



SAFER RECRUITMENT POLICY AND PROCEDURES

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SAFER RECRUITMENT POLICY

INTRODUCTION

The safe recruitment of staff in schools is the first step to safeguarding and promoting the welfare of children in education. Myddelton College is committed to safeguarding and promoting the welfare of all pupils in its care. As an employer, the school expects all staff and volunteers to share this commitment.

This is a whole-School Policy and should be read in conjunction with the Safeguarding and Child Protection Policy, and all other Safeguarding and Child Protection Policies and practices.

This policy document is guided by:

ESTYN: What does safe recruitment practice mean?

‘Safe recruitment’ means thinking about and including issues to do with child protection and safeguarding and promoting the welfare of children at every stage of the recruitment process.

It starts with the process of planning the recruitment exercise and ensuring that the job advertisement makes clear the organisation’s commitment to safeguarding and promoting the welfare of children.

It requires a consistent and thorough process of scrutinising applicants by:

- verifying identity and any academic or vocational qualifications,
- obtaining professional and character references,
- checking previous employment history,
- ensuring that a candidate has the health and physical capacity for the job,
- undertaking a face-to-face interview,
- undertaking any mandatory vetting and barring checks including, where appropriate, a DBS and enhanced regulated activity check.

WELSH GOVERNMENT: ‘Keeping Learners Safe’. Guidance Document No. 158/2015 January 2015 Chapter 5: Safer recruitment practice

5.1 Ensuring that safeguarding and promoting the welfare of children is an integral factor in human resources (HR) management and is central to creating safe environments for children and young people. It is vital that schools, Further Education (FE) colleges and other education establishments adopt recruitment and selection procedures, and other HR management processes that help to prevent, identify and reject people who might abuse children, or are otherwise unsuited to work with them.

5.2 Safer practice in recruitment means thinking about and including issues related to child protection, and safeguarding and promoting the welfare of children, at every stage of the process. It starts with the process of planning the recruitment exercise and, where the post is advertised, ensuring that the advertisement makes clear the organisation’s commitment to safeguarding and promoting the welfare of children.

5.3 It also requires a consistent and thorough process of scrutinising applicants, verifying identity and academic or vocational qualifications, obtaining professional and character references, checking previous employment history and ascertaining that a candidate has the health and physical capacity for the job. It also requires a face-to-face interview, as well as, where appropriate, a criminal record check or barred list check from the Disclosure and Barring Service (DBS).

NMS (05/09/22) Standard 19 – Staff recruitment and checks on other adults

19.1 Schools operate safer recruitment and adopt recruitment procedures in line with the regulatory requirements (40) and having regard to relevant guidance (41) issued by the Secretary of State.

(40) Part 4 of The Education (Independent School Standards) Regulations 2014 (legislation.gov.uk) and The School Staffing (England) Regulations 2009

(41) Part 3 of Keeping Children Safe in Education

In line with other recent legislation, including:

The Childcare Act 2006,

The Childcare (Disqualification) Regulations 2009,

Keeping Children Safe in Education (September 2022),

Working Together to Safeguard Children (July 2018),

The Independent Schools Inspection Regulations (September 2021) (Part 4),

The Equality Act 2010,

Dept for Education: National Minimum Standards for Boarding Schools (05/09/22),

the School takes very seriously its duty of care for all pupils.

In order to help safeguard and promote the welfare of all its pupils, the school is committed to a thorough and consistent Safer Recruitment Policy.

AIMS AND OBJECTIVES

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

Myddelton College has a principle of open competition in its approach to recruitment and will seek to recruit the best applicant for the job, recognising the particular contributions to the achievement of its educational purposes that can be made by individuals from a wide range of backgrounds and experiences.

The recruitment and selection processes are governed by the School's principles of non-discrimination and is designed to achieve the best match between, on the one hand, the individual's knowledge and skills, experience and character and, on the other hand, the requirements of the vacant post, recognising the need for flexibility to respond to changing conditions.

The recruitment and selection of staff will be conducted in a professional, timely and responsive manner and in compliance with current employment legislation. The capability of the individual to perform in the position will be the major selection criterion but the ability both to work with others and to be trained, coupled with individual potential will be taken into account.

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 objectives of this policy are to operate this procedure consistently and thoroughly while obtaining, collating, analysing and evaluating information from and about applicants applying for job vacancies at Myddelton College.

ROLES AND RESPONSIBILITIES

It is the responsibility of the Governing Body to:

1. Ensure the School has effective policies and procedures in place for recruitment of all staff and volunteers in accordance with DFE guidance and legal requirements.
2. Monitor the School's compliance with them.

It is the responsibility of the Headmaster and other senior leaders involved in recruitment to :

1. Ensure that the School operates safe recruitment procedures and makes sure all appropriate checks are carried out on all staff and volunteers who work at the School.
2. Monitor contractors' and agencies' compliance with this document.
3. Promote welfare of children and young people at every stage of the procedure.

In accordance with the School Staffing Regulations, the governing body has delegated responsibility to the Headmaster to lead in all appointments. School governors may be involved in staff appointments but the final decision will rest with the Headmaster.

DEFINITION OF REGULATED ACTIVITY AND FREQUENCY

Regulated activity for children is any activity undertaken on a frequent basis in a school , for example: teaching, training, care or supervision, advice or guidance on well-being or driving a vehicle with children as passengers. Frequent is more than two days in any period of 30 days or any frequency overnight between the hours of 02.00 and 06.00.

