

<b>Title</b>	SCR, Safer Recruitment and Staff Files Policy
<b>Associated Policies</b>	<ul style="list-style-type: none"> <li>• Equality Policy (TPO/EO/01)</li> <li>• Safeguarding and Child Protection (TPO/HS/05)</li> <li>• Data Protection (TPO/STA/25)</li> <li>• Recruitment Policy (TPO/STA/27)</li> </ul>

REVIEWED: JULY 2022

NEXT REVIEW: JULY 2023

## 1. Policy Statement

- 1.1 The Brooke Weston Trust and the Governors of the Academies are committed to safeguarding and promoting the welfare of children and young people.
- 1.2 This Policy sets out employer responsibilities and requirements in relation to safer recruitment, pre-employment checks, maintenance of the Single Central Record including ongoing employment checks.
- 1.3 The Academy is concerned to re-assure staff of the confidentiality of the personal records it holds. In accordance with GDPR individuals are entitled to submit a request for access to any personal data that the employer holds about them. The UK GDPR covers personal data held on a structured manual filing system as well as computerised data. The employer must comply with such a request by providing the individual with a copy of the personal data requested. Further guidance is set out in the Data Protection Policy (TPO/STA/25)
- 1.4 This policy complies with the DBS Code of Practice, obligations under the Data Protection Act and GDPR, the general provisions of employment law, Keeping Children Safe in Education and the Trust's Safeguarding and Equality Policies.
- 1.5 This policy does not form part of any employee's contract of employment, and it may be amended at any time.

## 2. Who does this policy apply to?

- 2.1 This policy applies to all Trust staff, especially staff involved in recruitment processes, and those who have responsibility and oversight for the maintenance of the Single Central Records (SCR's). The pre-employment checks included within this policy are relevant to any person seeking to become an employee of the Trust. In addition, certain types of voluntary work, student placements, school governors, preferred contractors and other regulated positions will also come under the provisions of the policy, particularly where they involve unsupervised contact with children or adults.

## 3. Who is responsible for carrying out this policy?

- 3.1 The implementation of this policy will be monitored by the Senior Leadership Team and the governors of the Academy and will remain under constant review by Brooke Weston Trust.

## 4. Recruitment and Selection of Staff

- 4.1 Brooke Weston Trust recognises that safer recruitment practices are an essential part of creating a safe environment for children and young people. Consequently, we will ensure that staff and volunteers working at the academy are suitable to do so, therefore, they do not pose any kind of risk to our students.
- 4.2 The Trust Recruitment and Induction Policy (TPO/STA/27) covers the recruitment of staff in more detail.
- 4.3 The Trust will ensure that its recruitment and selection procedures include clear systems to vet all applicants before they are placed at a school including:

- All advertisements for vacancies across the Trust will make reference to the Trust's commitment to safeguarding children and young people and clearly state that the post is subject to an Enhanced DBS and Barred List Check.
  - An Academy application form is completed for all shortlisted applicants
  - Following up two professional references, including at least one who can comment on the applicant's suitability to work with children
  - Requesting copies of original qualifications
  - Ensuring appropriate Barred List and Prohibition Checks are made and Enhanced DBS Disclosures obtained
  - Reference to and awareness of safeguarding issues is addressed during the interview process
- Please refer to the Recruitment and Induction Policy (TPO/STA/27) for further information, including a checklist of pre-employment checks.
- 4.4** The Trust will ensure that members of the Senior Leadership Team have received training in Safer Recruitment and that all interview panels have a member of trained staff on them. Safer recruitment training should be renewed at least every 3 years.
- 4.5** Where the Trust recruits temporary or supply staff through an agency, the Trust will seek assurance from the agency that all relevant checks have been done on supply staff, as if they were an employee of the Trust, before they start with the Trust. The Trust will also ensure that on arrival onto school site, the supply teacher provides:
- A copy of the Enhanced DBS Certificate
  - Copy of their Photo ID to confirm their identity
- 4.6** Each academy will ensure that the following procedures are followed for contractors on site:
- Contractor to provide assurance that appropriate levels of pre-employment checks have been conducted.(where they are self-employed, if checks are required the school will need to undertake these themselves)
  - Employees of contractor will present ID on arrival to school site
  - Acceptance by school/site of documentation.
  - Site inserts copy of documentation into an "approved visitors" folder with register at reception. NB all documentation must be destroyed on completion of project.
  - Contractor "signed into/onto" site and given formal site induction by Site Manager and safeguarding lead who outlines Safeguarding Policy/practice at earliest opportunity.
  - Contractor issued with an "approved visitor" badge.
  - Contractor conducts work.
  - On departure signs out, returns badge and visit duration is recorded in approved visitor register.
  - On subsequent visits contractor shows photo ID and signs in at reception. Reception refers to approved visitor register and records and alerts contractor to any known issues/risks/events.
  - Relevant staff notified accordingly by reception staff.
  - Approved visitor granted access to site to undertake work task
- 4.7** Prior to interview relevant individuals will be issued with a Criminal Convictions Disclosure Form and are required to complete and return it, together with the original copies of three documents which confirm their identity. See appendix 1 for a list of accepted ID documentation and please refer to the document DBS Check Guidance for New Employees on the HR SharePoint site.

