

The Castle Partnership Trust

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The Castle School
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Recruitment and Vetting Policy

Date: January 2021

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Due for review: Summer Term 2022

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RECRUITMENT AND VETTING CHECKS PROCEDURES

Introduction

All new appointments to The Castle Partnership Trust are subject to recruitment and vetting checks. The Castle Partnership Trust will implement a range of checks to minimise the possibility of children and young people suffering harm from those whom they consider to be in positions of trust. The Headteacher at each school site has overall responsibility to ensure these checks are carried out, with assistance from the Business Manager.

All members of staff employed at The Castle Partnership Trust are required to have an enhanced Disclosure and Barring Service (DBS) check (previously known as CRB checks) in order to work with children and young persons, including overseas and agency staff working at the trust, paid and unpaid teachers and other workers.

A Single Central Record is held at each school site within The Castle Partnership Trust. This record details a range of checks that have been carried out on members of staff and other individuals. Those appointees who have lived outside the United Kingdom are subject to such additional checks as are deemed appropriate where the required DBS Enhanced Disclosure is not considered sufficient to establish suitability to work with children and young people.

The Castle Partnership Trust will ensure that any supply staff have undergone the necessary checks to assess their suitability for the post, and Children's Barred List criteria have been met. The Trust will also ensure that any agency providing staff will have made the appropriate checks and have followed the regulations regarding disclosure information; preferably by confirmation of a contract with the organisation.

Additional checks, for example on qualifications, will also be carried out on all appointments to the Trust before a placement is offered to the applicant.

Checking Requirements

- Proof of Identity – photographic identity such as passport or driving licence and birth certificate, combined with evidence of address
- Children's Barred List (carried out as part of the DBS process or separate check made as part of risk assessment process when starting work before the DBS is received)
- DBS Disclosures (DBS Disclosures are not required where the person has worked in a relevant post within the 3 months prior to appointment.)
- Confirmation of qualifications that are a legal requirement for the post
- Medical fitness requirement where appropriate – (as identified on the Pre-Employment Health Check)
- Confirmation of the right to work in the United Kingdom, is required.
- If the appointee has lived outside the United Kingdom, further checks may be considered appropriate where obtaining a DBS Disclosure is not sufficient to establish suitability to work with children
- For any new Teaching Staff who commenced in school after 2 September 2013, a Prohibition Notice check should be carried out via the DfE secure website.

N.B. In the case of DBS Disclosures the certificate must be obtained before, or as soon as practicable, after appointment (see section on DBS Disclosures below).

A record is kept of all the above checks that have been carried out at the Trust, alongside other Personnel Files, remaining confidential and under lock and key or in a secure computer folder.

Additional Checks

- Professional / Character References
- Previous Employer History, in relation to references and pay scales

N.B. Checks will be made as appropriate on all staff whether unpaid or paid who provide a service that gives rise to contact with children.

Children's Barred List is a confidential document, maintained by the Department for Education which contains the names, dates of birth, National Insurance numbers and in the case of teachers – the Teacher Reference Number, of people who have been barred or restricted from working with children by the Secretary of State.

DBS Disclosures

Where possible, and in all but exceptional circumstances, DBS Disclosures will be obtained before an individual starts work. If this is not possible it will be obtained as soon as is practicable after the individual's appointment, its submission having been placed. (See section below 'Starting work pending a DBS Disclosure').

The Headteacher at each school has the discretion to allow an individual to begin work within The Castle Partnership Trust pending receipt of a DBS Disclosure but will ensure that the individual is appropriately supervised and that other checks, including Children's Barred List and the clearance risk assessment is completed. If the Headteacher is not available, the Chair of Governors will make this decision.

Positions which are exempt from the Rehabilitation of Offenders Act 1974

Individuals should be asked by The Castle Partnership Trust to declare any convictions, cautions or reprimands, warnings or bind-overs which they have incurred, including any that would be regarded as 'spent' under the Act.

