



LYDIATE
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TRUST

Recruitment and Selection Policy (LLT)



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1. Introduction

This document sets out the policy and procedures necessary to ensure that the recruitment process for the Lydiate Learning (“the Trust”) is as safe as possible and helps to deter, reject or identify people who might abuse children. It is applicable to all of our Schools, and includes the Trust’s Central Teams, Academy Governance Committee & the Trust Board and Members.

The Trust Board has delegated accountability for recruitment below the level of Headteacher/Head of School to the Governing Bodies of its Schools, with the exception of roles that are designated as Central Trust appointments. The procedures and standards in this policy must be followed by all those involved in the recruitment process within the Trust.

The policy and associated guidance are in line with the Department for Education’s statutory guidance for schools & colleges “**Keeping children safe in education**” (September 2022 , part 3) which can be found at

[Keeping children safe in education - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/keeping-children-safe-in-education)

In case of any questions arising, the current version of the statutory guidance should be referred to and followed as it is updated from time to time.

2. Recruitment Approval

Approval must be gained prior to the commencing of any recruitment activity using the role approval form/process. The terms and conditions of the role, including salary scale, will be agreed as part of the role approval process. All approvals must be obtained prior to recruitment commencing.

3. Job Description and Person Specification

At the start of the recruitment process it is important to define what the post holder’s responsibilities will be over and above the qualifications and experience needed to perform the job.

When a post requires a DBS Disclosure, this must be reflected in the job description and person specification relating to that post. It is envisaged that due to the nature of work, and resultant contact with children, all posts will require an enhanced DBS Disclosure and, in most cases, a check of the children’s barred list. Where the Disqualification under the Childcare Act 2006 requirements also apply to a post, this should also be reflected in the person specification.

All job descriptions must detail:

Main duties and responsibilities of the post;

The post holder’s specific responsibility towards the promotion and practice of safeguarding the welfare of children that they come in to contact with through their job.

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All person specifications must detail:

Qualifications required to do the job;

Professional Registrations (if required); Enhanced DBS Disclosure required/if Disqualification under the Childcare Act 2006 applies;

Whether the post is in regulated activity and therefore requires a check of the children's barred list;

The experience, skills and competencies required, if appropriate referencing qualities relating to the safeguarding of children, such as:

- Motivation to work with children.
- Ability to form and maintain appropriate relationships and personal boundaries with children.
- Emotional resilience in working with challenging behaviours.
- Attitudes to use of authority and maintaining discipline.

4. Advertising

When advertising roles, we will make clear:

- Our school's commitment to safeguarding and promoting the welfare of children
- 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 children
- 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

5. Application

The importance of safeguarding and protecting children within the Trust should be promoted as much as possible throughout the recruitment process in order to deter unsuitable candidates.

The application pack for any recruitment includes:

- Application Form (CVs should not be accepted)
 - 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 (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

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- Job Description and Person Specification (ideally one combined document, but may be two separate documents)

The application asks the candidate to declare any family relationship to those connect with the Trust.

6. Interview Process

Where possible interviews must be carried out on a face-to-face basis. Remote interviews can be carried out where appropriate, dependant on the role and should be approved by Head Teacher or CEO/Trust Director. The points below are written in relation to recruitment for school-based roles, however, they should also be closely adopted in the recruitment of Trust Central Team.

6.1 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 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
- Sign a declaration confirming the information they have provided is true

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

6.1 The Interview panel

The interview panel **should** consist of at least 2 individuals and one member of staff and / or Governing Body member who has been through appropriate safer recruitment training.

Schools are responsible for ensuring that relevant staff have received this training. Each School must keep a register of staff and governors who have completed this training, including the date of the training and the training provider. There is no statutory requirement to repeat the safer recruitment training course after a certain period of time, however, colleagues who wish to update/refresh their knowledge are welcome to attend

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refresher training and often find benefit from doing so. The Trust recommends that colleagues attend refresher training after no longer than 5 years.