RECRUITMENT AND SELECTION PROCEDURE

The following will apply to the recruitment and appointment of all staff directly recruited and employed by the School. In the case of agency or contract workers, the School shall obtain written confirmation from the agency or company that it has carried out the appropriate checks.

ADVERTISING

To ensure equality of opportunity, the School will advertise all vacant posts to encourage as wide a field of applicant as possible; this will normally entail external advertisement.

Any advertisement will refer to the skills, abilities, experience, attitude, and behaviours required for the post and make clear the School's commitment to safeguarding and promoting the welfare of children , and will also refer to the need for the successful applicant to undertake an enhanced criminal record check . In addition, it will include the safeguarding responsibilities of the post as per the job description and personal specification , and whether the post is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020.

All documentation relating to applicants will be treated confidentially in accordance with the General Data Protection Regulations (GDPR).

APPLICATION

Myddelton College uses its own application form and all applicants for employment will be required to complete an application form containing questions about their academic and full employment history, the reason for leaving their current or most recent post and their suitability for the role (in addition all applicants are required to account for any gaps or discrepancies in employment history).

Candidates should be aware that all posts within the School will have some degree of responsibility for safeguarding children. The individual job description and person specification for the post will provide specific information about the extent of this responsibility and safeguarding training will be given.

The application form includes the applicant's declaration regarding convictions and working with children and makes it clear that the post is exempt from the provisions of the Rehabilitation of Offenders Act 1974.

CVs will be accepted as an additional document to develop any information which may have not been included in the Application Form – which remains the essential document.

Upfront disclosure of a criminal record may not debar an applicant from appointment (see Dealing with Convictions below). Information should be submitted in a separate sealed envelope , marked confidential, addressed to the Headmaster.

Applicants will be made aware that providing false information or failure to declare any convictions (that are not subject to DBS filtering) may disqualify a candidate for appointment or result in summary dismissal, and possible referral to the police and / or the Disclosure and Barring Service (DBS).

SHORTLISTING

Shortlisted candidates will be asked to complete and sign a hard copy self-declaration form of their criminal record or information that would make them unsuitable to work with children prior to interview. The purpose of this self-declaration is so that candidates have the opportunity to share relevant information, which will then be discussed and considered at interview and any potential concerns explored.

The School will ensure that at least two people carry out the shortlisting exercise and, where possible, the same people will be involved in the interview process to ensure a consistent approach.

JOB DESCRIPTIONS AND PERSON SPECIFICATIONS

The job description is a key document in the recruitment process and will be finalised prior to taking any other steps in the recruitment process. It will clearly and accurately set out the duties and responsibilities of the job role.

The person specification is of equal importance and informs the selection decision. It details the skills, experience, abilities and expertise that are required to do the job. The person specification will include a specific reference to suitability to work with children.

REFERENCES

Having regard to the requirements of KCSIE (September 2022), a minimum of two references will be sought by the School, one of which will be from the appointee's current or most recent employer, or educational establishment, if currently in full-time education.

One of these will also be a reference from the relevant employer from the last time the applicant worked with children if applicable.

We will ensure that references obtained from the candidate's current employer will be completed by a senior person with appropriate authority.

In addition, if the referee is school or college based, the reference will be confirmed by the Head or Principal as accurate in respect to disciplinary investigations and the applicant's suitability to work with children, including the facts of any substantiated safeguarding allegations. All references will also be verified upon receipt to ensure the source is legitimate.

References will be sought prior to interview on short-listed candidates wherever possible.

In a case whereby an applicant has indicated on their application form that they do not wish their current employer to be contacted prior to interview, this reference will be sought immediately after interview and prior to the person's appointment being confirmed and s/he starts in the role.

The School will ask all referees if the candidate is suitable to work with children. If the candidate is not currently working with children but has done so within the last five years, the School will contact the candidate's previous employer where s/he was working with children for a reference.

References will always be sought and obtained directly from the referee and their purpose is to provide objective and factual information to support appointment decisions. The School will compare any information provided by the referee with that provided by the candidate on the Application Form and any discrepancies or anomalies will be followed up.

The School does not accept open references, testimonials or references from relatives or someone known to the applicant solely as a friend.

Candidates should be aware that provision of false information is an offence and could result in the application being rejected or summary dismissal if the applicant has been selected, and possible referral to the police and/or DBS.

INTERVIEWS

Interviews will be face-to-face wherever possible and the same people will see all the shortlisted applicants. The interview process will explore the applicant's skills and experience relevant to the job description and person specification.

Candidates will be interviewed by at least two people and at least one person conducting the interview will have undertaken safer recruitment training. Candidates may also be interviewed individually by a number of colleagues. Any anomalies or gaps that have been identified together with any information concerning past disciplinary action or allegations, cautions or convictions will be discussed and considered during the interview process in order to satisfy the interviewers that the chosen applicant can meet the safeguarding criteria.

For teaching positions, pupils will be involved in the selection process in a meaningful way, most commonly in the form of a lesson observation, which will be overseen by a member of the recruiting panel.

Applicants invited to an interview will be required to bring evidence of their identity, address and qualifications. Original documents only will be accepted and the School will take photocopies.

If successful and an appointment is made, copies will be retained on the candidate's personnel file in order to demonstrate compliance with the ISI regulatory requirements, Keeping Children Safe in Education, the National Minimum Standards for Boarding Schools and UK Border Agency regulations.

Information provided to the School by unsuccessful applicants for recruitment purposes will be retained securely for a period of two years, after which time it will be destroyed.

Information will not be shared with third parties without the express permission of the applicant. Applicants may request that their information is destroyed earlier by contacting the HR department.