Enhanced Disclosures are required for:

- Any work for the school, paid or unpaid
- Any position involving unsupervised contact with a child under arrangements made by the child's parents/carers or The Castle Partnership Trust
- Any position which involves regularly caring for, training, supervising or being in sole charge of children or young people under the age of 18 years at The Castle Partnership Trust
- A newly appointed member of staff who has not worked within three months before his/her appointment at:
 - A school in England in a post which has brought him/her into regular contact with children or any post they were appointed to since 12 May 2006
 - An FE College in England in a position which involved the provision of education and regularly caring for, training, supervising or being in sole charge of children or young people under the age of 18 years.

N.B. This includes all teaching and support staff.

DBS Disclosures: Existing Staff

Although The Castle Partnership Trust is not required to clear existing staff, in post prior to 2002, who were not previously eligible (including those recruited before the establishment of the CRB/DBS) for criminal background checks to apply for DBS Disclosure, the Trust has made the decision to carry out DBS checks on all staff.

DBS Disclosures: When Someone Moves School, Local Authority or FE College

A new DBS Disclosure will be required for a newly appointed member of staff when s/he moves school, academy, Local Authority or FE College. Alternatively, if a newly appointed member of staff has a valid subscription to the government update service, a check may be made regarding their current DBS certificate on the website and print out confirming the check has taken place put on file.

Starting Work Pending a DBS Disclosure

The Castle Partnership Trust follows a Safer Recruitment Practice for the employment of all members of staff and, other than in exceptional circumstances, clearance will be obtained before the individual is permitted to start work. In exceptional circumstances however, the Headteacher may make special arrangements as follows:

- 1) A risk assessment will be completed (see Appendix 1).
- 2) All appointees will be supervised by an appropriately vetted member of staff pending results of DBS checks
- 2) Supervision of appointees will reflect the nature of the duties and experience of the new members of staff, also the detail of information provided in references
- 3) The nature of the supervision, pending DBS checks, will be specified to all appointees
- 4) Arrangements for supervision and members of staff concerned will be reviewed regularly – at least every 2 weeks until DBS Disclosure is received

Where a DBS Disclosure indicates cause for concern for agency or directly employed staff, the member of staff would immediately be withdrawn from the Trust, pending further enquiries.

Annual Staff Declaration for Safeguarding

From September 2014, all staff will be expected to complete a self-declaration for safeguarding purposes (see Appendix 2) on an annual basis.

Visitors to the School

All visitors to The Castle Partnership Trust are required to sign themselves in and out of the school premises (a Visitors' Book supplied for this purpose); they must also state date and time of visit and duration of stay as well as the person they are visiting. They must also sign to state that they have read the Safeguarding Children Guidelines. All visitors will be escorted, during the duration of their visit, by a member of staff or appropriately vetted volunteer. They will be expected to wear their visitor's badge issued at either of the Reception desk at all times. (All employees are also expected to wear their identity badges at all times).

Volunteers who come into direct, regular contact with children under 18 years of age require a DBS disclosure. *Here 'regular contact' means three or more times in a 30 day period, or once a month or more, or overnight.*

Support information from other organisations where the volunteers has been known to work previously either paid or unpaid will allow the Headteacher to make a risk assessment and use professional judgement and experience in deciding whether a DBS disclosure is necessary.

Visitors and DBS Disclosure requirements

Visitors will not require a DBS check if:

- They have business with a Headteacher or a Director of the Trust
- They have business with another member of staff
- Only brief contact is made with children in the presence of a member of staff
- They are volunteers or parents who only accompany children on one-off outings or trips that do not involve overnight stays, or who only help at specific one off events e.g. Parents Evenings, Sport's Day, Open Day, when other members of staff are present. These are not considered to have 'regular' contact (see definition above).
- They are secondary school pupils on Key Stage 4 work experience
- They are secondary school pupils undertaking work experience as part of voluntary service, Citizenship or Vocational Studies
- They are on site before or after school hours and when children are not present.
- As a visitor to the Trust, they are under 16 years of age.

Under no circumstances must a volunteer who has not obtained a DBS Disclosure, because perhaps s/he does not required a disclosure due to infrequent contact with children, be left unsupervised with children.

Supply Staff

Where supply staff are employed directly by The Castle Partnership Trust, the Trust will complete all relevant checks as for other employed members of staff. The Castle Partnership Trust will record those checks on the single central record.