Prior to interview, any prospective panel members should declare any relationship with any candidate known to them. A decision will then be made as to whether attendance on the panel is appropriate.

6.2 Employment Gaps

Gaps in employment history **should** be discussed with the candidate prior to offer of employment. If there are gaps in their history, the candidate should declare the reasons for their break from work. These should be documented and signed by the candidate. Valid reasons for gaps in employment may be: the candidate did not need to work, travelling, bringing up a family, caring responsibilities, family bereavement or a period of sickness. It is important to ensure that the candidate is able to give as much detail as possible, in order for the panel to make an informed decision.

In addition to employment gaps, it is strongly advisable to discuss patterns of repeated change in career or employers at interview, ensuring that the reasons for this are fully explored and satisfy the interview panel.

6.3 Rehabilitation of Offenders Disclosure

As they involve direct contact with children, all Posts within the Trust are exempt from the Rehabilitation of Offenders Act 1974 (exceptions 1975) (amended 2013). As a prospective employer, you should inform all candidates of their responsibility to disclose any unspent cautions, convictions or bind-overs, and any offences that would not be filtered, during the application stage.

6.4 Commitment to Safeguarding Children

Interviews allow the Trust to explore a potential candidate's views and expectations in relation to working with children. The recruiting panel should seek to identify the candidate's experience or views on the following points:

- Motivation to work with children;
- Ability to form and maintain appropriate relationships and personal boundary with children;
- Emotional resilience in working with challenging behaviours;
- Attitudes to use of authority and maintaining discipline.

Providing questions that ask candidates to draw on their experience of situations with children will give a good impression of the candidate's understanding of the points above. It will enable the panel to probe issues or lack of knowledge that candidates may have and explore their motivation to work within a school environment or with children.

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7. Pre-Employment Checks

No candidate will be offered a post with the Trust unconditionally. All offers will be subject to satisfactory completion of the appropriate checks as listed below. It is the responsibility of the recruiting manager to ensure that these checks take place.

These checks should be made clear to candidates at interview. Any offer of employment should be a conditional offer subject to satisfactory clearances being received and checked. Only when all of these checks are completed and returned will an offer of employment be confirmed.

In exceptional circumstances, where it is in the best interests of the School / Trust for a candidate to start prior to all (see below) of these checks being completed, a rigorous risk assessment must be completed and approved. This risk assessment should be shared with the Headteacher/Head of School and Trust CEO/Executive Headteacher.

If the appointment of a successful candidate would be considered a third-party transaction, ESFA approval would be obtained prior to any offer of employment being made.

7.1 References

No-one should be permitted to start work until two satisfactory references have been received. One of the referees must be the candidate's current or most recent employer. If the candidate currently works in a school, one of the referees must be the Headteacher.

If a candidate is not currently working with children or vulnerable adults but have done so in the past, references will be obtained from the most recent employer of this type of employment. References may be sought from all positions that include working with children.

Open references will not be accepted in any circumstances.

Wherever possible, these should be requested for shortlisted applicants, and ideally be received back, prior to interview. However, it is acknowledged that – particularly with applicants not currently working within education – they may not wish their current employer to know that they are seeking alternative employment.

References may be sought for internal candidates applying for a post outside of their current school but are not required in relation to job moves within a school.

Reference requests must be issued on the Trust's Reference Pro-forma, which ensures that certain questions are asked about all candidates. This helps to avoid receiving references that do not address all of the areas that we would like to know about.

The Reference Pro-forma asks about the candidate's relationship with children in their current or previous role and if they have ever been involved in any disciplinary action concerning children.

Where references are not seen prior to interview any offer must be made 'subject to references'. When the references are received, they should be scrutinised, and any concerns resolved satisfactorily before the person's appointment is confirmed. If specific questions have not been answered satisfactorily, for example if the answers are vague, the referee

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should be contacted to provide further clarification as appropriate. Information should also be compared for consistency with the information provided by the candidate on their application form, and any discrepancies taken up with the candidate.