#### **Online Checks on Shortlisted Staff**

In line with KCSIE the Trust will undertake an online search on relevant shortlisted candidates, including those staff who are in student facing roles or who have regular access to students.

The checks will be undertaken in line with the BWT Proforma on the HR SharePoint site to ensure consistency; and information will only be recorded in relation to:

- someone's qualifications for the role

- whether someone poses a potential safeguarding risk
- whether someone risks damaging the reputation of the school/Trust

We will ask shortlisted candidates to share with us all social media platforms that they use and their usernames / handles, as well as the names of any websites that they own, post on, or contribute to. A Google search will also be conducted, checking the first page of results for the following search terms:

1. candidate name
2. name + current employment
3. name + previous employment
4. name + school/college/university
1. 5. name + job title

We will also do a search of their name on the following social media platforms:

- LinkedIn
- Twitter
- Facebook
- YouTube
- TikTok
- Instagram

The individual doing the online check will not form part of the recruitment panel or have any decision-making powers in relation to their recruitment

Recruitment decisions will not be made solely on the information provided. Any information of concern will be shared with the panel for their consideration, who will review and decide how to proceed. If there is sufficient concern that there is an immediate unsuitability to work with children and/or as part of our organisation, the recruitment process will be terminated. If the recruitment panel wish to make further enquiries with the candidate to explore their suitability, they will do so at interview

If a shortlisted candidate refuses to share this information, we reserve the right to remove the invite to interview and terminate the recruitment process.

## 5. Pre-Employment Checks

**5.1** For Enhanced DBS and Barred List Checks please see section 6 for more information.

### 5.2 Verification of ID

As part of the right to work in the UK check and the DBS check the Trust will need to verify a candidate's ID. This means seeing the original documents in person and taking copies of them for the personnel file. When taking a copy of the document the person should sign and date the scanned version as evidence of when this was recorded. This needs to be retained on the personnel file.

**5.3** The documents you check must confirm name, date of birth, address and should be in a photographic form of identity such as a passport or driving license.

**5.4** At least one of the documents must show the applicant's current address.

### 5.5 Right to Work in the UK

You must check that an applicant is allowed to work for you in the UK before you employ them. Please refer to the [Right to Work in the UK Checklist](#) to help you complete this check manually, or you can use the online interactive tool 'Check if someone can work in the UK' which will help you understand the documents you require to undertake the check.

**5.6** You must retain evidence of the online right to work check. For online checks, this should be the 'profile' page confirming the individual's right to work. This is the page that includes the individual's photo and date on which the check was conducted. You will have the option of printing the profile (the response provided by the Home Office online right to work checking service) or saving it as a PDF or HTML file. This should be placed on the personnel file.

### 5.7 Qualifications

The school must check and record the professional qualifications that are a requirement of the job, e.g. Qualified Teacher Status (QTS) for a Teacher or perhaps an NVQ2 for a Teaching Assistant. Please refer to the Person Specification for the role to determine if there are any essential qualifications.

### 5.8 Prohibition Check

Since the 03 April 2014, it has been a statutory requirement that a Prohibition Order check is carried out on any member of staff who is appointed to carry out teaching work (in line with The Teachers' Disciplinary (England) Regulations 2012) to ensure they are not prohibited from teaching in England. A Teacher Prohibition order prevents a person from carrying out teaching work in schools. A person who is prohibited must not be appointed to a role that involves teaching work.

5.9 The prohibition check can be made via the Teachers Services' System.

### 5.10 Section 128 Check

A Section 128 direction prohibits or restricts a person from taking part in the management of an independent school, including academies and free schools. A person who is prohibited, is unable to participate in any management position in the Academy as an employee; a trustee of the Academy; part of the governance or has been delegated any management responsibilities.

