



# Torquay Girls Grammar School

## Safer Recruitment Policy

Policy Information	
Policy Owner	Abigail Henwood
Issue Version	1.0
Approving Committee	SLT
Adopted Date	November 2024
Review Cycle	Annual
Last Review Date	November 2024
Next Review Date	September 2025

## Introduction

As a school, we are committed to:

- Our duty to safeguard children under:
  - [Keeping Children Safe in Education](#)
  - [The DBS code of practice](#)
- The fair treatment of all applicants and equality of opportunity

To make sure we recruit suitable people, we will ensure that those involved in the recruitment and employment of staff to work with children have received appropriate safer recruitment training.

We have put the following steps in place during our recruitment and selection process to ensure we are committed to safeguarding and promoting the welfare of children.

## Advertising and Selection

### Advertising

When advertising roles, we will make clear:

- Our school's commitment to safeguarding and promoting the welfare of children
- That safer recruitment checks will be undertaken
- The safeguarding requirements and responsibilities of the role, such as the extent to which the role will involve contact with children
- That we will take up references and undertake an online search for shortlisted candidates
- Whether or not the role is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020. If the role is exempt, certain spent convictions and cautions are 'protected', so they do not need to be disclosed, and if they are disclosed, we cannot take them into account
- Include a copy of, or link to, our child protection and safeguarding policy and our policy on safer recruitment, including the employment of ex-offenders
- Include a statement saying that it is an offence to apply for the role if an applicant is barred from engaging in regulated activity relevant to children

### Application forms

All applicants must complete the school's application form to apply for a position. CVs will not be accepted.

Our application forms will include:

- A declaration confirming the information they have provided is true
- A question to confirm they have the right to work in the UK
- A question to confirm whether they have lived outside of the UK for more than three months in the past five years

### Shortlisting

Our shortlisting process will involve at least two people (with at least one of which who has up to date safer recruitment training) and will:

- Consider any inconsistencies and look for gaps in employment and reasons given for them
- Consider the reasons for leaving previous employment
- Explore all potential concerns

Once we have shortlisted candidates, and prior to interview, we will ask shortlisted candidates to:

- Complete a self-declaration of their criminal record or any information that would make them unsuitable to work with children, so that they have the opportunity to share relevant information and discuss it at interview stage. The information we will ask for includes:
  - If they have a criminal history
  - Whether they are included on the barred list
  - Whether they are prohibited from teaching
  - Information about any criminal offences committed in any country in line with the law as applicable in England and Wales
  - Any relevant overseas information

We will also carry out an online search on shortlisted candidates to help identify any incidents or issues that are publicly available online.

### Seeking references and checking employment history

We will request references before interview. Any concerns raised will be explored further with referees and taken up with the candidate at interview, or soon after this if references are not received prior to interview.

When seeking references we will:

- Obtain a minimum of two references
- Ensure electronic references originate from a legitimate source
- Not accept open references
- Not accept personal references
- Seek a further reference if an organisation's policy is to only provide a factual reference, or in other circumstances where it is felt appropriate (e.g. if the two references only cover a short period of time)
- Liaise directly with referees and verify any information contained within references with the referees, preferably via phone, and seek clarification where information is vague or insufficient
- Ensure any references are from the candidate's current employer and completed by a senior person. Where the referee is school based, we will ask for the reference to be confirmed by the headteacher/principal as accurate in respect to any disciplinary or safeguarding concerns
- Obtain verification of the candidate's most recent relevant period of employment if they are not currently employed
- Secure a reference from the relevant employer from the last time the candidate worked with children if they are not currently working with children
- Compare the information on the application form with that in the reference and take up any inconsistencies with the candidate
- Resolve any concerns before any appointment is confirmed

## Interview and selection

We will ensure that at least one person on the interview panel has completed safer recruitment training.

When interviewing candidates, we will:

- Probe any gaps in employment, or where the candidate has changed employment or location frequently, and ask candidates to explain this
- Ask about the candidate's understanding of safeguarding, relevant to the position they are applying to
- Explore any potential areas of concern to determine the candidate's suitability to work with children
- Where appropriate, involve students in the interview process in a meaningful way
- Record all information considered and decisions made

## Offer of employment

All offers of appointment are conditional until the satisfactory completion of the mandatory pre-employment checks.

## Pre-appointment vetting checks

We will record all information on the checks carried out in the school's single central record (SCR). Copies of these checks, where appropriate, will be held in individuals' personnel files. We follow requirements and best practice in retaining copies of these checks, as set out below.