The School will, upon request, provide feedback to those applicants who reach the interview stage of the recruitment process.

OFFER OF EMPLOYMENT

The appointment of all new employees is conditional upon and subject to:

- Receipt of at least two satisfactory references (if these have not already been received), one of which must be from the candidate's current or most recent employer;
- Verification of identity and qualifications including evidence of the right to work in the UK;
- A satisfactory enhanced DBS check and, if in regulated activity, a check of the Barred List maintained by the DBS;
- For teaching positions, a check that the candidate is not subject to a prohibition order issued by the Secretary of State and, for qualified teachers, verification of successful completion of statutory induction period (applies to those who obtained QTS after 7 May 1999);
- Where the successful candidate has worked or been resident overseas from the UK for continuous period(s) of 3 months or more in the 5 years prior to appointment, such checks and confirmations as the School may consider appropriate so that any relevant events that occurred outside the UK can be considered;
- For staff appointed to management positions after 12 August 2015, a check to determine whether they are subject to a section 128 Prohibition from Management of Independent Schools direction 277. From 1 September 2018, this also applies to staff promoted internally to management positions.
- Satisfactory medical fitness.

A personnel file checklist will be used to track and audit paperwork obtained in accordance with the Safer Recruitment Training. The checklist will be retained on personnel files.

No one may start work until all relevant checks are satisfactorily completed and no post confirmed until the completion of a satisfactory probationary period, details of which can be found in the contract of employment.

DBS (Disclosure and Barring Service) Certificate (formerly known as CRB)

The School will refer to the Department for Education ("DfE") document, 'Keeping Children Safe in Education' and any amended version in carrying out the necessary required DBS checks.

Successful applicants will be required to undertake an Enhanced Level Criminal Record check with the Disclosure and Barring Service (DBS) and the Certificate obtained prior to commencement of employment.

The DBS no longer issues Disclosure Certificates to employers. New employees must bring their Certificate to the School Secretary's Office before they commence work so that the details can be noted for our records . Until the school has had sight of the original disclosure certificate, the applicant will be treated as unchecked and subject to the safeguards set out below. This requirement arises from both the DBS Employer Guidance and KCSIE. The School may allow the candidate appointed to commence work providing the appointment is not formally confirmed and:

- the DBS application has been made in advance;
- a satisfactory check of the barred list, plus vetting and other relevant checks have been completed satisfactorily;
- appropriate safeguards are in place (for example, monitored supervision) and reviewed at least every two weeks;
- the person in question is informed what these safeguards are , and a note is added to the Single Central Register and evidence kept of the measures put in place.

No member of staff can have access to boarding Houses or take up employment in boarding Houses until the School has seen a satisfactory, enhanced DBS Certificate.

THE REHABILITATION OF OFFENDERS ACT 1974

The Rehabilitation of Offenders Act 1974 does not apply to positions that involve working with, or having access to pupils. Any unspent convictions, cautions, reprimands or warnings must be disclosed to the School . However, amendments to the Exceptions Order 1975 (2013) provide that certain spent convictions and cautions are 'protected' and are not subject to disclosure to employers, and cannot be taken into account. Guidance and criteria on the filtering of these cautions and convictions can be found at the Disclosure and Barring Service website.

DEALING WITH CONVICTIONS

The School will not unfairly discriminate against any applicant for employment on the basis of conviction or other details revealed. The School makes appointment decisions on the basis of merit and ability.

If an applicant has a criminal record, this will not automatically bar him/her from employment. Instead, each case will be decided on its merits in accordance with the objective assessment criteria and guidance current at the time of application.

The School operates a formal procedure if a DBS Certificate is returned with details of convictions . Consideration will be given to the Rehabilitation of Offenders Act 1974 and the School shall consider:

- the nature, seriousness and relevance of the offence;
- how long ago and at what age it was committed;
- whether the applicant has a pattern of offending behaviour;
- other relevant factors to include changes in circumstances and the circumstances surrounding the offence and the explanation(s) offered by the convicted person.

A formal meeting with either the Designated Safeguarding Lead will take place to establish the facts and a decision made following this meeting.

If the post involves regular contact with children, it is the School's normal policy to consider it a very high risk to employ anyone who has been convicted at any time of any of the following offences :

murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence, class A drug related offences, robbery, burglary, theft, deception or fraud.

If the post involves some driving responsibilities, it is the school's normal policy to consider it a high risk to employ anyone who has been convicted of drink driving within the last ten years.

If an applicant wishes to dispute any information contained in a disclosure, s/he can do so by contacting the DBS direct. In cases where the applicant would otherwise be offered a position were it not for the disputed information , the School will, where practicable and at its discretion, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

RETENTION AND SECURITY OF DISCLOSURE INFORMATION

The School complies with the provisions of the DBS Code of Practice, a copy of which may be obtained on request [or accessed here:

<https://www.gov.uk/government/publications/dbs-code-of-practice>.

PORTABILITY OF DBS CERTIFICATES

Staff may elect to join the DBS Update Service if they are likely to require frequent future checks for a small fee, which is payable by the applicant. Applicants can register online using the application form reference number. Alternatively, once the DBS certificate has been received, they can, within 19 days of the certificate being issued, register with the certificate number.

PROHIBITION CHECK

Having regard for an order made by the National College of Teaching and Leadership (NCTL) on behalf of the Secretary of State, barring a person from carrying out “teaching work”, the School will carry out a Prohibition Check (from April 2012) in addition to the check of the children’s barred list, DBS check and other checks set out in the Independent School Standards. (‘Teaching work’ is defined as planning, preparing and delivering lessons for pupils, which includes distance learning and learning through computer aided techniques, and assessing and reporting on pupils’ development, attainment and progress).