### 5.11 References

Two references must be obtained prior to interview for all shortlisted appointments. References should always be obtained from the candidate's current employer. Where a candidate is not currently employed, verification of their most recent employment and reasons for leaving should be obtained from the school, college, Local authority (LA) or organisation at which they are employed.

5.12 More information on references can be found in the Recruitment Policy.

### 5.13 Overseas Applicants

For individuals who have lived or worked outside the UK, schools must carry out the same checks as for everyone else but in addition must make any further checks considered appropriate. These checks could include, where available:

- Criminal record checks for overseas applicants
- A letter of professional standing from the professional regulating authority in the country in which the applicant has worked.

5.14 From 1 January 2021 the Teaching Regulation Agency Teacher Services system will no longer maintain a list of those teachers who have been sanctioned in European Economic Area member states, therefore schools will be required to undertake the checks as listed above.

## 6. DBS and Barred List Checks

6.1 The Disclosure and Barring Service (DBS) provide disclosures of criminal records via a DBS check (formerly a CRB check).

6.2 A 'Standard' DBS check contains details of all spent and unspent convictions, cautions, reprimands and final warnings from the Police National Computer.

6.3 An 'Enhanced' DBS check contains the same information as the Standard check, plus any additional information held locally by police forces that is reasonably considered relevant to the post applied for.

6.4 An 'Enhanced DBS with Barred Lists Checks' checks:

- all spent and unspent convictions, cautions, reprimands and final warnings from the Police National Computer.
- any additional information held locally by police forces that is reasonably considered relevant to the post applied for.
- a check of the appropriate Barred Lists. This will show whether an individual has been barred from working with either children, vulnerable adults or both of these vulnerable groups. It is an offence to let a person commence work in 'regulated activity', working with children or in areas where adults may be vulnerable, without checking the relevant barred list. It is illegal for

employers to engage any individual in a regulated position if they have been barred from such work by the DBS.

6.5 'Regulated activity' is work that a barred person must not do. It involves contact with children or vulnerable adults and is:

- Of a specified nature; or
- In a specified setting

And is done either:

- Frequently (once a week or more)
- Intensively (on 4 or more days in a 30 day period)
- Overnight (between 2am and 6am where there is opportunity for face to face contact)

Schools, childcare premises (including nurseries) and children's centres are '**specified settings**' therefore anyone employed directly to work there is in Regulated Activity.

Work carried out by supervised volunteers is NOT regulated activity.

- 6.6 All individuals over the age of 16 years in a position which meets the definition of regulated activity (see paragraph 4.5) will be subject to an Enhanced DBS Disclosure check and Barred List check. This includes employees and unsupervised volunteers.
- 6.7 Whilst all efforts should be made to obtain a DBS Check before an individual commences work, a successful candidate can, at the School's discretion, be allowed to commence prior to a satisfactory DBS Certificate being received. In such instances a written risk assessment should be undertaken by the Principal or recruiting manager and appropriate control measures put in place e.g. supervised working. Whilst there is discretion regarding starting an individual before a DBS Disclosure has been received, there is no such discretion regarding Barred List checks. The school must ensure that a satisfactory Barred List check has been obtained before allowing an individual to commence work in a regulated position.
- 6.8 In the event of a disclosure from an employee or a positive DBS Certificate, the person undertaking the DBS check on behalf of the school will inform the Principal. The Principal or relevant Senior Leader will speak to the individual to discuss the DBS Disclosure before any recruitment confirmation is made. The purpose of this discussion will be to obtain further relevant information from the applicant to enable the Principal to make an informed decision regarding the applicant's suitability for the position applied for. The Principal may wish to discuss with their HR representative, but the final recruitment decision is made by the Principal. Relevant information discussed with the candidate and the final recruitment decision will be recorded in writing on the Positive DBS – Record of Recruitment Decision Form (see the HR SharePoint Site).
- 6.9 Where a position does not meet the definition of 'regulated activity' (for example, supervised volunteers), it is against the law to request a check against the Barred Lists. However, the school will be able to use its discretion as to whether an Enhanced DBS check is required.
- 6.10 Governors are subject to an Enhanced DBS Check. Governance on its own is not a regulated activity, and therefore schools will need to determine if their governors are required to have a Barred List Check. All Governors are asked to sign a declaration confirming their suitability to fulfil the role.
- 6.11 Students or work experience placements (aged 16 or over) who will have regular unsupervised contact with children must be subject to an Enhanced DBS check and Barred List check. This will normally be arranged by the organisation arranging the placement.
- 6.12 In the case of contractors, agency workers and peripatetic workers, academies must follow the process as set out in section 4.6.

