

<b>Colyton Grammar School</b> <b>SAFEGUARDING CHILDREN: PROTOCOL FOR PRE-EMPLOYMENT CHECKS</b>
---

### **Rationale**

Schools are under a clear obligation “to create and maintain a safe learning environment for children and young people”, and recruitment and selection procedures must take account of the need to include appropriate checks on new staff and volunteers. At least one member of every interview panel must have completed the Safer Recruitment training and assessment. The School is fully committed to fulfilling this obligation and this document outlines how this commitment is implemented.

### **Aims**

1. To provide a clear statement of the range of checks that must be carried out on new staff volunteers and Trustees
2. To describe the way in which these checks must be administered and what records must be kept
3. To record the implementation procedure in respect of existing staff, volunteers and Trustees

### **Key Features**

1. The Range of Pre-Employment Checks  
The School has a statutory obligation to carry out DBS (Disclosure and Barring Service) checks (which include a standard DBS First Check on all new staff and volunteers. It is recognised, however, that these formal procedures need to be set alongside a range of other strategies including:
  - Planning the recruitment exercise, deciding where the advertisement is published, making clear the organisation’s commitment to safeguarding and promoting the welfare of children
  - Ensuring Job Descriptions make reference to the responsibility for safeguarding and promoting the welfare of children
  - Ensuring Person Specifications include specific reference to suitability to work with children
  - Obtaining and scrutinising comprehensive information from applicants and taking up and satisfactorily resolving any discrepancies or anomalies
  - Obtaining independent professional and character references that help to assess an applicants suitability to work with children, and following up any concerns
  - A face-to-face interview that explores the candidate’s suitability to work with children as well as his or her suitability for the post
  - Where the response to the safeguarding question(s) by a successful candidate at interview has raised any issue, this must be followed up by further questioning and by seeking further references and checks as appropriate
  - Verifying the successful candidate’s identity
  - Verifying the successful candidate’s academic and/or vocational qualifications (for teaching posts, this must include providing their DfE reference number and whether or not they have Qualified Teacher Status
  - Checking his or her previous employment history and experience
  - Verifying that he or she has the appropriate qualifications for the post
  - Verifying that he or she has the Right To Work
  - Verifying that he or she has the health and physical capacity for the job
  - In the case of teachers, using the Teaching Agency’s online service to check whether the candidate is on the list of prohibited teachers and/or has any teaching restrictions against them, and whether or not he/she has QTS and has passed induction
  - Where a DBS check does not cover a full 5 years’ residence in the UK, a risk assessment will be undertaken to determine if a Certificate of Good Conduct should be sought for the time spent abroad. The assessment will take into account the length of time spent overseas and the nature of the post to which the applicant is being appointed.

## 2. DBS Checks

All new members of the school workforce, including Trustees and volunteers (e.g. Parent Library Volunteers, D of E volunteers) etc must be asked to complete a DBS Disclosure Form and provide the original forms of identity required. The following procedures must be followed:

- Where possible, the DBS online application system should be used. The new employee/volunteer will be sent a link to the online application site. If the new employee/volunteer does not have access to the internet, a paper DBS Disclosure Form and Guidance notes must be issued.
- The employee must provide the original forms of identity required in person, either at interview or subsequent to the offer of employment. If a paper application is being used, the form must also be returned to the Business Manager or Headteacher's PA for checking.
- Signed and dated photocopies of the forms of identity will be kept with the paper register of DBS checks maintained by the Headteacher's PA until the employee/volunteer provides sight of their copy of the Disclosure Certificate. These photocopies must then be destroyed.
- Two independent references must be sought in relation to the candidate's suitability for working with children, in order to fulfil the DBS reference requirement.
- The Headteacher's PA or assistant will enter details of the applicant, the evidence seen and other details relating to the DBS check, including the DBS Reference Number, relevant details about qualifications, Right To Work, medical checks and references on the school's Safeguarding Children database.
- The employee/volunteer must provide sight of their Disclosure Certificate within six weeks of the form being submitted. On sight of the Disclosure Certificate, the Safeguarding Children database will be updated and the photocopies of the forms of identity will be destroyed.
- In the case of the Disclosure Certificate raising an issue, the school must follow the Protocol for DBS2 Interviews (see below)

