



Safer Recruitment Policy March 2023

SAFER RECRUITMENT POLICY

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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/publications/guidance-on-the-rehabilitation-of-offenders-act-1974-and-the-exceptions-order-1975)
2. [DBS filtering guide - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/db-filtering-guide)
3. [Guidance on the Rehabilitation of Offenders Act 1974 and the Exceptions Order 1975 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/guidance-on-the-rehabilitation-of-offenders-act-1974-and-the-exceptions-order-1975)
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. [References](#)
6. [How to prove and verify someone's identity - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/how-to-prove-and-verify-someones-identity)
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/publications/checking-a-job-applicants-right-to-work)
9. [Criminal records checks for overseas applicants - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants)
10. [Regulated professions database - European Commission \(europa.eu\)](https://ec.europa.eu/eures/)
11. [Home Page \(ecctis.com\)](https://ecctis.com/)
12. [Recruit teachers from overseas - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/recruit-teachers-from-overseas)
13. [Qualified teacher status \(QTS\): qualify to teach in England - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/qualified-teacher-status-qts)
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/publications/the-childcare-disqualification-and-childcare-early-years-provision-free-of-charge-extended-entitlement-amendment-regulations-2018)
15. [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)
16. [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)
17. [DBS barring referral guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/db-barring-referral-guidance)
18. [Making barring referrals to the DBS - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/making-barring-referrals-to-the-dbs)
19. [Teacher misconduct: referring a case - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/teacher-misconduct-referring-a-case)

Loreto High School Mission Statement

Loreto schools and s in England are centred in God, rooted in Christ and animated by the spirit of Mary Ward, the founder of the Institute of the Blessed Virgin Mary. Our vision is that they will be educational communities where each person has the experience of being loved and valued as a sacred individual created by a loving God; communities where students enjoy an enriching and liberating education that helps them grow into the fullness of life and empowers them to be men and women of courage who are alive to the needs of humanity and committed to making a better world.

1 Recruitment and Selection Process

Loreto High School will ensure that potential applicants are given the right messages about the school'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. 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.

Our governing body ensure that those involved with recruitment and employment of staff to work with children have received appropriate safer recruitment training.

Our governing body 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 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 (forms not fully or properly completed may not be considered or may be returned for completion) 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.

Shortlisted candidates will be asked to complete a self-declaration of their criminal record or information that would make them unsuitable to work with children (Appx 3)

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)

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 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 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 verify any information with the person who provided the reference where necessary.

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.

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 may be involved in the recruitment process in a meaningful way by being invited to a student panel.

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.

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

- i) Identity - (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) We will check/take reasonable steps that an applicant employed to carry out teaching work is not subject to a prohibition order issued by the Secretary of State

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 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 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.

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

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 .

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

- i) Checks made on volunteers
- ii) Checks made on governors
- iii) Dates on which safeguarding and safer recruitment training was undertaken
- iv) The name of the person who carried out each check
- v) 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 s 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 would otherwise perform on any individual who will be working at the school. 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 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.

3.3 Trainee/student teachers

Where applicants for initial teacher training are salaried by school, 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 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. We will check the identity of the trainee is the same as the information provided by the Training Provider.

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/senior leader 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 s. 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.

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 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).

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.
- 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.

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.
- iv) The DBS will consider whether to bar the individual.

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 19)
The Secretary of State will investigate and make the decision.

Example of Reference Request:

Loreto High School has a commitment to safeguarding and promoting the welfare of students and the purpose of seeking this reference is to obtain objective and factual information to support appointment decisions and to comply with guidance under Every Child Matters and the Equality Act 2010.

Name of applicant:	
Job Title:	
Start Date:	
Leaving Date:	
Reason for Leaving:	
Salary on Leaving:	

Please tick to grade the following aspects of the candidate's work:

	1 Outstandi ng/ Excellent	2 Very Good	3 Good	4 Satisfacto ry	5 Issues of Concern
Overall Quality of Teaching					
Subject Knowledge					
Preparation & Planning					
Behaviour management					
Ability to work as part of a team					
Relationship with students					
Relationship with colleagues					
Ability to act on own initiative					
Ability to meet deadlines					
Contribution to wider life of the school					
Determination to see a task through to good conclusion					
Experience of using ICT (Information & Communications Technology)					
Leadership potential (<i>if applicable</i>)					

Please explain your ratings:

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Please complete the following providing as much information as possible:

Please detail the applicant's main responsibilities.	
Please comment on the applicant's performance including strengths and weaknesses.	
Please comment on the applicant's effectiveness in terms of examination success, value added and retention rates.	
Please comment on the applicant's suitability to undertake the post with reference to the job description and person specification enclosed.	

Has the applicant been subject to any disciplinary procedures in which the disciplinary sanction is current? If so, please give details.	Yes/No
Has the applicant been subject to any disciplinary procedures involving issues relating to the safety and welfare of children, young people or vulnerable adults? Is so, please give details and the outcome of those procedures.	Yes/No
Have any allegations or concerns been raised about the applicant relating to the safety and welfare of children, young people or vulnerable adults? Were the allegations investigated? What was the conclusion? How was the matter resolved?	Yes/No
Are you completely satisfied that the applicant is suitable to work with young people? If not, please detail the specific concerns you have and the reasons you believe the person may be unsuitable.	Yes/No
Would you re-employ/appoint this person to this position within your own organisation? If not, please give reasons. <i>(Please do not include details about sickness absence in this section. We</i>	Yes/No

<i>may request further information about this individual if they are offered the post.)</i>	
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Other relevant comments:

I confirm that this reference is accurate and does not contain any material misstatement or omission and that, in line with the Data Protection Act, the information provided may be disclosed to the applicant, if appointed.

Signed:	
Name:	
Date:	
Job title:	
Organisation:	

Please ensure the reference is accurate and does not contain any material misstatement or omission.

The Recruiting Manager may contact you if clarification is required on any point or if there has been an omission

Thank you for taking the time to complete this reference

Please return to Michelle Pentland, Head of Administrative Services, Loreto High School, Nell Lane, Chorlton, Manchester, M21 7SW email: pentlandm@loretochorlton.manchester.sch.uk