

Safer Recruitment Policy and Procedures

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Introduction

Pace is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.

Aims and Objectives

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

The aims of Pace's recruitment policy are as follows:

- to ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position;
- to ensure that all job applicants are considered equally and consistently;
- to ensure that no job applicant is treated unfairly on any grounds including race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age;
- to ensure compliance with all relevant legislation, recommendations and guidance; and
- to ensure that Pace meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks.

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

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

The recruitment and selection of staff will be conducted in a professional, timely and responsive manner and in compliance with current employment legislation, and relevant safeguarding legislation and statutory guidance.

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

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

Roles and Responsibilities

It is the responsibility of the Leadership Team and the Human Resources Manager involved in recruitment to:

- to ensure Pace has effective policies and procedures in place for recruitment of all staff and volunteers in accordance with DfE guidance and legal requirements.

- to monitor Pace's compliance with them.
- to ensure that Pace operates safe recruitment procedures and makes sure all appropriate checks are carried out on all staff and volunteers who work at Pace.
- to monitor contractors' and agencies' compliance with this document.
- to promote welfare of children and young people at every stage of the procedure.

Definition of Regulated Activity and Frequency

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

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

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

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

Recruitment and Selection Procedure

Advertising

When advertising roles, we will make clear:

- Our 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

Application Forms

Pace uses its own application form and all applicants for employment will be required to complete an application form containing questions about their academic and full employment history and their suitability for the role. In addition all applicants are required to account for any gaps or discrepancies in employment history. Applicants submitting an incomplete application form will not be shortlisted.

Our application form doesn't include a section where applicants are asked to self-disclose information about their criminal records.

This is because, under the GDPR and Data Protection Act 2018, we don't believe we are likely to have a legal basis for asking for such sensitive personal data before the point where we receive the results of a DBS check.

We therefore discourage unsuitable applicants by making it clear on the application form that appointments are conditional on the satisfactory completion of DBS and other necessary checks. .

Our application form includes a section on DBS and recruitment checks which explains to applicants that:

An enhanced DBS check will be required for all staff

Barred list checks will be required for those working in regulated activity

It's an offence to seek employment in regulated activity if you're on a barred list

All applicants will be made aware that providing false information is an offence and could result in the application being rejected, or summary dismissal if the applicant has been selected, and referral to the police and/or the DBS.

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
- In addition, as part of the shortlisting process we will consider carrying out an online search as part of their due diligence on the shortlisted candidates. This may help identify any incidents or issues that have happened, and are publicly available online, which we might want to explore with the applicant at interview.

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.

Job Descriptions and Person Specifications

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

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

References

References wherever possible will be sought and obtained prior to interview. The only exception is where an applicant has indicated on their application form that they do not wish their current employer to be contacted at that stage. In such cases, this reference will be taken up immediately after interview.

All offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory by Pace. One of the references must be from the applicant's current or most recent employer. If the current/most recent employment does/did not involve work with children, then the second reference should be from the employer with whom the applicant most recently worked with children. The referee should not be a relative. References will always be sought and obtained directly from the referee and their purpose is to provide objective and factual information to support appointment decisions.

All referees will be asked whether they believe the applicant is suitable for the job for which they have applied and whether they have any reason to believe that the applicant is unsuitable to work with children.

Please note that no questions will be asked about health or medical fitness prior to any offer of employment being made.

Any discrepancies or anomalies will be followed up.

Interviews

There will be a face-to-face interview wherever possible, and a minimum of two interviewers will see the applicants for the vacant position. The interview process will explore the applicant's ability to carry out the job description and

meet the person specification. It will enable the panel to explore any anomalies or gaps which have been identified in order to satisfy themselves that the chosen applicant can meet the safeguarding criteria (in line with Safer Recruitment Training) and to determine the candidate's suitability to work with children.

Any information in regard to past disciplinary action or allegations, cautions or convictions will be discussed and considered in the circumstance of the individual case during the interview process, if it has been disclosed on the application form.

At least one member of any interviewing panel will have undertaken safer recruitment training or refresher training as applicable.

All applicants who are invited to an interview will be required to bring evidence of their identity, address and qualifications. Original documents will only be accepted and photocopies will be taken. Unsuccessful applicant documents will be destroyed 6 months after completion of the recruitment programme.

A record of all information considered and decisions made during the interview will be documented.

Offer of Appointment and New Employee Process

Pace carries out a number of pre-employment checks in respect of all prospective employees.