### New staff

All offers of appointment will be conditional until satisfactory completion of the necessary pre-employment checks. When appointing new staff, we will:

- Verify their identity
- Obtain (via the applicant) an enhanced DBS certificate, including barred list information for those who will be engaging in regulated activity (see definition below). We will obtain the certificate as soon as practicable after the position is offered to the application. We will not keep a copy of the certificate in the individual's personnel file, but keep a record of the fact that vetting took place, the result of the check and that the original certificate was seen and verified
- Obtain a separate barred list check if they will start work in regulated activity before the DBS certificate is available
- Obtain two satisfactory references, or more if required
- Ensure reasons are provided for gaps in employment
- Undertake an online search
- Verify their mental and physical fitness to carry out their work responsibilities
- Verify their right to work in the UK
- Verify their professional qualifications, as appropriate
- Ensure they are not subject to a prohibition order if they are employed to be a teacher

- Carry out further additional checks, as appropriate, on candidates who have lived or worked outside of the UK. These could include, where available:
  - For all staff, including teaching positions: [criminal records checks for overseas applicants](#)
  - For teaching positions: where possible, obtaining a letter from the professional regulating authority in the country where the applicant has worked, confirming that they have not imposed any sanctions or restrictions on that person, and/or are aware of any reason why that person may be unsuitable to teach
- Check that candidates taking up a management position\* are not subject to a prohibition from management (section 128) direction made by the secretary of state

\* Management positions include, members of the Senior Leadership Team, as well as support staff managerial positions

**Regulated activity** means a person who will be:

- Responsible, on a regular basis in a school or college, for teaching, training, instructing, caring for or supervising children; or
- Carrying out paid, or unsupervised unpaid, work regularly in a school or college where that work provides an opportunity for contact with children; or
- Engaging in intimate or personal care or overnight activity, even if this happens only once and regardless of whether they are supervised or not

### Existing staff

In certain circumstances we will carry out all the relevant checks on existing staff as if the individual was a new member of staff. These circumstances are when:

- There are concerns about an existing member of staff's suitability to work with children; or
- There has been a break in service of 12 weeks or more

We will refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult where:

- We believe the individual has engaged in [relevant conduct](#); or
- We believe the individual has received a caution or conviction for a relevant (automatic barring either with or without the right to make representations) offence, under the [Safeguarding Vulnerable Groups Act 2006 \(Prescribed Criteria and Miscellaneous Provisions\) Regulations 2009](#); or
- We believe the 'harm test' is satisfied in respect of the individual (i.e. they may harm a child or vulnerable adult or put them at risk of harm); and
- The individual has been removed from working in regulated activity (paid or unpaid) or would have been removed if they had not left

### Agency and third-party staff

We will obtain written notification from any agency or third-party organisation that it has carried out the necessary safer recruitment checks that we would otherwise perform. We will also check that the person presenting themselves for work is the same person on whom the checks have been made.

## Contractors

We will ensure that any contractor, or any employee of the contractor, who is to work at the school has had the appropriate level of DBS check. This will be:

- An enhanced DBS check with barred list information for contractors engaging in regulated activity
- An enhanced DBS check, not including barred list information, for all other contractors who are not in regulated activity but whose work provides them with an opportunity for regular contact with children

We will obtain the DBS check for self-employed contractors.

Contractors who have not had any checks will not be allowed to work unsupervised or engage in regulated activity under any circumstances.

We will check the identity of all contractors and their staff on arrival at the school.

## Trainee/student teachers

Where trainee teachers are fee-funded, we will obtain written confirmation from the training provider that necessary checks have been carried out and that the trainee has been judged by the provider to be suitable to work with children.

## Volunteers

We will:

- Never leave an unchecked volunteer unsupervised or allow them to work in regulated activity
- Obtain an enhanced DBS check with barred list information for all volunteers who will be volunteering in regulated activity with children
- Undertake checks appropriate to the type of role the volunteer is undertaking

## Trustees and Members

All trustees and members will have an enhanced DBS check without barred list information.

The chair of the board will have their DBS check countersigned by the secretary of state.

All trustees and members will also have the following checks:

- A section 128 check (to check prohibition on participation in management under [section 128 of the Education and Skills Act 2008](#)).
- Identity
- Right to work in the UK
- Other checks deemed necessary if they have lived or worked outside the UK

## Adults who supervise pupils on work experience

When organising work experience, we will ensure that policies and procedures are in place to protect children from harm.