## 3. Single Central Record

The Safeguarding Children database fulfils the requirement for a Single Central Record recording all details relating to pre-employment checks, as required by Ofsted. The online database is supported by a file containing relevant supporting documents. The Safeguarding Children database covers all staff, volunteers, Trustees and contractors and contains the following information:

- Name and title
- Date of birth and proof details
- Start and finish date for link with the school
- Photo identity proof details
- Address and proof details
- Positions held
- Qualification details and proof details. An employer check with the Teaching Agency for the relevant details will be completed on at least a termly basis. Teachers holding the QTLS qualification will be checked with the Institute for Learning.
- Details of DBS First/List 99/ISA Children's Barred List, DBS and Overseas Police checks
- Right To Work checks and proof details
- Results of Medical Checks
- Details of supporting references

## 4. Supply Staff Agencies

When employing a supply teacher through an agency the school must seek the following evidence before the teacher commences work at the school:

- Evidence from the agency that an enhanced DBS check has been carried out for the teacher in question and that no issues had been raised by the DBS on the disclosure statement
- Confirmation that all other relevant checks have been carried out satisfactorily
- Details of the teacher's employment history
- A copy of the teacher's CV

5. Contractors

All contractors must supply the following information to the school before working on the school site:

- A signed Contractor's Agreement
- A copy of their Health and Safety policy

In addition, where a contractor is working in a situation where there may be opportunity for unsupervised contact with children and the contractor will be working "frequently, intensively or overnight" (see the DBS website for the latest definitions of these terms), the contractor must supply the following:

- A copy of their Child Protection policy where relevant
- Confirmation that all staff working unsupervised on the school site and who meet the relevant frequency, intensity or overnight test under DBS regulations have a satisfactory DBS Check
- Where relevant, confirmation that they will inform the school within 5 working days of any DBS Referral they have made in relation to staff who may work at the school
- Confirmation that they will inform the school within 5 working days of any other change in their child protection arrangements

The contractor is responsible for any charge relating to DBS checks.

Where a project is notifiable under the Construction, Design and Management Regulations 2007, the contractor must be asked to sign a new Contractor's Agreement.

6. Visiting Music Teachers

Visiting Music Teachers must provide the following before commencing work at the school:

- A signed Visiting Music Teacher agreement
- A copy of a satisfactory Enhanced DBS Check dated within the last 12 months. The school will undertake a DBS First check if the DBS Check is more than 3 months old
- At least two satisfactory references covering situations where the Visiting Music Teacher has worked with children

In addition, Visiting Music Teachers are required either to sign an annual declaration in September that they have not acquired a conviction since the original CRB/DBS check or to give the school permission to use the DBS Update Service to check on their current disclosure status. The Visiting Music Teacher is responsible for any charge relating to DBS checks.

7. Training

The Headteacher and the Business Manager (who is designated as the person responsible for dealing with pre-employment checks on all staff) must complete the appropriate Safer Recruitment training course.

8. Staff Induction

Staff Induction processes for both Teaching and Support Staff, and also volunteers, must include reference to the school's Child Protection Policy and Procedures.

9. Protocol for DBS2 Interviews

See Appendix A.

10. DBS Checks From Other Organisations

Except in the following circumstances, the School will not normally accept DBS Checks completed for other organisations and will insist on a fresh Disclosure Application being completed:

- when a DBS Update Service provides evidence of a satisfactory check completed for a similar post, the candidate confirms he/she has not gained any conviction since the original check and the application is fully supported by appropriate and satisfactory references
- when a DBS check (without the DBS Update option) through another organisation has been completed within the previous 3 months prior to taking up work with the School, the candidate confirms that he/she has not gained a conviction since the

original check and the application is fully supported by appropriate and satisfactory references