If it is decided to make an offer of employment following the formal interview, any such offer will be conditional on the following:

- the agreement of a mutually acceptable start date and the signing of a contract incorporating Pace's standard terms and conditions of employment;
- verification of the applicant's identity (if not previously been verified);
- the receipt of two references (one of which must be from the applicant's most recent employer) which Pace considers to be satisfactory;
- obtain an enhanced Disclosure and Barring Service (DBS) certificate, including barred list information for those who will be engaging in regulated activity;
- obtain a separate barred list check and conduct a risk assessment if they will start work in regulated activity before the DBS certificate is available;
- ensure they are not subject to a prohibition order if they are employed to be a teacher;
- carry out further additional checks, as appropriate, on candidates who have lived or worked outside of the UK for more than 3 months within the last 5 years. Where available, these will include:
 - for all staff, including teaching positions criminal records checks;
 - for teaching positions: obtaining a letter of professional standing from the professional regulating authority in the country where the applicant has worked.
- verification of the applicant's medical fitness for the role;
- verification of the applicant's right to work in the UK;
- verification of professional qualifications which Pace deems a requirement for the post, or which the applicant otherwise cites in support of their application (where not previously verified).
- check that candidates taking up a management position are not subject to a prohibition from management (section 128) direction made by the secretary of state

Whether a position amounts to "regulated activity" must therefore be considered by Pace in order to decide which checks are appropriate. It is however likely that in nearly all cases Pace will be able to carry out an enhanced DBS check and a Children's Barred List check.

Childcare Disqualification Regulations

Pace will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the Childcare Disqualification Regulations and Childcare Act 2006. Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge)(Extended Entitlement) (Amendment) Regulations 2018 ("the 2018 Regulations"). Where we take a decision that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment on the individuals personnel file.

This will include our evaluation of any risks and control measures put in place, and any advice sought.

The Rehabilitation of Offenders Act 1974

The Rehabilitation of Offenders Act 1974 does not apply to positions which involve working with, or having access to children. Therefore, any job offer will be conditional on the

satisfactory completion of the necessary pre-employment checks. If there are any convictions listed then refer to the dealing with convictions section within this policy.

DBS (Disclosure and Barring Service) Check

Pace applies for an enhanced disclosure from the DBS and a check of the Children's Barred List (now known as an Enhanced Check for Regulated Activity) in respect of all positions at Pace which amount to "regulated activity". The purpose of carrying out an Enhanced Check for Regulated Activity is to identify whether an applicant is barred from working with children by inclusion on the Children's Barred List and to obtain other relevant suitability information.

It is Pace's policy that the DBS disclosure must be obtained before the commencement of employment of any new employee. It is Pace's policy to re-check employees' DBS Certificates every three years or

- Where there has been a break in service of excess of three months
- There has been a change of role, i.e. from Volunteer to paid member of staff
- There is a cause for concern regarding the member of staff or volunteer

Members of staff at Pace are aware of their obligation to inform the HR Department of any cautions or convictions that arise between these checks taking place.

DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence.

Portability of DBS Certificates Checks

Staff may wish to join the DBS Update Service if they are likely to require another check in the future. Applicants may sign up to the Service for a fee of £13 per annum, which is refunded to the employee by Pace.

This allows for portability of a Certificate across employers. Pace will:

- Obtain consent from the applicant to carry out an update search.
- Confirm the Certificate matches the individual's identity.
- Examine the original certificate to ensure that it is for the appropriate workforce and level of check, ie enhanced certificate/enhanced including barred list information.

The Update check would identify and advise whether there has been any change to the information recorded, since the initial Certificate was issued. Applicants will be able to see a full list of those organisations that have carried out a status check on their account.

Dealing with convictions

Pace operates a formal procedure if a DBS Certificate is returned with details of convictions. Please also see 'Recruitment of Ex-offenders' policy and procedure.

Consideration will be given to the Rehabilitation of Offenders Act 1974 and also:

- the nature, seriousness and relevance of the offence;
- how long ago the offence occurred;
- one-off or history of offences;
- changes in circumstances,
- decriminalisation and remorse.

A formal meeting will take place face-to-face to establish the facts with the Headteacher and or the Human Resources Manager. A decision will be made following this meeting. In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the Headteacher and or the Human Resources Manager will evaluate all of the risk factors above before a position is offered or confirmed.

If an applicant wishes to dispute any information contained in a disclosure, they may do so by contacting the DBS. In cases where the applicant would otherwise be offered a position were it not for the disputed information, Pace may, where practicable and at its discretion, defer a final decision about the appointment until the applicant has had a

reasonable opportunity to challenge the disclosure information.

