacher – Safeguarding Officer	0161 740 3529 07463697158
Jacqueline Byfield	HR Administrator – Single Central Record Administrator	0161 740 3529
Sarah Bailey	School Business Manager – Administrator for Safer Recruitment process of staff	0161 740 3529

### KEY SCHOOL GOVERNORS

Name	Role	Contact Phone Number/Email
Bridget McKeown	Chair of Governors / Safeguarding Lead Governor	07973719003 <a href="mailto:mckeown.b@charlestown.manchester.sch.uk">mckeown.b@charlestown.manchester.sch.uk</a>

## ASSOCIATED POLICIES AND PROCEDURES

### MANAGING LOW LEVEL & ALLEGATIONS PROCEDURE

#### *ALLEGATIONS THAT MAY MEET THE HARM THRESHOLD*

Our procedure if there is an allegation that an adult working or volunteering with children has harmed a child or that a child is at risk from an adult working or volunteering with children is:

Our procedure if there is an allegation that an adult working or volunteering with children has harmed a child or that a child is at risk from an adult working or volunteering with children is:

The School adheres to DfE guidance 'KCSIE, Section 4, when dealing with allegations made against staff and volunteers. Any concerns must be raised with the Headteacher or the Safeguarding Lead.

All allegations made against a member of staff and volunteers, including contractors or security staff working on site, will be dealt with quickly and fairly and in a way that provides effective protection for the child while at the same time providing support for the person against whom the allegation is made.

Allegations will be referred to the LA Designated officer for investigation if they meet the threshold.

We ensure that all staff are aware of how to raise a concern, including anonymously as a whistle-blower. A copy of the school whistleblowing policy is kept in the on line policy file on google drive which is available for all staff or it can be requested at the office. Staff are reminded of this through safeguarding briefings.

This procedure allows individuals to report genuine and legitimate concerns about something that may be seriously wrong with the school without fear of reprisals, victimisation or detriment.

Head Teacher\* : Allison Collis 07463 697158

Chair of Governors: Bridget McKeown 07973 719003

LADO: 0161 234 1214

NSPCC Whistleblowing Helpline: 08000 280 285

## **WHISTLEBLOWING PROCEDURE**

Our Whistleblowing procedure if staff and volunteers are aware of poor or unsafe practice, a breach of the code of conduct, and or potential failings in our safeguarding regime internally or externally:

To raise concerns :

1. Please deal with your line manager in the first instance
2. If more serious or the line manager has not addressed the concern properly please raise concerns with Allison Collis, Sharon Peters, Claire Booker or Sarah Bailey.
3. If the concern is with the Headteacher please contact Bridget McKeown, Chair of Governors [mckeown.b@charlestown.manchester.sch.uk](mailto:mckeown.b@charlestown.manchester.sch.uk).
4. If the Headteacher and the Chair of Governors are the concern please write to the Director of HR, One Education, Universal Square, Devonshire St North, Manchester M12 6JH.

Head Teacher\* : Allison Collis 07463 697158

Chair of Governors: Bridget McKeown 07973 719003

NSPCC Whistleblowing Helpline: 08000 280 285

**KEEPING CHILDREN SAFE IN EDUCATION, PART 3 SAFER RECRUITMENT**

We will adhere to the advice regarding all aspects of safer recruitment, including pre-employment checks and DBS checks as detailed in KCSiE Part 3 and the DFE definitions of regulated activity.

## Contents

1. The recruitment and selection process
2. Pre-appointment and vetting checks, regulated activity and recording of information
3. Other checks that may be necessary for staff, volunteers and others, including the responsibilities on schools and colleges for children in other settings
4. How we ensure the ongoing safeguarding of children and our legal reporting duties as employers