7.2 Verification of Candidate's Identity

It is vital that the Trust knows who their employees are and have evidence to prove this. For all employees of the Trust a copy of the documents used to verify the candidate's identity and right to work in the UK should be placed on their personal file and logged on the Single Central Record. Information checking guidelines can be found on the DBS website. Evidence of identity must be seen before the person commences in post.

7.3 Prohibition Check, and Section 128 checks

Any candidate with QTS should be checked against the prohibited list, even if they are not being recruited to a teaching post, before the person commences in post. This check ensures that a teacher is not prohibited from teaching and has been a statutory requirement since April 2014, but there is no requirement to retrospectively check teachers who commenced their current employment prior to that date. Existing staff will have been checked in line with previous guidance for checking QTS status. Further information is in the TRA publication "[Teacher misconduct: the prohibition of teachers](#)".

The individual's teaching record should be printed off and placed in their personnel file and the date of the check must be recorded on the Single Central Record. Under no circumstances should anyone in a teaching post commence work without the check having been undertaken.

To ensure that you are able to carry out the check prior to appointment, schools must be registered on the Teacher Services system. This is a free service. Further information on how to register and access can be viewed at <https://www.gov.uk/teacher-status-checksinformation-for-employers>. This replaces the database previously managed by the GTCE which listed any teacher who may have been the subject of a suspension or conditional order and confirmed that a teacher had QTS and had completed their induction.

It is important that the checker also 'claims' the teacher on the Teachers Services website.

Please note: The prohibition order check is different to the barred list check. Some new appointments will require an enhanced DBS check, a barred list check and a prohibition order check.

7.3.1 Who is required to have a Section 128 check?

The Headteacher/Head of School (relevant Director for Trust Central Staff) is responsible for deciding which posts are defined as "management". This should include, but is not limited to:

- Members of a School's Senior Leadership Team, including the Headteacher / Head of School themselves
- Anyone with a leadership role (e.g. on the leadership pay scale)
- Anyone with a line management responsibility
- Any other staff with a management role, for example Office / Finance / HR/ Operations

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- Senior Trust staff
- Governors and Trust Board members (see 5.8).

Section 128 checks should be completed via the process outlined above and is applicable regardless of whether or not the post-holder has QTS.

7.4 DBS Disclosure

The DBS check shows the Trust any previous convictions held on file for a potential employee, other than those which are “filtered” by the DBS. There are three types of check: “standard”, “enhanced” and “enhanced including barred list”.

If the DBS certificate has not been received prior to the employment commencing, the school must ensure that the individual is appropriately supervised and that all other checks, including a barred list check, have been completed.

For most appointments an enhanced DBS certificate with children barred list information, will be required as the majority of staff will be engaging in regulated activity as they:

- are employed to work regularly in a specified place (i.e. school/college), and/or
- are responsible, on a regular basis, for teaching, training, instructing, caring for or supervising children, or driving a vehicle only for children, or
- carry out paid, or unsupervised unpaid, work regularly which provides an opportunity for contact with children, or
- Engage in intimate or personal care, or an overnight activity, even if this happens only once.

All members of the central teams will undergo an Enhanced DBS Disclosure as part of the recruitment process, and the certificate number / date certificate was seen will be made available for the Single Central Record of each School.

Checking the DBS certificate

The applicant must show their original DBS certificate to the school before they take up post, who should log the certificate number and date the certificate was seen on their Single Central Record – along with a note of the person who checked the certificate.

Having a conviction will not necessarily bar someone from working in a job with children or vulnerable adults. The severity, nature, circumstances and timing of the conviction will need to be taken into consideration. Candidates will be given the opportunity at the application stage to declare any *unspent* convictions they may have, as well as any offences that are not protected. Any declaration they make will be compared with the returned criminal record disclosure. DBS certificates should be checked with reference to the list of relevant offences in the “Teacher Misconduct - Disqualification under the Childcare Act 2006” guidance. If a positive DBS disclosure is received, this will be reviewed by the HR Director/Headteacher/CEO.