Proof of identity, Right to Work in the UK & Verification of Qualifications and/or professional status.

All applicants invited to attend an interview at Pace will be required to bring their identification documentation such as passport, birth certificate, driving licence etc. with them as proof of identity/eligibility to work in UK in accordance with the new Immigration system and DBS identity checking guidelines. Pace does not discriminate on the grounds of age.

Where an applicant claims to have changed their name by deed poll or any other means (eg marriage, adoption, statutory declaration) they will be required to provide documentary evidence of the change. In addition, applicants must be able to demonstrate that they have actually obtained any academic or vocational qualification legally required for the position and claimed in their application form.

Medical Fitness

Pace is legally required to verify the medical fitness of anyone to be appointed to a post at Pace, after an offer of employment has been made but before the appointment can be confirmed.

All applicants are requested to complete a medical questionnaire and where appropriate a doctor's medical report may be required. This information will be reviewed against the Job Description and the Person Specification for the particular role, together with details of any other physical or mental requirements of the role.

Pace is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, obtaining medical evidence and considering reasonable adjustments.

Induction Programme

All new employees will be given an induction programme which will clearly identify Pace policies and procedures, including the Child Protection Policy, the Code of Conduct, and Keeping Children Safe In Education, and make clear the expectations which will govern how staff carry out their roles and responsibilities.

Single Centralised Register of Members of Staff

In addition to the various staff records kept in school and on individual personnel files, a single centralised record of recruitment and vetting checks is kept in accordance with the Education

(Independent School Standards) Regulations 2014 requirements. This is kept up-to-date and retained by the Human Resources Department. The Single Centralised Register will contain details of the following:-

- all employees who are employed to work at Pace;
- all employees who are employed as supply staff to Pace whether employed directly or through an agency;
- all others who have been chosen by Pace to work in regular contact with children. This will cover volunteers, Trustees peripatetic staff and people brought into Pace to provide additional teaching or instruction for pupils but who are not staff members, eg music therapy etc.

The Headteacher and safeguarding trustee will be responsible for auditing the Single Centralised Register.

Record Retention/Data Protection

Pace is legally required to undertake the above pre-employment checks. Therefore, if an applicant is successful in their application, Pace will retain on their personnel file any relevant information provided as part of the application process. This will include copies of documents used to verify identity, right to work in the UK, medical fitness and qualifications. Medical information may be used to help Pace to discharge its obligations as an employer, eg so that Pace may consider reasonable adjustments if an employee suffers from a disability or to assist with any other workplace issue.

This documentation will be retained by Pace for the duration of the successful applicant's employment with Pace. All information retained on employees is kept centrally in the Human Resources Office in a locked and secure cabinet.

The same policy applies to any suitability information obtained about volunteers involved with School activities.

Pace will retain all interview notes on all unsuccessful applicants for a period of 6 months following the recruitment process, after which time the notes will be confidentially destroyed (ie shredded). The 6-month retention period is in accordance with the General Data Protection Regulations (GDPR).

Ongoing Employment

Pace recognises that safer recruitment and selection is not just about the start of employment, but should be part of a larger policy framework for all staff. Pace will therefore provide ongoing training and support for all staff, as identified through the Annual Review procedure.

Leaving Employment

This policy is primarily concerned with the promotion of safer recruitment and details the pre-employment checks that will be undertaken prior to employment being confirmed. Whilst these are pre-employment checks Pace also has a legal duty to make a referral to the DBS in circumstances where an individual:

- has applied for a position at Pace despite being barred from working with children; or

- has been removed by Pace from working in regulated activity (whether paid or unpaid), or has resigned prior to being removed, because they have harmed, or pose a risk of harm to, a child.

If the individual referred to the DBS is a teacher, Pace may also decide to make a referral to the Teaching Regulation Agency.

Trustees

All trustees will have an enhanced DBS check without barred list information. They will have an enhanced DBS with barred list information if working in regulated activity.

The Chair of the board will have their DBS check countersigned by the secretary of state.

All trustees will also have the following checks:

- A section 128 check. A person who is prohibited is unable to participate in any management of an independent school, a Trustee on any governing body in an independent school, or a management position that retains or has been delegated any management responsibilities. A check for a section 128 direction will be carried out using the Teacher Services' system;
- Identity;
- Right to work in the UK;
- Other checks deemed necessary if they have lived or worked outside the UK.

Contractors and agency staff

Contractors engaged by Pace must complete the same checks for their employees that Pace is required to complete for its staff. Pace requires confirmation that these checks have been completed before employees of the Contractor can commence work at Pace.