OVERSEAS CHECKS

DBS checks will be requested for applicants with recent periods of overseas residence from the UK exceeding 3 months or more in the last 5 years immediately prior to appointment and those with little or no previous UK residence. These applicants may also be asked to provide further information, including the equivalent of a disclosure, if one is available in the relevant jurisdiction(s). In addition, advice on obtaining criminal record information from overseas police forces, published by the Home Office on GOV.UK will be followed.

The School will also have regard to Department for Education guidance on the employment of overseas-trained teachers from the European Economic Area to teach in England, and the award of qualified teacher status for teachers qualified in Australia, Canada, New Zealand and the US.

PROOF OF IDENTITY, RIGHT TO WORK IN THE UK & VERIFICATION OF QUALIFICATIONS AND/OR PROFESSIONAL STATUS

All applicants invited to attend an interview at the School will be required to bring their identification documentation such as passport, birth certificate, driving licence etc. with them as proof of identity/eligibility to work in UK in accordance with those set out in the Immigration, Asylum and Nationality Act 2006 and DBS Code of Practice Regulations. A birth certificate will be sought as proof of any name changes that have occurred.

In addition, applicants must be able to demonstrate that they have actually obtained any academic or vocational qualification legally required for the position and claimed in their application form or upon request from the School.

CERTIFICATES OF SPONSORSHIP (CoS)

If an applicant is a national of a non-EEA country, a CoS and Visa is likely to be required, enabling the applicant to work in the UK. Before any offer of employment is made, the HR department is to be consulted to establish whether the school can apply for a Sponsorship Certificate.

Criteria for issuing a CoS is:

- The job is in a “designated shortage” occupation;
- It passes the Resident Labour Market Test (RLMT);
- The job is at NQF6 Level or above;
- Minimum salary levels are met.

In addition, the applicant must apply for entry clearance/leave to remain through UK Visas and Immigration and provide personal evidence of competence in English and ongoing maintenance. The process can take up to three months and staff must not, under any circumstances, be employed until permission is given.

MEDICAL FITNESS

The School is aware of its duties under the Equality Act 2010. Anyone appointed to a post involving regular contact with children must possess the appropriate level of physical and mental fitness before any appointment offer is confirmed. No job offer will be withdrawn without first consulting with the applicant, considering medical evidence and considering reasonable adjustments.

ARRANGEMENTS FOR VISITING SPEAKERS

The Prevent statutory guidance requires the school to have clear protocols for ensuring that any visiting speakers who might fall within the scope of the Prevent duty, whether invited by staff or pupils, are suitable and appropriately supervised. Further information about the school's protocol for visiting speakers can be found in the Prevent Policy.

NEW EMPLOYEE PROCESS

a. Induction Programme

All new employees will be given an induction programme which will clearly identify the School policies and procedures, including the Safeguarding Policy and Child Protection Procedures and will make clear the expectation and Code of Conduct that govern how staff carry out their roles and responsibilities.

b. Single Central Record of Members of Staff

In addition to the various staff records kept in school and on individual personnel files, a single, central record of recruitment and vetting checks is kept in accordance with legal requirements and ISI regulations.

All individuals who work in regular contact with children, including governors, volunteers and those employed by third parties (such as supply agencies) are included. The register is kept up to date and retained by the Headmaster's Secretary and Deputy Headmistress.

c. A designated Governor

Mr Ewart will be responsible for overseeing and randomly auditing the Single Central Record and reporting his findings to the full Governing Body.

d. Record Retention / Data Protection

The School will retain any relevant information provided on the application form (together with any attachments) on the personnel file of candidates who are offered and accept the position for which they have applied and digitally with the online recruitment portal.

e. Personnel files

These are kept in the Headmaster's Secretary's Office in a locked and secure cabinet. From April 2014, DfE guidance requires that Schools retain copies of identity documents, right to work, medical fitness and qualifications. The Immigration (Restrictions on Employment) Order 2007 requires employers in England and Wales to check and retain copies of passports, or alternatively birth/adoption certificates, belonging to people appointed on or after 29 February 2008. The School will retain all application forms and interview notes for unsuccessful applicants for a minimum period of six months after which time the notes will be securely destroyed.

The retention period is in accordance with the School's Records Management Policy and will allow the school to deal with any subject access requests, recruitment complaints or to respond to any complaints made. If the School wishes to retain the name and details of unsuccessful candidates on file for future vacancies, the candidates will be informed and offered the opportunity to remove their details from the School's records.

f. Ongoing Employment

Myddelton College recognises that safer recruitment and selection is not just about the start of employment, but should be part of a wider policy framework for all staff. The School will therefore provide ongoing training and support for all staff, including, but not limited to, three yearly Safeguarding training.

g. Leaving Employment

Despite the best efforts to recruit safely, there may be occasions when allegations of abuse against children and young people are raised. Where it is alleged that a member of staff or a volunteer in the School has behaved in a way that has harmed a child, or may have harmed a child, or possibly committed a criminal offence against or related to a child, or behaved towards a child or children in a way that indicates s/he would pose a risk of harm if they work regularly or closely with children, the school's policy on 'Dealing with Allegations of Abuse against Members of Staff and Volunteers' will apply.

h. Monitoring and Evaluation

The Headmaster will be responsible for ensuring that this policy is monitored and evaluated throughout the school. This will be undertaken through formal audits of job vacancies and an annual Safer Recruitment Evaluation audit, which will be presented to the Governor responsible for recruitment.

