

<b>POLICY:</b> <b>Safer Recruitment &amp; Risk Assessment Form</b>	REF: ESD005 Employment & Staff Development	VERSION: 1
APPROVAL BODY:	DATE: March 2017	REVIEW DATE: March 2020
LEAD PERSON:		
VERSION	REVIEWER/APPROVAL	REVIEW NOTES
1. 22/03/2017	Multi Academy Trust Board	New Policy
2.		

## **Safer Recruitment Policy**

### **Purpose of the Policy**

Activate Learning Education Trust is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. In order to safeguard and promote the welfare of its students and ensure that risk of harm is minimised, the Trust employs a safer recruitment policy which complies with national and local guidance. The Trust recruitment procedures take every precaution to ensure that we are satisfied that the applicant is a fit and proper person to work with children.

The purpose of this policy is to set out the minimum requirements of a recruitment process that aims to:

- attract the best possible applicants to vacancies;
- deter prospective applicants who are unsuitable for work with children or young people;
- identify and reject applicants who are unsuitable for work with children and young people
- observe employment law and is fair;
- be consistent with the Trust' commitment to equality.

### **Identification of Recruiters**

At least one recruiter on any appointment team must successfully have received accredited training in safer recruitment procedures. Details of approved training can be obtained from Group HR.

## **Inviting Applicants**

When a post is identified, an appropriate timeline will be drawn up that allows for all processes to be conducted safely. Advertisements for posts, whether in newspapers, journals or online will include a safeguarding statement. Prospective applicants will be advised, as a minimum, of the following:

- Job Description
- Person Specification
- The selection procedure for the post
- An application form
- Safer Recruitment Policy
- Safeguarding Policy

NB. some of this information might be supplied electronically or via reference to the Trust website. All prospective applicants must complete the application form in full and return it signed. Incomplete Application Forms will be returned to the applicant where the deadline for completed forms has not passed.

## **Short-listing and References**

Where a large number of fully completed applications is received (10 plus) a long listing will occur soon after the application closure date against the person specification for the post. Where possible, references will be taken up before the short listing selection stage, so that any discrepancies can be probed during the selection stage.

References will be sought directly from the referee. References or testimonials provided by the candidate will never be accepted. All school references must always be signed by the Head/Principal (or member of the SLT in their absence). Where a current employer has not been given as a referee the Trust will seek permission from the applicant to approach the current employer. Where the current employment does not involve working with young people, and a previous employment has done, the Trust will seek a reference from that employer.

Where necessary, referees will be contacted by telephone or email in order to clarify any anomalies or discrepancies. A detailed written note will be kept of such exchanges. Where necessary, previous employers who have not been named as referees will be contacted in order to clarify any anomalies or discrepancies. A detailed written note will be kept of such exchanges.

Referees will always be asked specific questions about:

- referee's relationship with the candidate;
- the candidate's suitability for working with children and young people;
- details of any allegations or concerns that have been raised about the applicant to the safety/welfare of children or behaviour towards children and the outcome of those concerns – conclusions reached and how the matter was resolved;
- any disciplinary warnings, including time-expired warnings, that relate to the safeguarding of children;
- the candidate's suitability for this post.

A copy of the job description and person specification should be circulated with the reference request. School employees are entitled to see and receive, if requested, copies of their employment

references. Appointments can only be confirmed when all references have been correctly scrutinised unless a risk assessment is carried out and signed by the Head/Principal.

The referee should be reminded that they have a responsibility to give accurate information and not give misstatements or omissions and that they may discuss factual content with the applicant before-hand.

Shortlisting of candidates will be against the person specification for the post. At shortlisting, applications are checked for discrepancies, inconsistencies and gaps in employment (cross reference with the application form) - note, enquire further and consider if questions at interview are required.

### **The Interview and Selection Process**

The invitation to interview will provide basic details and a programme of the day, including details of how the formal interview will be conducted and the areas it will explore – including suitability to work with children. Interviews will always be face-to-face. Telephone interviews may be used at the shortlisting stage but will not be a substitute for a face-to-face interview.