Record keeping

Schools do not have to keep copies of DBS certificates in order to fulfil the duty of maintaining a Single Central Record. Where a copy is taken, in order to comply with the requirements of

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the Data Protection Act which includes the rules set out in the General Data Protection Regulation, Schools should have a good reason for doing so and should not retain this for longer than six months.

7.4.1 Barred List

This is a list of people barred from working with children, compiled by the DBS. For posts in regulated activity this check should be done as part of the DBS Application Process (see above). If a person is not in, or seeking to enter, regulated activity it is unlawful to check the barred list. If a school knows or has reason to believe that an individual is barred, it commits an offence if it allows the individual to carry out any form of regulated activity. Candidates in regulated activity must never be permitted to commence in post before the barred list check is complete.

7.4.2 DBS Update Service

Individuals can join the DBS Update Service at the point an application for a new DBS check is made, enabling future status checks to be carried out to confirm that no new information has been added since its issue. This allows portability of a certificate across employers. Before using the Update Service, the Trust must:

- Obtain consent from the applicant to do so,
- Confirm the certificate matches the individual's identity, and
- Examine the original certificate to ensure that it is for the appropriate workforce and level of check, e.g. enhanced certificate, or enhanced including the relevant barred list information.

The school can then subsequently carry out a free online check to identify whether there has been any change in the information recorded since the certificate was issued and advise whether the individual should apply for a new certificate. Individuals will be able to see a full list of those organisations that have carried out a status check on their account.

7.3 Medical Clearance

Once an offer of employment is made, a potential employee must complete the Smart Clinic pre-placement medical screening. Depending on the answers given by the candidate, the Trust's Occupational Health provider may be asked to carry out further enquiries to confirm mental & physical fitness for the specific post.

7.4 Verification of Qualifications

Any essential qualifications required to perform a particular job, such as QTS, as stated in the person specification, need to be evidenced by the potential employee. A copy of original certificates should be taken and placed on their personal file and the date seen logged on the Single Central Record. This should ideally be confirmed at the interview stage.

7.7 Verification of Professional Registration

Some posts require a professional registration with a regulatory body, such as the General Teaching Council etc. This again needs to be evidenced and placed on file, if the person specification states it as an essential prerequisite.

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7.8 Right to Work in the UK

It is a legal obligation that every employer in the UK verifies whether a potential employee has the right to work in the UK, as per the guidance

Step 1 – Employer should ask for and be given an acceptable document, or combination of documents. Only original documents must be accepted;

Step 2 – Employer must take all reasonable steps to check that the document is genuine and to satisfy themselves that the holder is the person named in the document. Employer should also check that the document allows them to do the work in question. If you are unsure, the employer can contact the Home Office employer helpline on 0300 123 4699;

Step 3 – Employer must take and retain a copy of the document, in a format which cannot later be altered. Make a note of the date on which the copy was taken, and the person who saw the original documents.

7.9 Employment History

If appropriate, any outstanding concerns from the initial review relating to gaps in employment or noticeable patterns when the candidate changed their employment, should be followed up. It is important to ensure that the information received is not contradictory or incomplete.

7.10 Overseas checks

If the potential employee has **lived or worked** outside the UK for a period of time (**whether or not they are a British national**), then a UK DBS Disclosure will not give a full picture in respect of any criminal record they may have.

In addition to the usual pre-employment checks listed elsewhere in this policy, where an individual has lived or worked abroad in recent years, further checks should be made where appropriate so that any relevant events that occurred outside the UK can be considered. For example:

- An overseas criminal record check, where available. The overseas criminal record certificate may also be referred to as a certificate of good conduct or police character certificate (etc.) depending on the country in question. Full details can be found by following this link <https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>
- An employment reference from the overseas' employer, even if this is not the last two employers
- Where the vetting documents are received in a language other than English, the translation must be completed by an accredited translator

Under KCSiE (Sept 2022) there is no requirement to carry out checks for events that may have occurred outside the UK if, in the three months prior to their appointment, the applicant has worked in a school (or the further education sector or 16-19 Academy) in England in a post which brought them into regular contact with children or young persons.