Recruitment process

Brain-storm to identify dimensions of vacancy post to ensure requirements agreed.

Check job description and person specification for safeguarding statement, accuracy and completeness.

Agree advert; ensure this includes safer recruitment statement and confirms equal opportunities ;
post advert as agreed with key dates.

Respond to enquiries efficiently, to include telephone queries.

Application forms received by closing date; pre-agreed process for sifting these.

Short-list drawn up; interview date confirmed; arrangements for interview day published.

References sought with request for speedy return.

Invited candidates informed of paperwork – identification, proof of address, qualifications – original documents required.

Interview – one safer recruitment trained panel member to ask safeguarding questions, to include suitability to work with children, gaps or breaks in employment history, identification, proof of address, qualifications – all copied and verified.

Pre-agreed questions asked by panel members; notes taken; answers scored by panel members separately.

Discussion about suitability of each candidate once all interviews completed.

Careful reflection of each candidate's safeguarding answers.

Retention of notes from all panel members.

Conditional verbal offer can be made by Headmaster to preferred candidate;
panel confirmation of conditions prior to conditional offer being made.

Conditional written offer and contract can be offered;
conditional offer to be attached to contract with instructions about how to obtain a DBS Disclosure
and to provide a medical fitness letter.

Pre-employment checks to be undertaken, to include:
Barred List check and, where appropriate, a Prohibition from teaching check,
where appropriate, a Prohibition from management check,
receipt of 2 or more satisfactory references validated through contact with each referee,
medical fitness check,
check of qualifications against Application Form details,
satisfactory DBS Disclosure and, if needed, satisfactory overseas Police check/certificate of good conduct.

Add information to SCR as it is obtained; copies in candidate's personnel file;
final check of all paperwork received by HM's PA / Headmaster. Then confirmation of post with applicant.

Unsuccessful applicants' forms retained for a period of 2 years and then shredded.

The Single Central Record: Checklist for Practice (Sept 2022)

Schools and colleges must keep a single central record in line with statutory guidance and associated legislation. The single central record is a record of the pre-employment checks undertaken. The single central record must cover the following people:

- for schools, all staff, including teacher trainees on salaried routes, agency and third-party supply staff, even if they work for one day,
- for colleges, details of staff, including agency and supply staff providing education to children under the age of 18, and,
- for independent schools, all members of the proprietor body. In the case of academies and free schools, this means the members and trustees of the academy trust

Recording information on the single central record

The single central record must indicate whether the following checks have been carried out or certificates obtained, and the date on which each check was completed or certificate obtained:

- an identity check, (identification checking guidelines can be found on the GOV.UK website);
 - a barred list check;
 - an enhanced DBS check requested/certificate provided;
 - a prohibition from teaching check;
 - further checks on people who have lived or worked outside the UK (see paragraphs 279-284 of Keeping Children Safe in Education, DfE, 2022);
 - a check of professional qualifications, where required; and
 - a check to establish the person's right to work in the United Kingdom.
- For agency and third-party supply staff, schools and colleges must include whether written confirmation has been received that the employment business supplying the member of supply staff has carried out the relevant checks and obtained the appropriate certificates, the date this confirmation was received and whether details of any enhanced DBS certificate have been provided in respect of the member of staff.

In addition:

- colleges must record whether the person's position involves 'relevant activity', ie: regularly caring for, training, supervising or being solely in charge of persons aged under 18, and
- independent schools (including academies and free schools) must record details of the section 128 checks undertaken for those in management positions.

The details of an individual should be removed from the single central record once they no longer work at the school or college.

Schools and colleges are free to record any other non-statutory information they deem relevant.

Retention of Evidence

Schools and colleges do not have to keep copies of DBS certificates in order to fulfil the duty of maintaining the single central record. To help schools and colleges comply with the requirements of the Data Protection Act 2018, when a school or college chooses to retain a copy, there should be a valid reason for doing so and it should not be kept for longer than six months. When the information is destroyed a school or college may keep a record of the fact that vetting was carried out, the result and the recruitment decision taken if they choose to. Copies of DBS certificates and records of criminal information disclosed by the candidate are covered by UK GDPR/DPA 2018 Article 10. A copy of the other documents used to verify the successful candidate's identity, right to work and required qualifications should be kept on their personnel file.

Single Central Record – Monitoring Form, Sept 2022

- a. Check point: Yes No Action identified
- b. Is a single central record (SCR) in place for all staff (including supply and peripatetic staff)?
- c. Are all members of the proprietor body included on the SCR? (For independent schools, free schools and academies)
- d. Does the SCR indicate that identity checks have been carried out and by whom?
- e. Is there evidence on the SCR that all staff have been checked against the Barred List (previously List 99)?
- f. Does the SCR record the date when enhanced DBS and/or Barred List checks was carried out and who carried out the check?
- g. Does the SCR record qualifications – where the qualification is a requirement of the job?
- h. Does the SCR record evidence that a prohibition from teaching check has been carried out on teachers and those staff in 'teaching activity' who have been appointed since 1 September 2013 ?
- i. Does the SCR record evidence a check of 'right to work' in the United Kingdom and suitability checks as appropriate?
- j. Does the SCR evidence that checks in respect of Section 128 directions been undertaken for persons taking part in the management of an independent school including an academy or free school , those staff in departmental headship and maintained school governors?
- k. Does the SCR evidence that further checks on people who have lived or worked outside the UK ?
- l. For supply staff - Does the SCR evidence that the school has gained written confirmation from the employment business supplying the member of supply staff that all relevant checks have been undertaken and the appropriate certificates have been obtained?
- m. For colleges - Does the SCR evidence whether the person's position involves 'relevant activity', i.e. regularly caring for, training, supervising or being solely in charge of persons aged under 18?