Agencies who supply staff to Pace must also complete the pre-employment checks which Pace would otherwise complete for its staff. Again, Pace requires confirmation that these checks have been completed before an individual

can commence work at Pace.

Pace will independently verify the identity of staff supplied by contractors or an agency and will require the provision of the original DBS certificate before contractors or agency staff can commence work at Pace.

Visiting Speakers

Pace have clear protocols for ensuring that any visiting speakers are suitable and appropriately supervised.

Pace is not permitted to obtain a DBS disclosure or Children's Barred List information on any visiting speaker who does not engage in regulated activity at Pace or perform any other regular duties for or on behalf of Pace.

All visiting speakers will be subject to Pace's usual visitors signing in protocol [Security on Site Policy]. This will include signing in and out at Reception, the wearing of a visitor's badge at all times and being escorted by a fully vetted member of staff between appointments.

Pace will also obtain such formal or informal background information about a visiting speaker as is reasonable in the circumstances to decide whether to invite and/or permit a speaker to attend Pace.

Volunteers

Pace will request an enhanced DBS disclosure and Children's Barred List information on all volunteers undertaking regulated activity on behalf of Pace (the definition of regulated activity set out above will be applied to all volunteers).

Under no circumstances will Pace permit an unchecked volunteer to have unsupervised contact with pupils.

It is Pace's policy that a new DBS certificate is required for volunteers who will engage in regulated activity but who have not been involved in any activities with Pace for three consecutive months or more. Those volunteers who are likely to be involved in activities with Pace on a regular basis may be required to sign up to the DBS update service as this permits Pace to obtain up to date criminal records information without delay prior to each new activity in which a volunteer participates.

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

Pace will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we take a decision that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment on the individual's personnel file. This will include our evaluation of any risks and control measures put in place, and any advice sought.

In addition Pace will seek to obtain such further suitability information about a volunteer as it considers appropriate in the circumstances. This may include (but is not limited to the following):

- formal or informal information provided by staff, parents and other volunteers;
- character references from the volunteer's place of work or any other relevant source;
- and
- an informal safer recruitment interview.

Monitoring and Evaluation

The Human Resources Manager will be responsible for ensuring that this policy is monitored and evaluated throughout Pace.

Appendix 1

Safer recruitment checklist

This safer recruitment checklist is designed to help follow a clear process when recruiting for a role. It covers the whole process including recruitment, job applications, interviewing and the post-application follow-up. This checklist is aimed at roles which involve safeguarding children.

Activity	Currently in place Yes/No	Recommended action
Ensure job descriptions, person specifications and application forms are clear, use plain English where possible and reflect the requirements of the role and the Pace's commitment to safeguarding.		
If the role requires the person to work in regulated activity, include a statement in job adverts Pace's commitment to safeguarding and promoting the welfare of children and make clear that safeguarding checks will be undertaken		
Ask shortlisted candidates to complete a criminal record self-declaration stating any cautions and/or convictions appropriate for the role applied for prior to interview.		
Take up all available references on short-listed applicants. Check for gaps and any inconsistencies between information given on the application form, and that provided by the references. Telephone to follow up any queries.		
Ensure that all staff involved in the selection/interview process are safer recruitment trained.		
Ensure that at least two people are involved in shortlisting applications and use agreed criteria and identify any gaps.		
Develop clear interview questions and selection tools.		
Assess candidates using a range of selection methods where possible – including values-based recruitment. Probe their attitudes and values towards children		

Check the identification and right to work documents and qualifications, if relevant, of every applicant. Only accept originals.		
Apply for the appropriate level of criminal record check after a conditional job offer has been made		
Carry out a risk assessment on an applicant, if concerns arise from criminal record or allegation information contained on a criminal record certificate. Store a copy of the risk assessment, which should include any recommended safeguards to minimise risk, securely together with copy of the self-declaration and the certificate in line with General Data Protection Regulation (GDPR)/ Data Protection Act (DPA) 2018 requirements.		
Make all appointments subject to all checks being received and a probationary period.		
Highlight safeguarding responsibilities and set clear expectations of acceptable behaviour and boundaries of their role during staff induction.		
Ensure staff have the relevant induction and training required to be safe and effective in their role		
Carry out regular one-to-one supervision meetings with staff and focus on their attitudes, values and behaviours as well as what they do.		
Respond quickly and appropriately to any allegations about the behaviour of a member of staff, in particular concerning behaviour towards a child or adult at risk.		