## Appendices

1. [Guidance on the Rehabilitation of Offenders Act 1974 and the Exceptions Order 1975 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/1101454/Guidance_on_the_Rehabilitation_of_Offenders_Act_1974_and_the_Exceptions_Order_1975.pdf)
2. [DBS filtering guide - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/1101454/DBS_filtering_guide.pdf)
3. [Guidance on the Rehabilitation of Offenders Act 1974 and the Exceptions Order 1975 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/1101454/Guidance_on_the_Rehabilitation_of_Offenders_Act_1974_and_the_Exceptions_Order_1975.pdf)  
Self-disclosure example
4. <https://www.brownejacobson.com/education/training-and-resources/legal-updates/2022/06/keeping-children-safe-in-education-2022-online-searches-for-shortlisted-candidates>
5. Reference request example
6. [How to prove and verify someone's identity - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/1101454/How_to_prove_and_verify_someone_s_identity.pdf)
7. DBS checks – see KCSiE p62-64  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1101454/Keeping\\_children\\_safe\\_in\\_education\\_2022.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1101454/Keeping_children_safe_in_education_2022.pdf)
8. [Checking a job applicant's right to work - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/1101454/Checking_a_job_applicant_s_right_to_work.pdf)
9. [Criminal records checks for overseas applicants - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/1101454/Criminal_records_checks_for_overseas_applicants.pdf)
10. [Regulated professions database - European Commission \(europa.eu\)](https://european-council.europa.eu/media/e0690c0c-1069-4020-991d-89111c22047c/attachment_data/file/432121/Regulated_professions_database.pdf)
11. [Home Page \(ecctis.com\)](https://ecctis.com/)
12. [Recruit teachers from overseas - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/1101454/Recruit_teachers_from_overseas.pdf)
13. [Qualified teacher status \(OTS\): qualify to teach in England - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/1101454/Qualified_teacher_status_(OTS)_qualify_to_teach_in_England.pdf)
14. [The Childcare \(Disqualification\) and Childcare \(Early Years Provision Free of Charge\) \(Extended Entitlement\) \(Amendment\) Regulations 2018 \(legislation.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/1101454/The_Childcare_(Disqualification)_and_Childcare_(Early_Years_Provision_Free_of_Charge)__(Extended_Entitlement)__(Amendment)_Regulations_2018_(legislation.gov.uk).pdf)
15. [Disqualification under the Childcare Act 2006 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/1101454/Disqualification_under_the_Childcare_Act_2006.pdf)
16. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/550197/Regulated activity in relation to children.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/550197/Regulated_activity_in_relation_to_children.pdf)
17. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1101454/Keeping children safe in education 2022.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1101454/Keeping_children_safe_in_education_2022.pdf)
18. [Children Act 1989: private fostering - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/1101454/Children_Act_1989_private_fostering.pdf)
19. [DBS barring referral guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/1101454/DBS_barring_referral_guidance.pdf)
20. [Making barring referrals to the DBS - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/1101454/Making_barring_referrals_to_the_DBS.pdf)
21. [Teacher misconduct: referring a case - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/1101454/Teacher_misconduct_referring_a_case.pdf)

# 1 Recruitment and Selection Process

Charlestown Primary School will ensure that potential applicants are given the right messages about the school's/college's commitment to recruit suitable people.

Our safeguarding culture permeates all that we do and we actively promote the welfare of children in our school/college. As part of this culture, we employ robust recruitment procedures that deter and prevent people who are unsuitable to work with children from applying or securing employment, or volunteering within our school/college.

Our governing body/proprietors ensure that those involved with recruitment and employment of staff to work with children have received appropriate safer recruitment training, refreshed every 3 years.

Our governing body/management committee ensure that at least one person who conducts an interview has completed safer recruitment training

## 1.1 Advert

Before commencing with an advert for a post, we will have considered the skills, abilities, experience, attitude and behaviours required and develop an appropriate job description and person specification.

We will also be clear about the safeguarding requirements for the post such as to what extent there will be contact with children and whether the postholder will be engaging in regulated activity relevant to children (see 2.2)

The advert will include

- i) The school's/college's commitment to safeguarding and promoting the welfare of children and make it clear that safeguarding checks will be undertaken
- ii) The safeguarding responsibilities of the post as per the job description and person specification, and
- iii) Information about whether the post is exempt from the Rehabilitation of Offenders Act (ROA) 1974, protected and filtered offences awareness and how to find information about this. (Appx 1 and 2)

## 1.2 Application forms

Where a role involves engaging in regulated activity relevant to children, we will include a statement in the application form (or elsewhere in the application package) that it is an offence to apply for the role if the applicant is barred from engaging in regulated activity relating to children.