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However, notwithstanding this, a school may make any further checks they consider to be appropriate in the circumstances of the individual case.

8. Other Contacts with the Trust

8.1 Temporary / short term teachers employed directly by the Schools

Temporary teachers should be recruited and treated in the same way as any other member of staff in the Trust. This means that they should also have all the appropriate pre-employment checks carried out before their employment is confirmed.

Temporary / short term teachers that are not employed by the Trust on a continuous basis should have their DBS Disclosure and Prohibition status re-checked every 12 months (unless there is a gap in service of 6 months or more in which case a new disclosure must be sought before they work in the school again); and should also be asked to complete a Disqualification under the Childcare Act declaration annually (if applicable). This is due to the casual and ad-hoc nature of their work, which may mean they do not actively work in our Schools for a few months at a time. If the teacher is mobile and only works for us a few days at a time (but is employed direct, rather than via an agency or other body – see 8.2 below), the teacher should organise their re-check through a Local Authority or Umbrella Body and fund it themselves and / or should be encouraged to register with the update service.

8.2 Peripatetic Tutors & Agency Staff

(including Agency Supply Teachers, students and staff from other agencies or educational institutions, for example social workers)

It is important that Schools have evidence of the necessary checks in relation to staff providing services such as music tuition, specialist sports coaching, supply teaching or specific courses that requires staff to work on Trust premises whilst children are present.

It is expected that Schools will carry out or have evidence of the same standard of checks for all staff and the extended provision even if they are not employed directly by the School. With this in mind, all outside providers should be requested to provide evidence that relevant pre-employment checks have been undertaken. It is for the employer / agency to determine which checks are required. If the school does not believe the employer / agency has completed the necessary checks, they should discuss this with the employer / agency and seek advice from the HR Team. This should be given in writing and in advance of the provider starting work at the School and should be agreed as part of any contract between the school and provider. In the case of supply agencies, the school has the right to view the original copy of the Disclosure from the agency if it contains additional information. This does not apply to other providers. Confirmation of relevant checks from external providers will be recorded on the Single Central Record.

If confirmation / evidence is not provided, then the Trust will not allow the peripatetic tutors or agency staff to have unsupervised access to children. On an exceptional basis a risk assessment will be undertaken but this **will not** be considered the norm. If the individual is in

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regulated activity they will not be permitted to work at a school until confirmation is received that the barred list check has been undertaken and the person is not barred.

All schools are responsible for ensuring that any supply teaching agencies they use can demonstrate robust recruitment and selection procedures e.g. ensuring that their employees are DBS / barred list / Prohibition cleared, completed a Disqualification from Childcare Act declaration if applicable, have a full face-to-face interview and all the appropriate pre-employment checks and child protection / safeguarding inductions are carried out.

All persons employed by the school, any regular visitors employed by a third party such as an agency, and all regular volunteers should be included on the Single Central Record.

As with any external persons coming on to school premises, verification of their identity will take place, the provider should therefore be asked to show documents such as a passport or driver's licence unless they have company ID. The school will be given the names of expected guests or outside providers in advance of their arrival on site. The school will be very clear that the named individual is who they say they are.

8.3 Volunteers

Volunteers in our Trust often have the same or similar access to children as employees. A child will not consider a distinction between a volunteer and a member of staff, when seeking help or support. This means that volunteers should have certain checks completed as they are in a position of trust.

As with any new staff member an identity check should be carried out, and it is also important to request and receive two references on behalf of the volunteer. These checks must be carried out for all volunteers and not just for those unknown to the schools.

