



# Safer Recruitment Policy

<b>Reviewed:</b>	<b>12 Months</b>
<b>Approved by Directors:</b>	<b>May 2022</b>
<b>To be reviewed:</b>	<b>May 2023</b>
<b>Version</b>	<b>3</b>

<b>NAME OF 1<sup>st</sup> REVIEWER</b>	<b>Michelle Smith</b>
<b>NAME OF 2<sup>nd</sup> REVIEWER</b>	<b>Caroline Place</b>

## Contents

<b>Introduction .....</b>	<b>2</b>
<b>Aims and Objectives.....</b>	<b>2</b>
<b>Roles and Responsibilities .....</b>	<b>3</b>
<b>Definition of Regulated Activity and Frequency.....</b>	<b>3</b>
<b>Recruitment and Selection Process .....</b>	<b>3</b>
<b>Advertising .....</b>	<b>4</b>
<b>Application Forms .....</b>	<b>4</b>
<b>Shortlisting .....</b>	<b>4</b>
<b>Seeking References &amp; Checking Employment History.....</b>	<b>4</b>
<b>Interview and Selection .....</b>	<b>5</b>
<b>Pre-appointment Vetting Checks .....</b>	<b>5</b>
<b>New Staff .....</b>	<b>5</b>
<b>Existing Staff.....</b>	<b>6</b>
<b>Agency &amp; Third Party Staff.....</b>	<b>6</b>
<b>Contractors.....</b>	<b>6</b>
<b>Trainee/Student Teachers .....</b>	<b>7</b>
<b>Volunteers.....</b>	<b>7</b>
<b>Adults Who Supervise Learners on Work Experience .....</b>	<b>7</b>
<b>Volunteers.....</b>	<b>7</b>

## Introduction

The safe recruitment of staff is the first step to safeguarding and promoting the welfare of children and vulnerable adults in education. Liberty Training is committed to safeguarding and promoting the welfare of all learners in its care. As an employer, the college expects all staff and volunteers to share this commitment.

## Aims and Objectives

The aims of the Safer Recruitment policy is to help deter, reject or identify people who might abuse learners or are otherwise unsuited to working with them by having appropriate procedures for appointing staff.

The aims of the College's recruitment policy are as follows:

- to ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position;
- to ensure that all job applicants are considered equally and consistently;
- to ensure that no job applicant is treated unfairly on any grounds including race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age;
- to ensure compliance with all relevant legislation, recommendations and guidance including the statutory guidance published by the Department for Education (DfE), Keeping Children Safe in Education - 2021 (KCSIE), the Prevent Duty Guidance for England and Wales 2015 (the Prevent Duty Guidance) and any guidance or code of practice published by the Disclosure and Barring Service (DBS);
- to ensure that the College meets its commitment to safeguarding and promoting the welfare of our learners by carrying out all necessary pre-employment checks.

Employees involved in the recruitment and selection of staff are responsible for familiarising themselves with and complying with the provisions of this policy.

The College has a principle of open competition in its approach to recruitment and will seek to recruit the best applicant for the job. The recruitment and selection process should ensure the identification of the person best suited to the job at the College based on the applicant's abilities, qualifications, experience and merit as measured against the job description and person specification.

The recruitment and selection of staff will be conducted in a professional, timely and responsive manner and in compliance with current employment legislation, and relevant safeguarding legislation and statutory guidance (including KCSIE 2021 and Prevent Duty Guidance).

If a member of staff involved in the recruitment process has a close personal or familial relationship with an applicant they must declare it as soon as they are aware of the individual's application and avoid any involvement in the recruitment and selection decision-making process.

The College aims to operate this procedure consistently and thoroughly while obtaining, collating, analysing and evaluating information from and about applicants applying for job vacancies at Liberty Training.

## Roles and Responsibilities

It is the responsibility of the Directors to:

- Ensure the College has effective policies and procedures in place for recruitment of all staff and volunteers in accordance with DfE guidance and legal requirements.
- Monitor the College's compliance with them.

It is the responsibility of the Senior Leadership Team to:

- Ensure that the College operates safe recruitment procedures and makes sure all appropriate checks are carried out on all staff and volunteers who work at the College.
- Monitor contractors' and agencies' compliance with this document.
- Promote welfare of learners at every stage of the procedure.