We will also provide a copy of, or link to, our child protection policy and other practices or policies regarding the employment of ex-offenders in the application package

The application form will require provision of



- i) Personal details, current and former names, current address and national insurance number
- ii) Details of their present (or last) employer and reason for leaving
- iii) Full employment history since leaving school, including education, employment and voluntary work and also include reasons for gaps in any employment
- iv) Qualifications, the awarding body and date of award
- v) Details of referee/references
- vi) A statement of the personal qualities and experience that the applicant believes are relevant to their suitability for the post advertised and how they meet the person specification
- vii) A signature to declare that the information given is true and complete, and dated. Where there is an electronic signature, shortlisted candidate will be required to physically sign a hard copy of the application at point of interview)

(Copies of a cv will only be accepted alongside an application form as on its own will not provide adequate information)

### **1.3 Shortlisting**

We will have at least two people involved in the process of scrutinising applications and shortlisting candidates, and these people will also be involved in the interviews.

We will take time to scrutinise the applications carefully (returning any forms not fully or properly completed) and identify gaps in history or discrepancies or inconsistencies.

We will apply the same criteria from the person specification to each applicant consistently.

We will record objective evidence about the extent to which each candidate meets the criteria.

We will explore any potential concerns.

At shortlisting stage candidates will be asked to complete a self-declaration of their criminal record or information that would make them unsuitable to work with children (KCSIE 2023 paragraph 216) This will be done after shortlisted based on how well the candidate meets the person specification. The purpose of the self-disclosure is to inform the conversations you have with shortlisted candidates, not to help decide who to shortlist. If you have any concerns about self-declaration, please contact the [ICO](#) or seek legal advice

The self-declaration will be used to discuss any significant concerns before the DBS is received.

We will carry out an online search of publicly available material as part of due diligence on shortlisted candidates (Appx 4)

Shortlisted candidates will be informed that the school may carry out online checks as part of the due diligence process paragraph 221 of KCSIE 2023.

### **1.4 Employment history and references**

We will obtain references before interview from the referees supplied in the application form.

We will not accept open references, eg to whom it may concern.

We will not rely on applicants to obtain their references.

Our reference requests will ask for factual details, not opinions, about the applicant's suitability to work with children and details of substantiated concerns/allegations that meet the harm threshold. (Appx 5)

We will ensure we receive a reference from the candidate's current employer that has been completed by a senior person with appropriate authority. If the referee is school or college based, the reference will be confirmed with the headteacher/principal as accurate in respect of any disciplinary investigations.

We will obtain verification of the individual's most recent relevant period of employment where the applicant is not currently employed.

We will secure a reference from a relevant employer from the last time the applicant worked with children, if they are not currently working with children or from a current employer if the applicant has never worked with children.

We will always verify any information with the person who provided the reference.

We will ensure electronic references originate from a legitimate source.

We will contact referees to clarify content where information is vague or insufficient information is provided.

We will compare the information on the application form with that in the reference and take up any discrepancies with the candidate.

We will establish the reason for the candidate leaving their current or most recent post.

We will ensure any concerns raised in the references are resolved satisfactorily before appointment is confirmed.

## **1.5 Selection**

We use a range of selection techniques to identify the most suitable person for the post including finding out what attracted the candidate to the post and their motivation for working with children, exploring skills and asking for examples of their experience working with children, and probing any gaps in employment or where the candidate has moved or changed employment/location frequently.

We will use the interview to explore any areas of concern and to determine the applicant's suitability to work with our children. This includes any past disciplinary action or substantiated allegations.

Our training will keep us alert to any implication that adults and children are equal (in feelings and friendships), a lack of understanding about the vulnerability of children, inappropriate idealisation of children, inadequate understanding of appropriate boundaries between adults and children and indicators of negative safeguarding behaviours.

Pupils/students will be involved in the recruitment process in a meaningful way— **by Student Council being involved in part of the interview process**).

All information considered in decision making will be clearly recorded along with the decisions made.