Candidates will always be required to:

- provide proof of identity, including photo ID;
- explain satisfactorily any gaps in employment;
- explain satisfactorily any anomalies or discrepancies in the information available to recruiters;
- declare any information that is likely to appear on a DBS (formerly CRB) disclosure;
- demonstrate their capacity to safeguard and protect the welfare of children and young people;
- bring sufficient documentary evidence to allow the successful candidate to confirm their qualifications and complete the DBS disclosure immediately on being offered the post.

The Interview Panel should comprise of at least two people. At least one member of the panel will have successfully completed training in Safer Recruitment within the last 5 years. The panel should meet before-hand to discuss the interview and the issues to be explored with the candidate (panels can agree questions but they can be deviated from where supplementary information is required to pursue answers/thoughts/ideas).

Safeguarding questions in interview will:

- explore attitude towards children;
- explore candidate's ability to support safeguarding and promoting the welfare of children;
- explore gaps in employment history
- address any concerns/discrepancies arising from references and application forms;
- candidates asked if they wish to declare anything in light of the DBS check.

### **Employment Checks**

All appointments will be conditional upon:

- two satisfactory references;
- proof of identity, including photo ID;
- completion of a DBS disclosure application and receipt of satisfactory clearance;
- providing actual certificates of qualifications, verification of qualifications/professional status/QTS via GTC/NPQH QTS;
- a prohibition check using the Employed Access Online Service
- proof of eligibility to live and work in the UK; Overseas Police Checks for any individual who within the last 5 years has lived or worked outside the UK, whether they are a British Citizen or not.
- the successful completion of a probation period is a requirement before a permanent appointment is made.

## **Induction**

All employees who are new to the Trust will receive induction training that will include the Trust's Safeguarding Policies and guidance on safe working practices. Regular meetings will be held during the first 3 months of employment between the new employee(s) and the appropriate manager(s). All employees will receive an appropriate level training in:

- child protection/safeguarding and promoting welfare of children/anti-bullying/anti racism/physical handling/intimate care/internet safety/Prevent duty;
- safe practice and standard of conduct and behaviour advice for staff;
- disciplinary and whistle blowing policies

## **Role and Responsibilities**

The Head/Principal has the responsibility for ensuring the integrity of the system overall; for providing checks and balances and ensuring concerns in relation to the policy are addressed immediately.

The Head/Principal has oversight of the process and should ensure that all steps outlined in this policy are completed and will ensure that the timeline for appointments is followed. All employees involved in recruitment have the responsibility to be aware of its contents; to act in accordance with it and to use the Trust's Whistle Blowing Policy if there are any concerns regarding its implementation.

- If, one week prior to the commencement of employment a DBS has not been received, a risk assessment must be undertaken to allow that person to start work prior to receiving a satisfactory DBS check.
- If that person has a valid DBS check from a previous employer (with no break in service) then that will be accepted until a satisfactory DBS check is obtained on the Trust's behalf.
- On the first day of employment all new employees will meet with the Head/Principal and VP who will formally welcome them to the academy and verify that the appointments checklist has been completed and sign to confirm this.
- All checks will be confirmed in writing and copies of the relevant documents retained on file.
- Any discrepancies thrown up by the above checks will be discussed with Human Resources before a final decision on employment is made.
- The DfE Children's Safeguarding Operations Unit will be informed of any candidates:
  - whose names are found on List 99/PoCA or whose DBS check shows that they have been disqualified from working with children by a court;
  - who have given false information to support their application;
  - who are found to have serious concerns about the working with children.

- Contractors who work continuously on site e.g. the Youth service and Community Library are expected to recruit employees safely, with the protection of young people as their top priority. The academy will ensure that safe recruitment is regularly discussed and that it receives proof that contractors are DBS checking all new employees.
- It is our policy that all governors are required to undertake an enhanced DBS check.
- All volunteers are required to undertake an appropriate DBS check before commencing service.
- All agency staff and students in training must bring evidence of DBS clearance prior to commencing work for the Trust.

### **Employment of Supply Staff**

A person supplied to the Trust from a supply agency will only be able to begin work at the trust once we have received (in writing) confirmation of their identity, that they are not barred from regulated activity relating to children, their qualifications, the right to work in the UK, that an enhanced DBS certificate has been obtained in the last three months and that any disclosures are shared with the Trust.