Procedures for maintaining and checking the SCR

Who is responsible for maintaining the SCR?

Member of SLT responsible for checking the accuracy of the SCR:

Regularity of checks on the SCR:

Date the SCR was last checked:

KCSIE 2022

Recording information Single Central Record (Please note, this is a shortened document taken from KCSIE 2022)

268. Schools and colleges must maintain a single central record of pre-appointment checks, referred to as “the register” and more commonly known as “the single central record”.

269. The single central record must cover the following people :

- for schools, all staff, including teacher trainees on salaried routes (see paragraph 296), agency and third-party supply staff, even if they work for one day, (see paragraph 286)
- for colleges, details of staff, including agency and supply staff providing education to children under the age of 18, and,
- for independent schools, all members of the proprietor body.

270. The minimum information that must be recorded in respect of staff members (including teacher trainees on salaried routes) is set out below. For agency and third-party supply staff, schools and colleges must include whether written confirmation has been received that the employment business supplying the member of supply staff has carried out the relevant checks and obtained the appropriate certificates, the date this confirmation was received and whether details of any enhanced DBS certificate have been provided in respect of the member of staff.

271. The single central record must indicate whether the following checks have been carried out or certificates obtained, and the date on which each check was completed or certificate obtained:

- an identity check, (identification checking guidelines can be found on the GOV.UK website)

16-19 Academies, Special Post-16 institutions and Independent Training Providers should maintain a single central record. Information they should record is set out at paragraphs 271.

As with other schools and colleges they may record the information as set out at paragraphs 273.

Independent schools and non-maintained special schools should also include the date on which any certificate was obtained.

- a standalone children’s barred list check
- an enhanced DBS check (with children’s barred list check) requested/certificate provided
- a prohibition from teaching check
- further checks on people who have lived or worked outside the UK (see paragraphs 280-285)
- a check of professional qualifications, where required, and,
- a check to establish the person’s right to work in the United Kingdom.

In addition:

- colleges must record whether the person’s position involves ‘relevant activity’, ie: regularly caring for, training, supervising or being solely in charge of persons aged under 18, and
- independent schools (including academies and free schools) must record details of the section checks undertaken for those in management positions.

272. The details of an individual should be removed from the single central record once they no longer work at the school or college.

Non statutory information

273. Schools and colleges are free to record any other information they deem relevant. For example:

- whether relevant staff have been informed of their duty to disclose relevant information under the childcare disqualification arrangements
- checks made on volunteers
- checks made on governors
- dates on which safeguarding and safer recruitment training was undertaken, and
- the name of the person who carried out each check.

16-19 Academies, Special Post-16 institutions and Independent Training Providers cannot carry out a separate barred list check and as such, in relation to regulated activity, must always obtain an enhanced DBS with barred list check where required. There is no requirement for colleges to record this information; however, as part of the funding agreement colleges must have robust record keeping procedures in place. 16-19 Academies, Special Post-16 institutions and Independent Training Providers are not required to record whether the person's position involves 'relevant activity'. However, these providers should have robust record keeping procedures in place.

274. The single central record can be kept in paper or electronic form.

Retention of documents

276. Schools and colleges do not have to keep copies of DBS certificates in order to fulfil the duty of maintaining the single central record. To help schools and colleges comply with the requirements of the Data Protection Act 2018, when a school or college chooses to retain a copy, there should be a valid reason for doing so and it should not be kept for longer than six months. When the information is destroyed a school or college may keep a record of the fact that vetting was carried out, the result and the recruitment decision taken if they choose to.

277. Copies of DBS certificates and records of criminal information disclosed by the candidate are covered by UK GDPR/DPA 2018 Article 10.91

A copy of the other documents used to verify the successful candidate's identity, right to work and required qualifications should be kept on their personnel file.

278. Further information on handling DBS information can be found on GOV.UK.

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

279. This section sets out other legal requirements ie: 'must' do or as appropriate 'should' do for individuals who have lived or worked outside the UK; agency and third-party staff; contractors; trainee teachers; volunteers; governors and proprietors. It also sets out responsibilities placed on schools and colleges in relation to other settings, including alternative provision, work experience and host families.
Individuals who have lived or worked outside the UK

280. Individuals who have lived or worked outside the UK must undergo the same checks as all other staff in schools or colleges (set out in paragraphs 232). This includes obtaining (via the applicant) an enhanced DBS certificate (including children's barred list information, for those who will be engaging in regulated activity) even if the individual has never been to the UK. In addition, schools and colleges must make any further checks they think appropriate so that any relevant events that occurred outside the UK can be considered. Following the UK's exit from the EU, schools and colleges should apply the same approach for any individuals who have lived or worked outside the UK regardless of whether or not it was in an EEA country or the rest of the world.

These checks could include, where available:

- criminal records checks for overseas applicants - Home Office guidance can be found on GOV.UK; and for teaching positions

- obtaining a letter (via the applicant) from the professional regulating authority (this is often the Department/Ministry of Education but varies across the world) in the country (or countries) in which the applicant has worked confirming that they have not imposed any sanctions or restrictions, and or that they are aware of any reason why they may be unsuitable to teach. Applicants can find contact details of regulatory bodies in the EU/EEA and Switzerland on the Regulated Professions database. Whilst the safeguarding and qualified teacher status (QTS) processes are different it is likely that this information will be obtained from the same place, therefore applicants can also contact the UK Centre for Professional Qualifications who will signpost them to the appropriate EEA regulatory body.