## **2. Pre-appointment and vetting checks, regulated activity and recording of information**

We adhere to the legal requirements which must be carried out when appointing individuals to engage in regulated activity relating to children.

The Education and Training (Welfare of Children) Act 2021 extended safeguarding provisions to providers of post 16 education – 16-19 Academies, Special post-16 institutions and Independent Training Providers.

All offers of appointment will be conditional until satisfactory completion of mandatory pre-employment checks. These are

- i) Identity – birth certificate (Appx 6)
- ii) Enhanced DBS, including children’s barred list information, for those engaging in regulated activity with children (Appx 7)
- iii) Separate children’s barred list check if individual will start work before DBS is available
- iv) Verify candidate’s mental and physical fitness to carry out the role
- v) Verify the person’s right to work in the UK, including EU nationals (Appx 8)
- vi) Further checks on individuals who have lived or worked outside the UK (Appx 9-13). Where these are not available after making attempts to obtain them, we will seek any alternative methods of checking suitability and/or undertake a risk assessment that supports informed decision making on whether to proceed with the appointment
- vii) Verify professional qualifications using TRA Employer Access Service

In addition,

- i) Independent schools, including academies and free schools will check that a person taking up a management position is not subject to a s128 direction made by the Secretary of State
- ii) We will check/take reasonable steps (schools/colleges) that an applicant employed to carry out teaching work is not subject to a prohibition order issued by the Secretary of State
- iii) As we provide childcare, we will ensure individuals employed to work in reception classes or in wraparound care for children up to the age of 8 are not disqualified from working in these settings (Appx 14 and 15)

### **2.1 Moving from a post**

We are not required to obtain an enhanced DBS or carry out checks for events that may have occurred outside the UK if, during a period which ended not more than three months before the person’s appointment, the applicant has worked in a school in England in a post which brought them regularly into contact with children, or to which the person was appointed on or after 12.05.2006 and which did not bring the person regularly into contact with children, or in another

institution in the further education sector (or 16-18 academy) which brought the person into contact with children for educational provision. However, we will consider whether it is appropriate to request an enhanced DBS to ensure we have up to date information.

## **2.2 Regulated Activity**

We consider a person to be engaged in regulated activity with children if they

- i) Will be responsible on a regular basis in school or college, for teaching, training, instructing, caring for or supervising children
- ii) Will be working on a regular basis in a specified establishment, such as school or in connection with the purposes of the establishment, where the work gives opportunity for contact with children
- iii) Engage in intimate or personal care or healthcare or any overnight activity, even if this happens only once.
- iv) See Appx 16 for further regulated activity detail

## **2.3 Single central record**

We maintain a single central record of pre-appointment checks which covers the following people

- i) Schools – all staff including teacher trainees on salaried routes, agency and third party supply staff, even if they work for one day

We must record, in terms of staff members, that checks have been made on the following information including the date on which each check was completed or certificate obtained

- i) Identity check
- ii) A standalone children's barred list check
- iii) An enhanced DBS check (with children's barred list check) with date of request and date certificate provided
- iv) A prohibition from teaching check
- v) Further checks on people who have lived or worked outside the UK
- vi) A check of professional qualifications, where required
- vii) A check to establish the person's right to work in the UK

We will remove an individual's details from the single central record once they no longer work at the school or college.

We are free to record any other information we deem relevant and this may include

- i) Whether staff have been informed of their duty to disclose relevant information under childcare disqualification arrangements
- ii) Checks made on volunteers
- iii) Checks made on governors
- iv) Dates on which safeguarding and safer recruitment training was undertaken

- v) The name of the person who carried out each check
- vi) We keep our single central record in electronic form

We do not routinely keep copies of DBS certificates but if we choose to retain a copy, with good reason, this will not be for longer than six months. When information is destroyed, we may keep a record that the vetting was carried out, the result and the recruitment decision taken.

We will keep a copy of other documents used to verify the candidate's identity, right to work and required qualifications in their personnel file.