If a supply teacher is from an agency, the agency must supply The Castle Partnership Trust with the necessary information on checks that have been carried out; if additional information is indicated on DBS Disclosure information, the supply agency concerned cannot provide The Castle Partnership Trust with a copy of this information. The Castle Partnership Trust, if it wants to engage the person, will carry out a repeat DBS Disclosure and not employ the person until it receives the new disclosure. The Castle Partnership Trust must check the identity of the person referred by the agency.

Members of Staff Who Have Lived Outside the United Kingdom

Newly appointed members of staff from outside the United Kingdom undergo the same checks as for all other members of staff at The Castle Partnership Trust. This includes the additional checks as well as DBS Disclosure.

In addition:

- Follow up references with telephone calls is good practice for all recruits
- Further checks can be made by The Castle Partnership Trust as it considers appropriate, taking into account guidance provided in Working Together to Safeguard Children (March 2013)
- Information on how long the individual has been in the United Kingdom
- Obtaining certificates of good conduct from relevant embassies or police forces

Following the decision of the United Kingdom to withdraw from the European Union, from 1 January 2021 the Teaching Regulation Agency will no longer maintain a list of EEA teachers with sanctions. This means that

from 1 January 2021 professional regulators in the EEA (EU, Iceland, Liechtenstein and Norway) will no longer share information about sanctions imposed on EEA teachers with the Teaching Regulation Agency (TRA).

In line with Government guidance, for applicants that have lived or worked outside of the UK, the Trust will make any further checks thought appropriate so that relevant events which occurred outside the UK can be considered, including obtaining an enhanced DBS certificate with barred list information (even if the teacher has never been to the UK).

Teachers will be requested to provide proof of their past conduct as a teacher. This should be a letter of professional standing issued by the professional regulating authority in the country in which they worked. Such evidence can be considered alongside other information obtained through other pre-appointment checks to help assess their suitability.

The Trust will continue to follow government guidance regarding this and will review practices where necessary. <https://www.gov.uk/guidance/changes-to-checks-for-eu-sanctions-on-eea-teachers-from-1-january-2021>.

In addition, all members of staff who have lived outside the United Kingdom and were recruited since March 2002 should have DBS Disclosures undertaken. Where this has not been done, unless the individual had within three months before his/her appointment, worked in:

- A school/school in England in a post which brought him/her into regular contact with children or any post they were appointed to since 12 May 2006
- A FE college in England in a position which involved the provision of education and regularly caring for, training, supervising or being in sole charge of children or young people under the age of 18 years

Contractors

The standards expected of contractors is outlined in The Code of Practice. Contractors are expected to abide to the following arrangements:

- All contractors will sign in and out of the school and wear their visitor badge for the duration of the visit.
- Those workers employed over a longer term that come into contact with children are required to undergo appropriate checks. Arrangement can be made with the contractor via the contract, where possible.
- All contractors undertaking major project work are required to complete a CDM Regulations Contractor Checklist. This checklist asks the contractor to confirm that they are DBS checked.
- The contractor is also responsible for ensuring that procedures are followed by any subcontractors. The contractor must provide the Trust with a list of its direct employees and those of any subcontractors, at least 20 days before they start work on site.
- Contractors on site continually for 4 weeks or more will be required to go through the DBS procedure.

Vetting checks on Other Public Sector Staff

Individuals such as psychologists, nurses, OFSTED inspectors and other public sector staff will have been checked by their employing organisation, whether Local Authority, Primary Care Trust or Strategic Health Authority. It is therefore not necessary for The Castle Partnership Trust to see their DBS Disclosure.

The Castle Partnership Trust will, however, want to check identity when an individual arrives to ensure that imposters do not gain access to the children.

Applicants for Teacher Training Courses

The Initial Teacher Training provider should ensure that an Enhanced DBS Disclosure is applied for when a place at a teacher training institution has been accepted, so that disclosures are received prior to the trainee commencing school based elements of their training. However the Headteacher will have the discretion to allow an individual to be in school based training pending receipt of the disclosure, provided they have had a Children's Barred List check. Where this is necessary, the Headteacher must ensure that the trainee is appropriately supervised and a risk assessment carried out.