- for a Supply Teacher employed through an Agency, where the Agency is able to satisfy the School that all necessary checks have been satisfactorily completed as in Section 4 above
- for contractors where the contractor is able to satisfy the School that all necessary checks have been satisfactorily completed as in Section 5 above
- for Visiting Music Teachers where the teacher is able to satisfy the School that all necessary checks have been satisfactorily completed as in Section 6 above
- when an individual is involved in “regulated activity” but does not meet the “frequency” and/or “intensively” criteria (see the DBS website for the latest definition of this term), and is able to provide a valid DBS Disclosure for a similar role within a school or similar organisation dated within the last 12 months, supported by at least one reference from the same organisation

11. Staff Employed On A Casual Basis

Where staff are employed on a casual basis that may involve a period of three months or more between periods of employment (e.g. Cover Supervisors, Exam Invigilators), the school will pay the additional cost of the DBS Update Service, and will undertake a repeat “portability” check when there is a break of three months or more between periods of employment when this becomes available. While the DBS Update Service is not available, Cover Supervisors and Exam Invigilators must complete an annual declaration in January.

12. Expiry of DBS Checks

DBS checks on staff, volunteers and Trustees who have already been checked will not be repeated routinely. Every member of staff will be asked to sign an annual declaration in September that they have not acquired a conviction since the original CRB/DBS check.

13. Starting Work Pending A DBS Check

A DBS Check must be obtained before an individual begins work. In some exceptional cases, however, this may not be possible. In such situations, all other checks, including the DBS First check, must be completed, and the individual may commence work at the discretion of the Headteacher or Business Manager as appropriate, providing they are adequately supervised

14. DBS Referrals

Employers have a statutory responsibility to refer any information which does or could indicate that an individual has engaged in an activity that caused concern for the safeguarding of children or vulnerable adults to the Disclosure and Barring Service (which replaces the Independent Safeguarding Authority). Making a referral involves completing and signing an DBS Referral Form and posting this to the DBS together with any supporting information and evidence. The following procedures must be followed:

- The referral must follow the current guidance and processes as specified by the Disclosure and Barring Service
- The school’s Staff Disciplinary Procedures must be followed at the same time (see Staff Disciplinary Procedures)

**Overview**

In addition to an annual review of this policy by the Staffing Committee, an annual Safeguarding Report is made to the Admissions and Learning Committee and the Staffing Committee. Safeguarding is also a standing agenda item for all meetings of the Admissions, Learning and Standards Committee.

**Conclusions**

This policy provides a clear framework for the school in fulfilling its commitment to safe recruitment. It should be read alongside the Child Protection Policy and Procedures. The policy will be reviewed on a three yearly basis, or more frequently as required.

### **Further Information**

- *Keeping Children Safe in Education* (DfE, September 2016)
- <http://www.education.gov.uk/schools/pupilsupport/pastoralcare/childprotection>

## APPENDIX A: PROTOCOL FOR DBS2 INTERVIEWS

The DBS2 Recruitment Decision Record Form is completed in cases where it is necessary to meet a candidate, volunteer or Trustee as a result of the Disclosure application process *prior* to making a recruitment decision or allowing the commencement of service or further to disclosure information received. The meeting must be attended by the Appointing Officer (either the Headteacher or the Business Manager as appropriate), who is responsible for ensuring that notes are taken and for making the final recruitment decision, and a Trustee or in the case of a Trustee interview the Chair of Trustees.

The interview needs to be held, and the outcome reported to the applicant or employee, within 2 weeks of the notification.

A decision to confirm or terminate the employment must normally be discussed by *both* the Headteacher and Business Manager, and also the Chair of the Staffing Committee. In some cases, it may be possible to agree a provisional decision before the interview.

An accurate record of the meeting must be made so that accountability for the recruitment decision is fully documented. The notes must reflect the discussion with the candidate and the reasons for the final recruitment decision. Details of any criminal record or conviction information must not be recorded as this is not permitted by the DBS Code of Practice. Any notes made during the meeting must be signed and dated by the note-taker and the subject of the interview. Notes may either be recorded in the space provided or on a separate sheet which must be attached to the form.