### **3. Other checks that may be necessary for staff, volunteers and others, including the responsibilities on schools and colleges for children in other settings**

#### **3.1 Agency and third party supply staff**

We will undertake written notification from any agency, or third party organisation, that they have carried out the same checks as the school or college would otherwise perform on any individual who will be working at the school or college. In respect of the enhanced DBS check, we will ensure that written notification confirms the certificate has been obtained by either the employment business or another such business.

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

Where the position requires a children's barred list check, this will be obtained by the agency or third party by obtaining an enhanced DBS certificate with children's barred list information prior to appointing the individual.

We will check that the person presenting themselves for work at school is the same person on whom the checks have been made.

#### **3.2 Contractors**

Where we use contractors to provide services, we will set out our safeguarding requirements in the contract between the school and the organisation.

We will ensure any contractor, or employee of the contractor, working at the school or college, has been subject to the appropriate level of DBS check. Those contractors engaged in regulated activity with children will require an enhanced DBS check, including children's barred list information. Those not engaged in regular activity relating to children, but whose work provides them with an opportunity for regular contact with children, will require an enhanced DBS check not including children's barred list information. In cases where the contractor does not have

opportunity for regular contact with children, we will decide whether a basic DBS will be appropriate.

We will not allow a contractor, on whom no checks have been made, to work unsupervised or engage in regulated activity. We will determine the appropriate level of supervision required, depending on circumstances.

If a contractor is self-employed, we will consider obtaining the DBS check. We will always check the identity of a contractor on arrival at school/college.

### **3.3 Trainee/student teachers**

Where applicants for initial teacher training are salaried by school/college, we will ensure all necessary checks are carried out and obtain an enhanced DBS check with children's barred list information.

Where trainee teachers are fee funded, the training provider will carry out the necessary checks and we will obtain written confirmation from the provider that it has carried out all pre-appointment checks that the school/college would otherwise be required to perform, and that the trainee has been judged by the provider to be suitable to work with children. We may choose to record this information under non-statutory information.

### **3.4 Visitors**

Visitors provided by a third party will need to comply with agency and third-party requirements.

We will not ask for DBS checks or barred list checks for visitors such as children's relatives or those, for example, visiting a sport's day. However, our headteacher/principal will decide on the level of escort or supervision required by such.

Visitors in a professional capacity such as social workers and educational psychologists will have their identity checked and give assurances that they have the appropriate DBS check or their employers will give this reassurance. We will not ask to see certificates in these circumstances.

External organisations will be given careful consideration as to the suitability of their presentation and resources for our children and we will assess as appropriate the educational value and age appropriateness of their content and decide if relevant checks will be required.

### **3.5 Volunteers**

We will not allow a volunteer, on whom no checks have been made, to be left unsupervised or allowed to work in regulated activity.

We will undertake a written assessment and use our professional judgement and experience to decide what checks, if any, are required for the volunteer to carry out their specific tasks. These will include

- i) The nature of the work with children, especially if it will constitute regulated activity, including the level of supervision required
- ii) What we know about the volunteer, including formal and informal information from staff, parents and other volunteers

- iii) Whether the volunteer has other employment or undertakes voluntary activities where referees can advise on their suitability
- iv) Whether the role is eligible for a DBS check, and if it is, the level of the check, for volunteer roles that are not in regulated activity
- v) The details of the risk assessment will be recorded.

We will obtain an enhanced DBS check, including children's barred list information, for all volunteers who are new to working in regulated activity with children ie, where they are unsupervised and teach or look after children regularly or provide personal care on a one-off basis in schools and colleges. We are not permitted to request barred list information on a supervised volunteer, as they are not considered to be engaging in regulated activity.

To determine the level of supervision required, we will have regard for the statutory guidance in Annex E in KCSiE 2022 (Appx 17)

Volunteers do not have to be re-checked if they have already had a DBS check. However, we will consider obtaining a new check at the appropriate level if we have any concerns about the person.

### **3.6 Maintained school governors**

Our governors are required to have an enhanced DBS check and the governing body will apply for this.

Governance is not a regulated activity relating to children so governors do not need a children's barred list check unless they also engage in regulated activity in addition to governance duties.

We will also carry out a s128 check for governors because a person prevented from participating in the management of an independent school by a s128 direction is also disqualified from being a governor of a maintained school. We can store this check in our single central record as non-statutory information.