An enhanced DBS Disclosure should be carried out prior to a regular volunteer starting their duties within the school, unless there are clear reasons why it is not relevant and proportionate to do so in relation to the post

- Volunteers who teach or look after children regularly on an unsupervised basis, or who provide personal care on a one-off basis, will be in regulated activity. In this case, an enhanced DBS check including barred list information should be obtained.
- An enhanced DBS check (without barred list check) may be requested for volunteers who are not engaging in regulated activity but have the opportunity to come in to contact with children on a regular basis (e.g. supervised volunteers).
- Although there is not a requirement to re-check volunteers in regulated activity at prescribed intervals, the Trust may conduct a repeat DBS check (including barred list information) on any volunteer about whom they have concerns.
- If no DBS check is completed the reasons for this should be documented and the volunteer must be supervised* at all times and must not engage in regulated activity.
- If the volunteer is providing teaching work, checks of the relevant TRA lists should be completed

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- If the volunteer is working in an area which is subject to the Disqualification from Childcare Act, they should also be asked to complete a declaration form prior to commencing.

If a volunteer becomes a paid employee, then the usual pre-employment checks for new employees should be carried out, e.g. their right to work in the UK should be assessed, a medical questionnaire completed, etc. It is a legal requirement to apply for a new Enhanced DBS Disclosure (including barred list check, if applicable) as well to reflect their change to an employee.

If assisting on a one-off trip and not carrying out a regulated activity, a volunteer does not require a DBS Disclosure, but must be supervised* at all times. Further clarification can be sought from the HR team.

*NB 'supervised' does not always mean 'accompanied'.

8.3.1 Risk assessing volunteers

There must be a written risk assessment in place for all volunteers that are not in regulated activity – this risk assessment should determine whether or not the individual needs an enhanced DBS (without barred list check), taking into consideration what is already known about the volunteer, the needs of the pupils, the nature of the activity, level of supervision and the views / feedback from staff, other volunteers and / or referees. Advice can be sought from the HR Team.

8.3.2 Supervision

If the volunteer is to be supervised whilst undertaking an activity that would be regulated activity if it was unsupervised, the statutory guidance must be followed. The nature of the supervision planned should be included in the written risk assessment.

8.4 Contractors

Schools should ensure that any contractor, or any employee of the contractor, working in the school has been subject to the appropriate level of DBS check prior to starting work. Contractors engaging in regulated activity will require an enhanced DBS certificate (including barred list information). For all other contractors, who are not engaging in regulated activity but whose work provides them with an opportunity for regular contact with children, an enhanced DBS check (without barred list) will be required. In considering whether the contact is regular it is irrelevant if the contractor works on a single site or across a number of sites.

Under no circumstances should a contractor be allowed to work unsupervised or engage in regulated activity if appropriate checks have not been obtained.

8.5 Visitors

Schools do not have the power to request or ask to see DBS checks for visitors.

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Headteachers/Head of Schools should use their professional judgement about the need to escort or supervise visitors.

8.6 Local Governing Body members

From 1 September 2014 each new member of the Academy Governance Committee (AGC) is required to provide two references and must complete an enhanced DBS check (without barred list, unless they will be engaging in regulated activity) prior to appointment. The individual may attend meetings of the AGC as an observer until checks are complete. Individual schools are responsible for carrying out DBS checks for their governors. There is no requirement to repeat DBS checks after a certain period of time, however, this can be done so if there is cause for concern.

A person shall be disqualified from serving on the AGC at any time when they are included in the DBS children's barred list, or has at any time been convicted of any criminal offence, excluding any that have been spent under the Rehabilitation of Offenders Act 1974 as amended in 2013. Governors are already required to complete a declaration form on appointment in respect of the School Governance Regulations 2012, so are not required to complete an additional disclosure in relation to Disqualification from childcare.

In addition, since September 2016 all members of the governing body must be checked under a **Section 128 direction**, which prohibits or restricts a person from taking part in the management (including being a governor) of an independent school, including academies and free schools. A check for a section 128 direction ("prohibition check") can be carried out using the Teacher Services System, and the information should be included in the Single Central Record.

8.7 Lydiate Learning Trust Board Members

Specific requirements are placed on the "proprietors of independent schools including academies", which includes the Chair of a body of people which is the proprietor. This requires the Secretary of State to carry out an enhanced DBS check (including barred list if appropriate), confirm the individual's identity and, if the individual has lived outside the UK, to make any other checks considered appropriate. This requirement therefore applies to the Chair of the Trust Board.