To ensure that the person is suitable to work at the Trust they will be required to attend an interview prior to commencing work. At the interview the interviewee will be required to bring along suitable documentation so that the Trust can verify the identity of the applicant.

**Interns** : The Academy will only use those agencies which operate a Safer Recruitment Policy and supply written confirmation that all relevant checks have been satisfactorily completed. Any information disclosed as part of the DBS check will be treated confidentially. The Academy request interns to complete Safeguarding Training and will carry out a face to face induction with Safeguarding on the Agenda led by the Designated Safeguarding Lead or Deputy to check understanding.

**Peripatetic Staff** : The Academy will require that all necessary checks and DBS requirements have been satisfactorily completed for peripatetic staff.

The Academy will carry out identity checks when the individuals arrive in the academy.

### **Monitoring and Evaluation**

The Trust and Head/Principal will monitor the operation and effectiveness of the Safer Recruitment Policy.

Policy created: March 2017

Policy review date: March 2020

## Guidance Notes

This form must be used to assess and record the risks of allowing someone to start work or volunteering before a DBS (Disclosure and Barring Service) check is received or where a DBS certificate shows relevant convictions or other relevant information.

The completion of this risk assessment form is the responsibility of the appointing manager for the new employee. It must also be sponsored by a member of the Group Executive Team and approved by the Group Director – HR & OD before the individual can commence work. This completed risk assessment form and any subsequent monitoring reports or notes must be placed on the individual's file and made available to HR, Safeguarding and Ofsted inspections should they wish to review the risks.

In very exceptional circumstances, staff (but not volunteers) who work with young people, vulnerable adults or their records may work without a clear Activate Learning Educational Trust enhanced DBS certificate if they are closely supervised (within sight and sound of someone with a clear DBS check). However, this will normally only be permissible when not to allow them to work, would disrupt the care or learning of students and vulnerable adults, e.g. where there is a regulatory requirement to have a ratio of staff to number of students or vulnerable adults. People may only work in these circumstances when the following applies:

- The appointment is necessary to allow the service provision to continue.
- An enhanced Activate Learning Educational Trust DBS check has been applied for.
- The person has no unsupervised contact with young people or vulnerable adults.
- They have no access to sensitive records, particularly information about individual students or vulnerable adults.
- This risk assessment and risk management plan has been completed and signed off by the relevant manager.

*Please note that candidates may be able to carry out induction, training and supervised tasks whilst waiting for the DBS certificate to be returned.*

If you require any assistance with completing this Risk Assessment please contact Group HR Services.

## Employee Appointment Risk Assessment

**Part A:** To be completed by Academy

<b>Name of employee to be appointed</b>	<b>Date DBS check requested</b>
<b>Position</b>	<b>Line Manager</b>
<b>Right to Work checks completed &amp; date</b>	<b>Date of previous DBS check &amp; status</b> <b>(full copy to be attached)</b>
<b>Reference 1:</b> date received back & satisfactorily represents their suitability for this post	<b>Reference 2:</b> date received back & satisfactorily represents their suitability for this post
<b>Start date working towards</b>	

**Part B:** To be completed by Head/Principal

<p><b>Please present the business case to support your recommendation that employment commences prior to the return of a satisfactory DBS disclosure:</b></p>
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**Does the position involve working directly with young people (under 18) and/ or vulnerable adults or other vulnerable groups?**

Yes / No

**Does this post involve working unsupervised with young people (under 18) and/ or vulnerable adults?**

Yes/ No

**Does this post involve working unsupervised with young people (under 18) and/ or vulnerable adults on a one-to-one basis?**

Yes/ No

**Is there any further information relevant to this Risk Assessment regarding the candidate, the work itself or the location/environment where the activities will take place?**

**Actions that will be put in place to mitigate risks before the DBS clearance is received (please delete all those that do not apply)**

- Individual will not be in 1:1 situations with students
- Individual will be regularly supervised by manager
- An appropriate staff member has been assigned to monitor and supervise the individual at all times
- Where feasible, teaching in classrooms or other areas will be open or have the door left open
- Individual has been briefed on the expectations on them under safeguarding rules
- Individual has/will attend relevant safeguarding training
- Individual has signed the Staff Code of Conduct
- Individual will not have access to student records or sensitive data
- Individual has signed the employee statement
- Enhanced DBS has been applied for
- Barred list check has been completed
- Prohibited from Teaching list has been checked.
- The risk assessment will be updated and issues raised daily until the DBS is received

Any others (please detail)

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**LEVEL OF RISK**

Using the Risk Assessment Tool below, please indicate the level of risk posed by appointing the individual in this job. Please give reasons for your assessment in the space provided.