All Trust staff are required to inform the Headteacher of any visitors to site in either the capacity of trainee teacher or those observing teaching.

Additional Checks

Qualifications

The Castle Partnership Trust must always verify that the candidate has actually obtained any qualifications legally required for the job and claimed in their application e.g. by asking to see the relevant certificate or diploma certificates, or a letter of confirmation from the awarding institution. If original documents are not available, The Castle Partnership Trust should see a properly certified copy of:

- National Professional Qualifications
- Medical fitness requirements

Professional and Character References

References are required in order to obtain:

- Objective information
- Factual information

and to:

- Support appointment decisions

N.B. References should always be sought and obtained directly from the referee.

References should be sought on all short-listed candidates, including internal candidates, and should be obtained before interview wherever possible, so that any issues of concern they raise can be explored further with the referee and taken up with the candidate at interview.

At least 1 reference must be received from the current or most recent employer and should be written by the current or previous manager, supervisor or someone more senior than the successful candidate.

If the successful candidate does not have a current or previous employer a reference may be accepted from a previous educational establishment, a Job Centre contact or a personal contact who works as or has retired from a recognised profession or a person of good standing in the community. In this case the reference does not need to be from a work email or with a company compliment slip, stamp or business card.

If the successful candidate was previously self-employed a reference may be accepted from a previous client or their accountant.

In normal circumstances, pre-written references or 'to whom it may concern' references will not be accepted without verification. However, an exception to this may be made if a previous employer has wound down or ceased to exist and has issued a pre-written reference to the employee at the end of the employment.

The Trust will at all times undertake to do all that is reasonably possible to ensure that candidates are suitable to work with children. References must be professional and from someone in a position of responsibility over the candidate. References from friends or neighbours or anyone in a personal context will not be acceptable.

Where a reference has not been obtained on the preferred candidate before the interview, The Castle Partnership Trust will ensure that it is received and scrutinised, and any concerns are resolved satisfactorily, before the appointment is confirmed.

All requests for references should seek objective information and not subjective opinion. Any information about past disciplinary action or allegations should be considered in the circumstances of the individual case.

Employment of Ex-offenders

On the 29 May 2013, legislation came into force that allows certain old and minor cautions and convictions to no longer be subject to disclosure. In addition, employers will no longer be able to take an individual's old and minor cautions and convictions into account when making decisions. All cautions and convictions for specified serious violent and sexual offences, and other specified offences of relevance for posts concerned with safeguarding children and vulnerable adults, will remain subject to disclosure. In addition, all convictions resulting in a custodial sentence, whether or not suspended, will remain subject to disclosure, as will all convictions where an individual has more than one conviction recorded.

As an organisation assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS), The Castle Partnership Trust complies fully with the DBS code of practice and undertakes to treat all applicants for positions fairly.

Furthermore, The Castle Partnership Trust :

- undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed
- will only ask an individual to provide details of convictions and cautions that The Castle Partnership Trust are legally entitled to know about. Where a DBS certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act Regulations as amended)
- will only ask an individual about convictions and cautions that are not protected
- is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background
- actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records
- will select all candidates for interview based on their skills, qualifications and experience

An application for a criminal record check is only submitted to the DBS if this is relevant to the position concerned. For those positions where a criminal record check is identified as necessary, all application forms, job adverts and recruitment briefs will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being offered the position

The Castle Partnership Trust ensures that at least one panel member involved in the recruitment process has been suitably trained to identify and assess the relevance and circumstances of offences through Safer Recruitment Training.

At interview, or in a separate discussion, The Castle Partnership Trust ensures that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment

The Castle Partnership Trust makes every subject of a criminal record check submitted to DBS aware of the existence of the code of practice and makes a copy available on request

The Castle Partnership Trust undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

Single Central Record of Recruitment and Vetting Checks

In addition to the various staff records which are kept as part of normal business, The Castle Partnership Trust must also keep and maintain a Single Central Record (SCR) of recruitment and vetting checks.