Members of the SLT, the wider staff team and the learners may be involved in staff appointments, but the final decision will rest with the Directors.

## Definition of Regulated Activity and Frequency

Any position undertaken at, or on behalf of the College will amount to "regulated activity" if it is carried out:

- frequently, meaning once a week or more; or
- overnight, meaning between 2.00am and 6.00am; or
- satisfies the "period condition", meaning four times or more in a 30-day period; and
- provides the opportunity for contact with learners.

Roles which are carried out on an unpaid/voluntary basis will only amount to regulated activity if, in addition to the above, they are carried out on an unsupervised basis.

The College is not permitted to check the Barred List unless an individual will be engaging in "regulated activity". The College is required to carry out an enhanced DBS check for all staff, supply staff and trustees who will be engaging in regulated activity. However, the College can also carry out an enhanced DBS check on a person who would be carrying out regulated activity but for the fact that they do not carry out their duties frequently enough i.e. roles which would amount to regulated activity if carried out more frequently.

## Recruitment and Selection Process

The recruitment steps outlined below are based on part 3 of Keeping Children Safe in Education.

To make sure we recruit suitable people, we will ensure that those involved in the recruitment and employment of staff to work with learners 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 learners.

## Advertising

When advertising roles, we will make clear:

- Our college's commitment to safeguarding and promoting the welfare of learners & vulnerable young people
- That safeguarding checks will be undertaken
- The safeguarding requirements and responsibilities of the role, such as the extent to which the role will involve contact with learners
- 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

## Application Forms

Our application forms will:

- 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 learners (where the role involves this type of regulated activity)
- Include a copy of, or link to, our child protection and safeguarding policy and our policy on the employment of ex-offenders

## Shortlisting

Our shortlisting process will involve at least 2 people and will:

Consider any inconsistencies and look for gaps in employment and reasons given for them

- Explore all potential concerns

Once we have shortlisted candidates, 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 learners, 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
- Sign a declaration confirming the information they have provided is true

## Seeking References & Checking Employment History

We will obtain references before interview. Any concerns raised will be explored further with referees and taken up with the candidate at interview.

When seeking references we will:

- Not accept open references
- Liaise directly with referees and verify any information contained within references with the referees
- Ensure any references are from the candidate's current employer and completed by a senior person. Where the referee is college based, we will ask for the reference to be confirmed by the headteacher/principal as accurate in respect to disciplinary investigations
- 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 learners if they are not currently working with learners
- 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 obtain references before interview. Any concerns raised will be explored further with referees and taken up with the candidate at interview.

- 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
- Explore any potential areas of concern to determine the candidate's suitability to work with learners
- Record all information considered and decisions made

## Pre-appointment Vetting Checks

We will record all information on the checks carried out in the college'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 before, or as soon as practicable after, appointment, including when using the DBS update service. We will not keep a copy of the certificate for longer than 6 months, but when the copy is destroyed we may still keep a record of the fact that vetting took place, the result of the check and recruitment decision taken
- Obtain a separate barred list check if they will start work in regulated activity before the DBS certificate is available
- Verify their mental and physical fitness to carry out their work responsibilities

- Verify their right to work in the UK. We will keep a copy of this verification for the duration of the member of staff's employment and for 2 years afterwards
- 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. Where available, these will include:
  - For all staff, including teaching positions: [criminal records checks for overseas applicants](#)
  - For teaching positions: obtaining a letter of professional standing from the professional regulating authority in the country where the applicant has worked
- 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

## 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 learners; or
- An individual moves from a post that is not regulated activity to one that is; 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 & 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 college 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 learners
- We will obtain the DBS check for self-employed contractors.
- We will not keep copies of such checks for longer than 6 months.
- 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 college.

## Trainee/Student Teachers

Where applicants for initial teacher training are salaried by us, we will ensure that all necessary checks are carried out.

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 learners.

## 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 are new to working in regulated activity
- Carry out a risk assessment when deciding whether to seek an enhanced DBS check without barred list information for any volunteers not engaging in regulated activity. We will retain a record of this risk assessment

## Adults Who Supervise Learners on Work Experience

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

We will also consider whether it is necessary for barred list checks to be carried out on the individuals who supervise a learner on work experience. This will depend on the specific circumstances of the work experience, including the nature of the supervision, the frequency of the activity being supervised, and whether the work is regulated activity.

## 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 are new to working in regulated activity