Level of Risk (insert number):		
Can protective measures be put in place to render the risk low?	Yes	No

### Risk Assessment Tool

Before assigning a risk level you must first decide, based on the position in question, how likely it is that students or others will face any difficulties as a result of the individual taking up the role. Likelihood ratings are described below:

Rare	This will probably never happen
Unlikely	Do not expect it to happen but it is possible
Possible	Might happen occasionally
Likely	Will probably happen but is not a persisting issue
Almost Certain	Will undoubtedly happen, possibly frequently

Then you must decide on how severe you consider this to be. Severity ratings are described below:

Negligible	Students will have no contact with the individual, therefore there is no need for concern
Minor	Students may meet the individual in a supervised environment so concern for danger is minor
Moderate	Students may be exposed to some contact with the individual that may need to be supervised
Major	Students could be in direct, one-to-one contact with the individual that may present a risk to student safety

	Rare	Unlikely	Possible	Likely	Almost Certain
Negligible	1	2	3	4	5
Minor	2	3	4	5	5
Moderate	3	4	5	5	5

### Risk Assessment Completion and Authorisation

Major	4	5	5	5	5
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Risk Assessment Record of Completion	
Is this person, in your view, suitable to start work before the DBS certificate is returned or to continue working under the conditions proposed above? Yes/ No	
Do you accept your responsibilities for monitoring and supervising the individual in line with the risk assessment? Yes/ No	
<b>Comments:</b>	
Risk Assessment Authorised by:	
Signed (Head/Principal):	
Print Name (Head/Principal):	
Date:	

Authorised by the Trust Director	
Is this person, in your view, suitable to start work before the DBS certificate is returned or to continue working under the conditions proposed above? Yes/ No	
Are you satisfied that identified risks have been reduced and that robust supervision arrangements are in place? Yes/ No	
<b>Comments:</b>	
Risk Assessment Authorised by:	
Signed:	
Print Name:	
Date:	

Authorised by HR	
Are you satisfied that all checks have been completed and the risks have been identified and sufficient actions taken to mitigate or minimise the risks to the students/staff and the organisation? Yes/ No	
<b>Comments:</b>	
Risk Assessment Authorised by:	
Signed (Group Director - HR):	
Print Name (Group Director - HR):	
Date:	

Please return a copy of the fully completed risk assessment to: [hr@activatelearning.ac.uk](mailto:hr@activatelearning.ac.uk)

**Part C: To be completed by the employee**  
**Safeguarding – Employee Self Disclosure Form**

**Please include a copy of your last DBS form if you have one.**

I understand that it is a fundamental part of my terms and conditions of employment with the Activate Learning Educational Trust that I have a valid DBS in place at all times and that whilst my DBS disclosure is being processed then it is necessary to declare the following:

**Statement from employee:**

I can confirm that there have been no changes since my last disclosure was issued (a copy of which is attached to this notice) and I understand that if this statement is proven to be incorrect and there are new convictions or cautions on my renewed DBS, irrespective of the nature, this will be investigated by Activate Learning Educational Trust under the Disciplinary Procedure and will be considered as Gross Misconduct which may result in dismissal.

Name	
Job Role	
Department/Faculty	

In October 2015, the Department for Education (DfE) issued an update to its Statutory Guidance “Keeping Children Safe” to ensure that staff are not disqualified under the Childcare (Disqualification) Regulations 2009.

A person may be disqualified through:

- Having certain orders or other restrictions placed upon them;
- Having committed certain offences;
- Living in the same household as someone who is disqualified by virtue of 1 or 2 above (this is known as disqualification by association)

A disqualified person is not permitted to continue to work in a setting providing care for children unless they apply for and are granted a waiver from Ofsted.

**You are therefore required to complete this self-declaration form confirming that you are not disqualified under the Regulations stated above from working at Activate Learning Educational Trust.**

Please answer the questions and sign the declaration below to demonstrate that you are suitable to work with children. If there are any aspects of the declaration that you are not able to meet, you should disclose this immediately to the Group Director – Human Resources & Organisational Development.