The record shows the following groups of people:

- Teaching Staff
- Support Staff
- Agency Staff
- Members, Directors and Governors
- Volunteers
- Casual Staff
- Mentors

The record includes all who have been chosen by the Trust to work in regular contact with children. This will cover people brought into the school to provide additional teaching or instruction for pupils but are not staff members e.g. a specialist sports coach or artist. The record must be in place from 1 January 2007 for all members of staff and other relevant individuals.

Supply agencies (whether LA or commercial) will need to supply the Trust with a written confirmation that satisfactory checks have been completed.

Only if information disclosed in DBS checks requires it will the Trust be required to see original documentation on Recruitment and Vetting checks from the agencies.

Information disclosed as part of a DBS Disclosure must be treated as confidential. It is an offence for the DBS Disclosure information to be passed to anyone who does not need it in the course of their duties. Only if the subject gives written consent can a disclosure be passed to another agency.

Regulations under 'The Police Act' also authorise passing disclosure information from The Castle Partnership Trust where the subject's suitability for work at the Trust is under consideration.

The disclosure information will be kept in secure conditions and will be destroyed by secure means, as soon as it is no longer needed. If the DBS disclosure refers to the existence of information additional to what is on the face of the disclosure, this cannot be passed on to another agency; however before the disclosure is destroyed, records need to be kept detailing the date the disclosure was obtained, who obtained it (i.e. The Castle Partnership Trust), the level of the disclosure and the Unique Reference Number.

The Single Central Record will indicate:

- Identity checks
- Children's Barred List checks
- DBS Enhanced Disclosures
- Service information
- Qualifications checks – legally required for the position
- Checks of right to work in the United Kingdom
- Further overseas records, checks – where appropriate
- Prohibition Notice checks
- Childcare Disqualification by Association checks, when necessary

The record will also show the date on which each check was completed and when the relevant certificate was obtained, along with the identifying initials of the person who carried out the check.

Fraudulent Applications

Serious, deliberate fraud or deception in connection with an application for employment may amount to a criminal offence (Obtaining Pecuniary Advantage by Deception). In such cases The Castle Partnership Trust should, in addition to any planned disciplinary action, consider reporting the matter to the police. The case should also be reported to the Secretary of State.

Safer Recruitment Training

Safer recruitment training teaches safeguarding skills that help schools to better protect children while recruiting staff and volunteers. From 1 September 2014, safer recruitment training no longer needs to be approved by the Secretary of State. However, schools will continue to be required to ensure that at least one member of any recruitment panel has received appropriate training in line with safeguarding guidance.

School leaders will use their professional judgment to determine appropriate training for the needs of their staff and their school. All schools must ensure that at least one member of every interview panel has undertaken safer recruitment training, and this is evidenced in the interview notes by including the initials of the trained individual.

All interview questions must include two safeguarding questions appropriate to the post being recruited.

All electronic application forms must be signed by the candidate at the interview.

All staff must attend a Safeguarding Refresher training session every year and a register must be taken to evidence their attendance. All staff must read the most recent update of 'Keeping Children Safe from Education' Part 1 and Annex A.

Appendix 1

CLEARANCE RISK ASSESSMENT

To be completed by the Headteacher on all occasions when wishing to use their discretion to start an employee in post prior to the completion of the Disclosure procedure. Discretion should be used in exceptional cases only when a delay in appointment could seriously impact on the continued operational needs of the Trust. No employee should commence the duties of their post prior to being cleared by the Disclosure procedure.

Please be aware that Headteacher's discretion cannot be used regarding the use of volunteers, all of whom must be cleared via the Disclosure procedure prior to commencing their duties.

Name of employee _____ Date of Birth _____

Job title _____

To minimise any risks, the following checks have been completed prior to the employee starting in post:

- Standard application form completed
- Two satisfactory references received including one from most recent or present employer
- Employment history checked and any gaps satisfactorily explained and backed up with documentary evidence
- Children's Barred List check complete (contact the Disclosure Team to request check)
- Disclosure application form completed and process and identification checked in line with DBS policy and guidance.