### **3.7 Alternative Provision**

If we place a pupil with an alternative provision provider, we remain responsible for the safeguarding of that pupil and will ensure the provider meets the needs of the pupil, including obtaining written information that appropriate safeguarding checks have been carried out on individuals working at the establishment.

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

Where we organise work experience placements for our children, we will ensure the placement provider has policies and procedures in place to protect our children from harm.

Children's barred list checks via the DBS may be required on some people who supervise a child under 16 on a work placement experience and we will give specific consideration to nature of supervision and the frequency of the activity being supervised to determine what, if any, checks are necessary.

If the pupil's supervisor is engaging in regulated activity by virtue of performing that role, we will seek assurance that this person is not a barred person.

We are not able to request an enhanced DBS with children's barred list information for staff supervising children aged 16-17 on work experience.

If our pupils are engaged in work experience in a school or college with the opportunity for contact with other children, this may be considered as regulated activity and we will consider if an enhanced DBS check should be requested if they are 16 or over.

We are not able to request DBS checks for children under 16

### **3.9 Children staying with host families/private fostering**

Depending on circumstances, such as foreign exchange visits or a sports tour, some children may be provided with care from a host family in the UK. If this amounts to 'private fostering', when a child under 16, or 18 if the child has a disability, is provided with care and accommodation by a person who is not a parent, person with parental responsibility or relative in their own home which last for more than 28 days, we will notify the local authority to check the arrangement is suitable and safe (if we are not involved in the arrangements). (Appx 18)

## **4. How we ensure the ongoing safeguarding of children and our legal reporting duties as employers**

Our governing body, proprietors and all staff demonstrate a continuing commitment to the safety and welfare of our children beyond the recruitment process and this is embedded in all of our processes and procedures therefore ensuring safety and welfare are enshrined in our ethos.

We have processes in place for continuous vigilance which deters and prevents abuse and challenges inappropriate behaviour.

We have created a culture and environment where staff feel comfortable to discuss matters which may have implications for the safeguarding of our children.

All our staff understand the process and procedures to follow if they have a safeguarding concern about another staff member

We will carry out new checks on existing staff in certain circumstances

- i) Where an individual moves from an activity that was not regulated into a post which is considered to be regulated activity with children. In colleges this is where an individual moves from a post that did not involve the provision of education to one that does.
- ii) Where there has been a break in service of 12 weeks or more.
- iii) Where there are concerns about an individual's suitability to work with children.

### **4.1 Duty to report to the Disclosure and Barring Service**

If an allegation is made and investigated, and has foundation, we will ensure we have consulted the referral duty criteria in the DBS referral guidance. (Appx 19)



We have a legal duty to make a referral to the DBS where we remove an individual from regulated activity and believe the individual has

- i) Engaged in relevant conduct in relation to children and/or adults, and/or
- ii) Satisfied the harm test in relation to children and/or vulnerable adults, and/or
- iii) Been cautioned or convicted of a relevant (automatic barring either with or without the right to make representations) offence. (Appx 20)
- iv) The DBS will consider whether to bar the individual.
- v)

#### **4.2 Duty to consider referral to the TRA**

If a teacher is dismissed or we cease to use their services, because of serious misconduct, or might have dismissed them had they not left first, we will consider whether to refer the case to the Secretary of State as required by sections 141D and 141E of the Education Act 2002. (Appx 21)

The Secretary of State will investigate and make the decision.

Appx 3

Congratulations on being shortlisted. Please return this disclosure to the school **at least one day prior to interview**. If we have not received this, we reserve the right to withdraw the offer of interview.