281. Where available, such evidence can be considered together with information obtained through other pre-appointment checks to help assess their suitability.

282. Where this information is not available schools and colleges should seek alternative methods of checking suitability and or undertake a risk assessment that supports informed decision making on whether to proceed with the appointment.

283. Although sanctions and restrictions imposed by another regulating authority do not prevent a person from taking up teaching positions in England, schools and colleges should consider the circumstances that led to the restriction or sanction being imposed when considering a candidate's suitability for employment.

16-19 Academies, Special Post-16 institutions and Independent Training Providers should make any further checks found in DfE Guidance: Recruit teachers from overseas.

284. Not all countries provide criminal record information, and where they do, the nature and detail of the information provided varies from country to country. Schools and colleges should also be mindful that the criteria for disclosing offences in other countries often have a different threshold than those in the UK. The Home Office provides guidance on criminal records checks for overseas applicants which can be found on GOV.UK.

285. Some overseas qualified teachers can apply to the TRA for the award of qualified teacher status (QTS) in England. More information about this is available [here](#). It is important to note that holding a teaching qualification (wherever it was obtained) does not provide suitable assurances for safeguarding purposes that an individual has not been found guilty of any wrongdoing or misconduct, and or is suitable to work with children.

Agency and third-party staff (supply staff)

286. Schools and colleges must obtain 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 (or who will be providing education on the school or college's behalf, including through online delivery).

In respect of the enhanced DBS check, schools and colleges must ensure that written notification confirms the certificate has been obtained by either the employment business or another such business.

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

16-19 Academies, Special Post-16 institutions and Independent Training Providers should obtain written notification regarding checks when they use agency or third-party staff.

Colleges must comply with regulations 11 to 19 of The Further Education (Providers of Education) (England) Regulations 2006 in respect of agency workers; maintained schools must comply with regulations 18 and 30 of the School Staffing (England) Regulations 2009; non-maintained special schools must comply with paragraphs 5 and 16 of

the Schedule to The Non-Maintained Special Schools (England) Regulations 2015; and independent schools (including academies and free schools) must comply with paragraph 19 of the Schedule to The Education (Independent School Standards) Regulation 2014. 16-19 Academies, Special Post-16 institutions and Independent Training Providers should ensure that written notification confirms the certificate has been obtained by either the employment business or another such business.

16-19 Academies, Special Post-16 institutions and Independent Training Providers should obtain a copy of the certificate in such circumstances.

288. Where the position requires a children's barred list check, this must 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.

289. The school or college should also check that the person presenting themselves for work is the same person on whom the checks have been made.

Contractors

290. Where schools and colleges use contractors to provide services, they should set out their safeguarding requirements in the contract between the organisation and the school or college.

291. Schools and colleges should ensure that any contractor, or any employee of the contractor, who is to work at the school or college, has been subject to the appropriate level of DBS check. Contractors engaging in regulated activity relating to children will require an enhanced DBS check (including children's barred list information).

292. For all other contractors who are not engaging in regulated activity relating to children, but whose work provides them with an opportunity for regular contact with children, an enhanced DBS check (not including children's barred list information) will be required. In considering whether the contact is regular, it is irrelevant whether the contractor works on a single site or across several sites. In cases where the contractor does not have opportunity for regular contact with children, schools and colleges should decide on whether a basic DBS disclosure would be appropriate.

293. Under no circumstances should a contractor on whom no checks have been obtained be allowed to work unsupervised or engage in regulated activity relating to children. Schools and colleges are responsible for determining the appropriate level of supervision depending on the circumstances.

294. If an individual working at a school or college is self-employed, the school or college should consider obtaining the DBS check, as self-employed people are not able to make an application directly to the DBS on their own account.

295. Schools and colleges should always check the identity of contractors on arrival at the school or college. Where using a third party 16-19 Academies, Special Post-16 institutions and Independent Training Providers should ensure a DBS with barred list information is obtained for those engaging in regulated activity. It will only be possible to obtain an enhanced DBS certificate for contractors in colleges which are exclusively or mainly for the provision of full-time education to children.

Trainee/student teachers

296. Where applicants for initial teacher training are salaried by the school or college, the school or college must ensure that all necessary checks are carried out. If these trainee teachers are engaging in regulated activity relating to children (which in most cases by the nature of the work, they will be), an enhanced DBS check (including children's barred list information) must be obtained.

297. Where trainee teachers are fee-funded, it is the responsibility of the initial teacher training provider to carry out the necessary checks. Schools and colleges should obtain written confirmation from the provider that it has carried out all pre-appointment checks that the school or college would otherwise be required to perform, and that the trainee has been judged by the provider to be suitable to work with children.

298. There is no requirement for the school or college to record details of fee-funded trainees on the single central record. However, schools and colleges may wish to record this information under non statutory information, see paragraph 273.

Visitors

299. Schools and colleges have different types of visitors, those with a professional role i.e. educational psychologists, social workers etc. those connected with the building, grounds maintenance, children's relatives or other visitors attending an activity in school such as a sports day. For visitors provided via a third party see paragraphs 286-289.

300. Schools and colleges should not request DBS checks or barred list checks, or ask to see existing DBS certificates, for visitors such as children's relatives or other visitors attending a sports day.