The Chair of the Trust Board is responsible for ensuring that enhanced DBS checks are undertaken, and identity checks completed (with any additional checks taken as appropriate if an individual has lived or worked outside the UK) for the other members of the Trust Board before, or as soon as practicable after, they take up their position.

In addition, since September 2016 all members of the Trust Board must be checked under a **Section 128 direction**, which prohibits or restricts a person from taking part in the management of an independent school, including academies and free schools. A check for a section 128 direction ("prohibition check") can be carried out using the Teacher Services System, and the information should be included in the Single Central Record.

8.8 Existing Staff

There is no requirement to re-check all colleagues after a certain period of time. However, if there are concerns about an existing staff member's suitability to work with children, relevant checks can be conducted as if they were a new member of staff.

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Similarly, if an employee moves to a post which requires a different level of check, then the relevant checks must be carried out, e.g. from a post that was not regulated activity in to work which is regulated activity (with children or adults), in to a post to which the

Disqualification from Childcare Regulations apply, or in to a post where Section .128 checks apply.

The Trust has a legal duty to refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult (or where the individual has received a caution or conviction for a relevant offence, or if there is reason to believe that individual has committed a listed relevant offence) and where that individual has been removed from working (paid or unpaid) in regulated activity – or would have been removed had they not left. Referrals should be made as soon as possible after the resignation or removal of the individual.

Where an employer (including an agency) dismisses or ceases to use the services of a teacher because of serious misconduct, or might have dismissed / ceased to use their services had they not left first, they must also consider whether to refer the case to the Secretary of State (Education Act 2002).

9. Single Central Record

As required by the DfE, each school will keep a Single Central Record to provide confirmation that relevant checks have been taken for:

- all staff (including agency / supply staff and trainee teachers) who work in the school
- all members of the “proprietor body” e.g. relevant information for governors, Trust Board members, and Central Trust staff

Where checks are carried out for volunteers, these should also be recorded on the Single Central Record.

The Single Central Record should include factual information about each individual concerned, and a note of the person who checked the information and the date of the check / when the evidence was seen. The information should include, but is not limited to:

- Identity (Name, what evidence of identity was seen)
- Role (is it regulated activity?) and start date
- Qualifications (if any qualifications / professional registrations required for role)
- Prohibition list / EEA list / s128 prohibition from management (where relevant) checks
- DBS Disclosure (including disclosure number)
- Barred List check
- Childcare regulations disclosure (unless this is kept separately, and if applicable)
- Right to work in the UK (Asylum & Immigration Check)
- Other overseas checks, if applicable in addition to EEA list check e.g. police certificate, overseas reference, etc. (applicable for any employee who has spent a period of time abroad)
- Volunteers only, date risk assessment was completed

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For agency / supply staff, schools should check the ID of the person on arrival and have already gained written confirmation that the employment business supplying the member of staff has carried out the relevant checks and obtained the appropriate certificates, and the date that confirmation was received.

This record must be complete for all staff in the school and will be available to be assessed by Ofsted and HMI Inspectors.

10. Induction

All new staff and regular volunteers will be provided with induction training.

All individuals will be provided with a copy of:

- Keeping Children Safe in Education (DfE 2022) part 1 and, if they will be in direct contact with children, annex A
- what to do if you're worried about a child (DfE 2015)
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/419604/What_to_do_if_you_re_worried_a_child_is_being_abused.pdf
- Sexual violence and sexual harassment between pupils in schools & colleges (September 2021)
[\[Withdrawn\] Sexual violence and sexual harassment between children in schools and colleges - GOV.UK \(www.gov.uk\)](#)

Individuals will be asked to confirm in writing that they have read and understood these documents. If they are unsure of anything, advice should be sought from the designated staff.

11. Review

The Trust's policy on safer recruitment will be reviewed bi-annually, or when the Department for Education (DfE) issues revised guidance on this topic.

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