If you fail to complete and return the form, this will be regarded as a disciplinary matter for staff, which may result in dismissal.

Please circle yes or no against each bullet point below:

<b>SECTION 1: Questions Relating to You: Are you disqualified for caring for children? For example:</b>		
Are you aware the role you have applied for may involve working with under 18s or vulnerable adults?	YES	NO
Are there any restrictions in place preventing you from undertaking such work?	YES	NO
Have any court orders or other determinations related to childcare been made in respect of you?	YES	NO
Have any court orders or other determinations related to childcare been made in respect of a child in your care?	YES	NO
Have your children (if applicable) ever been taken into care?	YES	NO
Have any orders or other determinations been made which prevents you from being registered in relation to child care, children’s homes or fostering?	YES	NO
Are there any other relevant orders, restrictions or prohibitions in respect of you as set out in the Schedule 1 of the Regulations? Available from <a href="http://www.legislation.gov.uk/uksi/2009/1547/schedule/1/made">http://www.legislation.gov.uk/uksi/2009/1547/schedule/1/made</a>	YES	NO
Have you been barred from working with children by the Disclosure and Barring Service (DBS)?	YES	NO
Are you prohibited from Teaching?	YES	NO
<b>SECTION 2: Questions relating to Specified and Statutory Offences:</b>		
Have you been cautioned (including a reprimand or warning) or have you ever been convicted of:		
Any offence against or involving a child? (a child is a person under the age of 18)	YES	NO

Any violent* or sexual offence against an adult?  *a violent offence in this context is murder, manslaughter, kidnapping, false imprisonment, ABH or GBH	YES	NO
Any offence under the Sexual Offences Act?	YES	NO
Any other offence?  Please see the following links:  <a href="http://www.legislation.gov.uk/ukxi/2009/1547/schedule/2/made">http://www.legislation.gov.uk/ukxi/2009/1547/schedule/2/made</a>  <a href="http://www.legislation.gov.uk/ukxi/2009/1547/schedule/3/made">http://www.legislation.gov.uk/ukxi/2009/1547/schedule/3/made</a>	YES	NO
Do you have knowledge of any pending prosecutions in respect of alleged criminal offences (excluding road traffic offences not involving injury to a third party) or a sentence of imprisonment?	YES	NO
Have you ever been cautioned, reprimanded, given a warning for or convicted of any similar offence in another country?	YES	NO
<b>SECTION 3: Disqualification by Association</b>		
To the best of your knowledge, is anyone in your household* disqualified from working with children under the regulations?  This means does anyone in your household have an Order or Restriction against them as set out in Section 1 or have they been cautioned, reprimanded, given a warning for or convicted of any offence in Section 2.  *Household – includes family, lodgers, house-sharers, household employees and means anyone residing permanently with you or for a temporary period of time	YES	NO
If a disclosure is made, what is the relationship of the person to you?		

<b>SECTION 4: Further Information</b>	
If you have answered YES to any of the above questions you should provide details below in respect of yourself, or where relevant, the member of your household. You may supply this information separately if you wish but you must do so without delay.	
Details of the order, restriction, conviction, caution etc	

The date(s) of these	
The relevant court(s) or body(ies)	

You should also provide a copy of the relevant order, caution, conviction etc. relating to cautions/convictions a DBS Certificate may be provided.

**SECTION 5: DECLARATION**

**In signing this form, I confirm that the information provided is true to the best of my knowledge and that:**

I understand my responsibilities in terms of safeguarding	YES	NO
I understand that I must notify the Group Director HR & OD immediately of anything that affects my suitability including any pending court appearances, cautions, warnings, convictions, orders or other determinations made in respect of me or a member of my household that may render me disqualified from working with children/vulnerable adults	YES	NO

Are you eligible to work in the UK?	YES	NO
Are the qualifications, experience and other details written on your application form and supporting information true and accurate?	YES	NO
Would there be anything detrimental to the employer in you taking up the vacancy if offered the role?	YES	NO

Please supply any comments in relation to the above:

Signed	
Date	
Name in BLOCK CAPITALS	