POST APPLIED FOR:		Date:
Surname:		Previous name(s) (if any):
Forename(s):		Preferred title:      Date of birth
National Insurance No:	Teacher Ref. No (if applicable):	Date of recognition as qualified teacher, QTS (if applicable):

***(Insert name of school/college) is committed to safeguarding and promoting the welfare of children and we expect all staff to share this commitment. This post is exempt from the Rehabilitation of Offenders Act 1974; pre-employment checks will be carried out, references will be sought and successful candidates will be subject to an enhanced DBS check and other relevant checks with statutory bodies.***

We comply with the Disclosure & Barring Service (DBS) code of practice and have a written policy on the recruitment of ex-offenders, both of which are available on request. As you have been shortlisted, you are required to declare any relevant convictions, adult cautions or other matters which may affect your suitability to work with children. As a result of amendments to the Rehabilitation of Offenders Act 1974 (exceptions order 1975) in 2013 and 2020, some minor offences are now protected (filtered) and should not be disclosed to potential employers, and employers cannot take these offences into account.

Please read the information [here](#) before answering the following questions. If you are unsure whether you need to disclose criminal information, you should seek legal advice or you may wish to contact Nacro or Unlock for impartial advice. There is more information on filtering and protected offences on the Ministry of Justice website.

Nacro - <https://www.nacro.org.uk/criminal-record-support-service/> or email [helpline@nacro.org.uk](mailto:helpline@nacro.org.uk) or phone 0300 123 1999

Unlock – <http://hub.unlock.org.uk/contact/> phone 01634 247350 text 07824 113848

1. Do you have any convictions or adult cautions that are unspent? Yes / No
If yes, please provide details here
2. Do you have any other cautions or convictions that would not be filtered? Yes / No
If yes, please provide details here

3. Do you have any cautions or convictions for offences committed in another country which would be relevant to your suitability for this post in line with the law in England / Wales? Yes / No
---

If yes, please provide details here
4. Are you known to the police or children's social care for any other reason that could affect your suitability for this post? Yes / No
If yes, please provide details here
5. *Only ask if you are recruiting for a post working in regulated activity with children Are you included on the DBS children's barred list? Yes / No
If yes, please provide details here
6. *Only ask if you are recruiting for a post working in regulated activity with adults over the age of 18 years Are you included on the DBS adult barred list? Yes / No
If yes, please provide details here
7. (Teaching posts only) Are you, or have you ever been, prohibited from teaching by the TRA or NCTL or sanctioned by the GTCE? Yes / No / Not applicable
If yes, please provide details here
8. *Management posts in independent schools / academies only Have you been prohibited from management of an independent school (s128)? Yes / No / Not applicable
If yes, please provide details here
9. Have you lived or worked outside the UK for more than 3 months in the last 5 years? Yes / No *This will need to be amended to reflect your school policy
If yes, please provide details here
10. Are you subject to any sanctions relating to work with children in any country outside the UK? Yes / No
If yes, please provide details here
<b>Please complete the declaration below:</b>  I declare that all the information I have provided in this disclosure is full and correct at the time of application and that I have not omitted anything that could be relevant to the appointment of someone who will work with children. I understand that the recruitment panel may be made aware of any relevant information that I have disclosed in order to discuss the matter(s) with me as part of the recruitment process and that, if my application is successful, a risk assessment of the disclosed information will be held securely on my personnel file. I understand that the declaration of a criminal record will not necessarily prevent me from being offered this role.  <b>Signed:</b> _____ <b>Date:</b> _____

--

**Please return this form to: [insert name] (e.g HR, HT, bursar)**



b) Children and young people
To the best of your knowledge has the applicant ever had an allegation made against them, which was founded, in regard to his/her behaviour towards children? Yes [ ] No [ ]
If Yes please give full details of the nature and date(s) of the allegation(s), by whom they were investigated, what conclusion was reached as a result of the investigation, whether any action was taken and if so what that was?
Has the applicant been the subject of a disciplinary action in respect of which penalties or sanctions remain in force? Yes [ ] No [ ]
If Yes please give full details of the nature and date(s) of the misconduct and of the penalty or sanctions still in force.
Printed name:
Signature:
Position:
Organisation:
Date:

*• It has been written in accordance with statutory guidance and with good practice developed by the Safer Recruitment Consortium. References to 'KCSIE' and to 'Working Together to Safeguard Children' are to versions current in September 2022*

*• Procedures around record keeping, retention and information sharing will need to be in line with guidance following the implementation of GDPR in May 2018 and with 'Information Sharing: Guidance for practitioners providing safeguarding services to children, young people, parents and carers', DFE, July 2018*