301. Headteachers and principals should use their professional judgement about the need to escort or supervise such visitors.

302. For visitors who are there in a professional capacity schools and colleges should check ID and be assured that the visitor has had the appropriate DBS check (or the visitor's employers have confirmed that their staff have appropriate checks. Schools and colleges should not ask to see the certificate in these circumstances).

303. Whilst external organisations can provide a varied and useful range of information, resources and speakers that can help schools and colleges enrich children's education, careful consideration should be given to the suitability of any external organisations.

100 16-19 Academies, Special Post-16 institutions and Independent Training Providers should ensure all necessary checks are carried out.

101 16-19 Academies, Special Post-16 institutions and Independent Training Providers must ensure an enhanced DBS check with barred list information is obtained as per their funding agreement.

304. School and college safeguarding policies should set out the arrangements for individuals coming onto their premises, which may include an assessment of the education value, the age appropriateness of what is going to be delivered and whether relevant checks will be required.

Volunteers

305. Under no circumstances should a volunteer on whom no checks have been obtained be left unsupervised or allowed to work in regulated activity.

306. Whilst volunteers play an important role and are often seen by children as being safe and trustworthy adults, the nature of voluntary roles varies, so schools and colleges should undertake a written risk assessment and use their professional judgement and experience when deciding what checks, if any, are required.

307. The risk assessment should consider:

- the nature of the work with children, especially if it will constitute regulated activity, including the level of supervision
- what the establishment knows about the volunteer, including formal or informal information offered by staff, parents and other volunteers

- whether the volunteer has other employment or undertakes voluntary activities where referees can advise on their suitability, and
- 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.

308. Details of the risk assessment should be recorded.

When should a DBS with barred list be obtained for volunteers?

309. Schools or colleges should obtain an enhanced DBS check (which should include children's barred list information) for all volunteers who are new to working in regulated activity with children, i.e. where they are unsupervised and teach or look after children regularly or provide personal care on a one-off basis in schools and colleges. See Annex E for statutory supervision guidance. Employers are not legally permitted to request barred list information on a supervised volunteer, as they are not considered to be engaging in regulated activity.

102 Schools and colleges are free to determine where to store this information.

103 The DBS does not charge for checks on volunteers. However, if schools or colleges use an external organisation to carry out the check, there may be an administration charge.

Supervision of volunteers

310. It is for schools and colleges to determine whether a volunteer is considered to be supervised. Where an individual is supervised, to help determine the appropriate level of supervision, all schools and colleges¹⁰⁴ must have regard to the statutory guidance issued by the Secretary of State (replicated at Annex E).

311. For a person to be considered supervised, the supervision must be:

- by a person who is in regulated activity relating to children
- regular and day to day, and
- reasonable in all the circumstances to ensure the protection of children.

Existing Volunteers

312. Volunteers do not have to be re-checked if they have already had a DBS check (which should include children's barred list information if engaging in regulated activity). However, if the school or college have any concerns they should consider obtaining a new DBS check at the level appropriate to the volunteering role.

Proprietors of independent schools, including academies and free schools and proprietors of alternative provision academies

319. Before an individual becomes either the proprietor of an independent school or the chair of a body of people which is the proprietor of an independent school, the Secretary of State will:

- carry out an enhanced DBS check; and where such a check is made, obtain an enhanced DBS certificate (either including or not including children's barred list information as appropriate)
- confirm the individual's identity, and
- if the individual lives or has lived outside of the UK, where applying for an enhanced check is insufficient, such other checks as the Secretary of State considers appropriate.

320. The Secretary of State also undertakes these checks in respect of the chair of governing bodies of non-maintained special schools.

321. The requirement for an enhanced DBS check and certificate is disapplied.

The proprietor of an academy or free school or alternative provision academy or free school is the academy trust.

108 Paragraph 20 of the Schedule to the Education (Independent Schools Standards) Regulation 2014. This will include an academy trust of any academy or free school, other than for 16-19 academies or free schools. 110 Regulation 2(5) of the Education (Independent School Standards) Regulations 2014 sets out when such checks are considered relevant.

111 Paragraphs 6 and 17 of the Schedule to The Non-Maintained Special Schools (England) Regulations 2015. The chair of an academy trust if the academy is converting from a maintained school and the person has already been subject to a check carried out by the local authority.112

322. Where the proprietor is a body of people (including a governing body in an academy or free school), the chair must ensure that enhanced DBS checks are undertaken, for the other members of the body, and that where such a check has been undertaken, an enhanced DBS certificate is obtained, and the chair must ensure that identity checks are completed before, or as soon as practicable after, any individual takes up their position.

323. The chair must also ensure that other members are not subject to a section 128 direction that would prevent them from taking part in the management of an independent school (including academies and free schools).

324. Further checks, as the chair considers appropriate, should be undertaken where, by reason of the individual's living or having lived overseas, obtaining an enhanced DBS check is not sufficient to establish an individual's suitability to work in a school.

325. In the case of an academy trust, including those established to operate a free school, the trust must require enhanced DBS checks on all members of the academy trust, individual charity trustees, and the chair of the board of charity trustees.

Academy trusts, including those established to run a free school, have the same responsibilities as all independent schools in relation to requesting enhanced DBS checks for permanent and supply staff.

326. Where an academy trust delegates responsibilities to any delegate or committee (including a local governing body), the trust must require an enhanced DBS check on all delegates and all members of such committees.115 Academy trusts must also check that members are not disqualified from taking part in the management of the school as a result of a section 128 direction.