I certify that the above checks are complete. I have discussed with the employee that their contract is subject to receipt of satisfactory Disclosure and medical clearance. I understand and accept the risk that information later received may prove that the employee is not suitable to work with children.

Name of Headteacher _____

Signature _____

Date _____

Appendix 2

To be printed on school letterhead

Staff Declaration for Safeguarding: For the period September 2013 – August 2014

Employee Name:

Date of Birth:

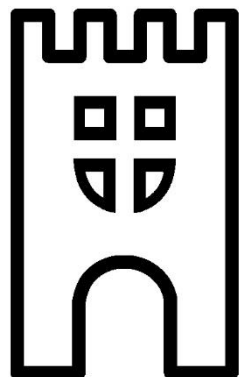
I hereby confirm that during the period shown above, I have not received a criminal conviction, caution, reprimand, final warning or any other penalty from the police or the courts. Additionally, I confirm that I am not currently subject to any other police involvement that might reasonably be regarded as impacting on my suitability to undertake my role.

I hereby confirm my understanding that any failure to declare any of the above information between the dates specified above, or at any future time during my employment with The Castle Partnership Trust, may be regarded as an act of gross misconduct which may lead to disciplinary action and potential dismissal from my employment.

Signed:

Print Name:

Date:



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RISK ASSESSMENT FOR VOLUNTEER IN SCHOOL

To be completed by the Headteacher on all occasions when wishing to use their discretion to allow a volunteer in to the school who does not hold a current DBS certificate. This risk assessment must be undertaken prior to the individual arriving at the school.

✓	REASON FOR THE RISK ASSESSMENT
	Volunteer will be working in a classroom
	Volunteer will be supporting a class on a school trip or visit - may be responsible for a small group
	Volunteer transports children to events organised by school staff
	Contractor to do work in school during the school day
	Other:

Risk assessment for : Date of Birth: Volunteer Role :		Completed by: Position: Signed: Date:		Severity (S) on a 1-4 scale with 4 high Likelihood (L) on a 1-4 scale with 4 high Risk Rating (S x L) on a 1-16 scale with 16 high
✓	Step 1	Step 2	Step 3	Risk Ratings
	Specify significant hazards or risks that arise	Identify People Potentially at Risk	What Control Measures and Mitigation will be put in place to minimise any Risk	e.g 1 x 2 = 2 LOW RISK
	Volunteer with regular contact working with children with significant unsupervised contact e.g takes children for one to one or group work	<i>Children in class</i>	DBS check required	
	Volunteer will be working in a classroom with children, supporting groups and individuals under the general guidance and full supervision of the class teacher or member of staff.	<i>Children in class</i>	<i>Volunteer will not be left alone with children, class will always have an employee present who has been fully checked.</i>	
	Volunteer will be supporting a class on a school trip and may be responsible for a small group under the general guidance and full supervision of the class teacher.	<i>Children on trip</i>	<i>Volunteer will not be left alone with children. Overall supervision will rest with the Lead teacher on the visit or trip. Teacher will take groups to the toilet or organise for two adults to take the children.</i>	
	Volunteer for a one off event . Volunteer often supports trips and activities and takes responsibility for leading a small	<i>Children on trip</i>	<i>DBS check required</i>	

	party of children with minimum or no supervision			
✓	Step 1	Step 2	Step 3	Risk Ratings SxL= Risk (Severity x Likelihood)
	Volunteer - One off event – not regular – transporting a child in a car to a school or organised event	<i>Children in car being transported</i>	<i>Where possible, two adults to be in the car. Children to sit in the back seats of the car. Parental permission required.</i>	
	Contractor in school while children are present – not a regular contractor, one-off event	<i>Children in school</i>	<i>Contractor without DBS (CRB) clearance will be supervised by an employee who has been appropriately checked.</i>	
	Regular contractor attendance in school while children are present and has unsupervised access or significant potential for being alone with a child or group of children.	<i>Children in school</i>	<i>DBS check required</i>	
	Other:			
	Step 4	Action and Time scale		
	Action Needed e.g is a full DBS check required?		Responsible Person	Agreed Date

Agreed by: -

.....Senior Manager (print name) Date.....

.....Headteacher (Signature) Date.....