## Employment of Ex-Offenders

Torquay Girls' Grammar School meets the requirements for exemption from the Rehabilitation of Offenders Act 1974.

This means that, where a role involves regulated activity, applicants are required to disclose relevant convictions and cautions (excluding exemptions) if shortlisted for employment in our schools/1 of our schools.

All employees will be subject to an enhanced Disclosure and Barring Service (DBS) check with child barred list check.

Having a criminal record will not necessarily bar you from working at our school/trust. The success of your application will depend on your suitability for the job, the nature of the role, and the circumstances and background of any offences.

### Protections and exemptions

'Specified offences' will always be disclosed on a DBS certificate, and should always be included in self-declarations – see the [government's list](#) for further details.

It is a criminal offence for any person who is barred from working with children to apply for a position in a school. We will make a report to the DBS and/or the police as appropriate, if we receive an application from a barred person.

'Protected offences' are certain old or minor offences that may not be disclosed on a DBS check. Guidance as to whether a caution or conviction is 'protected' can be found in:

- The Ministry of Justice's [Guidance on the Rehabilitation of Offenders Act 1974 and the Exceptions Order 1975](#)
- The government's tool to [check whether to disclose cautions or convictions](#)

Applicants **should not** list any 'protected' offences on their self-declaration form, and we will not take them into account if we are made aware of them.

### Responsibilities

#### The headteacher

- Uphold the school's commitment to the fair treatment of all job applicants
- Make sure staff involved in the recruitment process have received appropriate guidance and training

#### Staff involved in the recruitment process

- Treat applicants fairly, including in relation to any history of offending
- Maintain privacy for applicants, making sure that information about applicants' criminal records won't be seen by anyone outside of the recruitment process
- Make sure that all shortlisted applicants complete a self-declaration form before the interview stage, and that all job offers are conditional, subject to appropriate safeguarding checks
- Hold discussions with applicants about their disclosures, where relevant, and make decisions about suitability based on the circumstances and background of offences
- Seek specialist legal/HR advice where relevant

### All job applicants

- Familiarise themselves with the requirements for self-disclosure, and whether they have any previous convictions or cautions that must be disclosed
- Complete self-declaration forms honestly and completely, disclosing all required spent and unspent convictions and cautions (excluding 'protected' offences)
- Participate in disclosure discussions following either or both of their self-declaration and DBS check

### The process for disclosing and assessing previous convictions

#### Self-declaration

All shortlisted applicants will be asked to complete a self-declaration form before they are interviewed. Applicants must complete these forms accurately, and reveal all relevant convictions, as well as any other information that would make them unsuitable to work with children. Failure to reveal any relevant information could lead to the withdrawal of an offer of employment.

Applicants will not be asked for information about previous convictions or cautions before this stage, and any such information that is disclosed before shortlisting stage won't be taken into account in the shortlisting process.

We will store all sensitive personal data securely, only share it with relevant staff members, and destroy it securely when we no longer need it.

Self-declaration forms will be reviewed by a staff member who is not involved in making recruitment decisions, and any irrelevant information will be deleted; for example, 'protected' convictions that legally can't be taken into account.

#### DBS checks

Successful candidates are subject to DBS and other safeguarding checks, as set out in statutory guidance, Keeping Children Safe in Education. Staff should consider whether:

- The checks reveal any new information that might prohibit or otherwise make a candidate unsuitable for the role
- The checks match any information disclosed in an applicant's self-declaration

#### Disclosure discussions

Where a disclosure or the results of a DBS check reveal that an applicant is barred from the role or ineligible to be employed in that role, their recruitment process will not proceed any further, and they will be informed that they legally cannot be considered for the job.

In all other cases, previous convictions will not necessarily prevent applicants from being employed by our school. Staff will determine, with support from HR specialists, whether disclosures warrant a discussion with the candidate.

Where relevant, disclosure discussions will happen as part of the interview process and take the applicant's explanation into consideration. For example, we will consider:

- The seriousness of any offence and relevance to the post applied for
- How long ago the offence occurred
- Whether it was a one-off incident or a history of incidents
- The circumstances around the incident



- Whether the applicant accepted responsibility for their actions

Staff will then assess whether applicants' previous convictions or cautions make them unsuitable for the role.

We will not ask applicants about protected convictions and cautions.

## Linked Policies

- Keeping Children Safe in Education
- The DBS Code of Practice
- Working Together to Safeguard Children
- Safeguarding and Child Protection Policy
- Allegations Against Adults Policy