### Outline of Interview

1. Welcome the candidate, making clear that this is a serious issue regarding child protection. At the same time, attempt to make them feel as much at ease as possible – in most cases this will be a difficult situation for the candidate.
2. Check that the candidate received a copy of the DBS Disclosure
3. Explain the background to the interview:
  - Following the DBS check a record of a conviction has been reported and that DBS procedures require that an interview is then held with the candidate, the outcome of which will be to either confirm or terminate the employment
  - A written record of the interview will be kept which both the Headteacher or Business Manager, the representative Trustee and the candidate will be required to sign, both confirming the decision and that the record is true and accurate. A copy of this written record will be returned to the Devon LA Disclosure Team.
  - Explain that details of the conviction cannot be recorded on the form according to DBS regulations
  - Explain that apart from the Headteacher, Business Manager, Chair of Staffing and the representative Trustee as appropriate, no other persons at the school will be aware of the conviction and this confidentiality will be maintained.
  - Explain the outline structure of the interview as below
  - Ask if the candidate has any questions about the process
4. Where appropriate, ask the candidate if they appreciate the fact that they work in close quarters to vulnerable people i.e. children, and that we must afford them with a safe environment/protection which is why their conviction/caution has raised a concern.
5. Outline the details of the conviction that has been notified by DBS and ask the candidate if they have anything they wish to say about the conviction and specifically in relation to their position at the school.
6. The Headteacher/Business Manager and representative Trustee must take the opportunity to explore further any comments the candidate may make.
7. The candidate must be asked to give an assurance that this type of behaviour will not be repeated during their employment at the school. (If appropriate the candidate should be advised that if this type of behaviour is repeated in or outside of school during their employment then this may result in disciplinary action being taken against them that could result in their dismissal.

8. The school representatives will then outline any decision already agreed regarding the confirmation or termination of the employment, giving reasons. Reasons might include:

*Confirmation*

- The nature of the conviction is not considered relevant to the post
- The conviction is not considered sufficiently serious as to warrant termination of the employment
- A significant period of time has passed since the conviction, with no further convictions having been recorded

*Termination*

- The conviction relates, directly or indirectly, to Child Protection issues (in which case the employment must always be terminated)
  - The person has appeared on a DBS First check as being unsuitable to work with children (in which case the employment must always be terminated)
  - The person has appeared on the Teaching Agency's list of prohibited teachers (in which case the employment must always be terminated)
  - The person has some other restriction placed on them by the Teaching Agency
  - The nature of the conviction is considered directly or indirectly relevant to the post
  - The conviction is sufficiently serious as to warrant termination of the employment
  - The conviction is a recent one and relevant to the position
  - Regardless of whether there is any conviction the nature of the information disclosed is such that the School Representatives feel that it is inappropriate or untenable for that person to work or continue to work within the school, such decision to be paramount to upholding the schools obligation to maintain a safe learning environment for students and upholding the schools ethos, values and reputation.
9. The candidate must be invited to give any response or to ask any questions
10. The candidate must be reminded that they are a role model to young people and it is not appropriate for them to discuss their previous convictions/actions with anyone at work, particularly to the students or young people. Inappropriate disclosure or discussion of this nature could lead to disciplinary action being taken against them that could result in their dismissal
11. All those attending the meeting must check the written record and sign as appropriate

Following the interview, the following actions must be taken:

- The school's "Safeguarding Children" database must be updated to record the fact that a DBS2 interview has occurred, the date on which the interview took place and the outcome.
- A copy of the DBS2 form must be held on the candidate's personal file.

**COLYTON GRAMMAR SCHOOL**

**DBS2 Form**



This form is to be used where the outcome of a DBS disclosure raises a concern about an applicant or an existing employee. The meeting must be attended by the Appointing Officer (either the Headteacher or Business Manager as appropriate) who is responsible for ensuring that notes are taken and for making a recommendation regarding recruitment or continued service. In the case of an interview with a Trustee, the Chair or Vice Chair of Trustees must also be present.

The final decision to confirm or terminate employment must be made by *both* the Headteacher and Business Manager, and the Chair of the Staffing Committee.

Name of applicant/employee:			
Post:		Meeting date:	
Present:			
Applicant:		Headteacher:	
Business Manager:		Trustee:	
Notes of meeting:			
Signed:			
Applicant/Employee:		Date:	
Headteacher or Business Manager:		Date:	
Decision:			
Signed:			



Chair of Staffing:		Date:	
--------------------	--	-------	--