- 6.13 Agency supply teachers are covered by the definition of regulated activity and must be subject to an Enhanced DBS check and Barred List check.
- 6.14 There is no statutory requirement to repeat DBS checks once completed, unless there is a break in service of more than 3 months, or the school has concerns about a member of staff's suitability to work with children.

## 7. Recruitment of Ex-Offenders

- 7.1 In accordance with the Disclosure and Barring Service Code of Practice, this policy is made available to all job applicants at the outset of the recruitment process. The DBS Code of Practice is available at <https://www.gov.uk/government/publications/dbs-code-of-practice>.
- 7.2 As an organisation which uses the Disclosure and Barring service, the Senior Leadership Teams of our Trust and all of our schools comply fully with the DBS Code of Practice and undertakes not to discriminate unfairly against any subject of a Disclosure based on conviction or other information revealed.
- 7.3 We meet the requirements in respect of exempted questions under the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020), which requires you to disclose convictions and cautions except those which are 'protected' under Police Act 1997 – Part V and the amendments to the Exceptions Order 1975 (2013 and 2020). Guidance on the filtering of 'protected' cautions and convictions which do not need to be disclosed by a job applicant can be found at Ministry of Justice. A DBS check will therefore be carried out before appointment to any job at the School is confirmed. This will include details of convictions and cautions (excluding youth cautions, reprimands or warnings) that are not 'protected' as defined by the Ministry of Justice. A criminal record will not necessarily be a bar to obtaining a position.
- 7.4 We are committed to the fair treatment of applicants on all protected grounds and in relation to all history of offending.
- 7.5 We promote 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. We select all candidates for interview based on their competencies, qualifications and knowledge.
- 7.6 We are committed to the fair treatment of our staff, potential staff or users of our services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.
- 7.7 We select all candidates for interview based on their skills, qualifications and experience
- 7.8 Application forms and recruitment information will contain a statement that job applicants will be required to disclose their criminal record if they are invited to interview and a DBS check will be carried out if they are offered the job. The information will only be seen by those who need to see it as part of the recruitment process.
- 7.9 At interview, or in a separate discussion, we ensure 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 job sought could lead to withdrawal of an offer of employment.
- 7.10 We undertake to discuss any matter revealed in a Disclosure with the person seeking the job before withdrawing a conditional offer of employment.
- 7.11 We ensure that people at the School who are involved in the recruitment process have access to professional advice to identify and assess the relevance and circumstances of offences. We also ensure that they have received appropriate guidance in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

- 7.12 Having a criminal record will not necessarily bar you from working at the School.** This will depend on the nature of the position and the circumstances and background of your offences.

## 8. Single Central Record

- 8.1** The SCR is an integral part of the Academy's Recruitment and Selection Policy, recording and referencing the pre-employment checks within a single comprehensive document. Each academy will maintain a single central record of all Academy employees, agency staff, consultants, volunteers (including governors), contractors and any others involved in regulated activity. This record will include:
- An identity check
  - Right to work in the UK Check
  - Disclosure and Barring Service (DBS) checks as appropriate to their role and date of appointment (Barred List, Enhanced DBS, CRB, List 99 etc)
  - Prohibition from teaching check
  - Section 128 Management Check
  - Two written references
  - Evidence of qualifications
  - Relevant checks for overseas applicants, including Criminal Records Check and a letter of professional standing
- 8.2** The SCR will be overseen and directly managed by the Principal, who is responsible for safeguarding in the academy and the academy safeguarding leadership team. It is the responsibility of the HR Administrator/equivalent within the academy to maintain the information on the single central record.
- 8.3** Audits will be conducted on the SCR on a termly basis, by either the DSL, the Principal, the Safeguarding Governors or the Trust HR Manager. The Audit should be collated centrally by the Trust HR Manager who will review any gaps and determine any relevant support or training required. At the start of each year a plan will be put in place. DSL to co-ordinate the training.
- 8.4** A SCR will be maintained centrally for all Central Team and Trust-wide members of staff and Trustees. This will be shared with all Brooke Weston Trust academies as and when it is updated.
- 8.5** There should never be an empty field on the SCR and if the check is not applicable, N/A should be inserted in the cell.
- 8.6** It is often useful to include notes on the SCR if there has been additional information required. For example, if a DBS certificate has not arrived then the academy would need to do a separate barred list check and a risk assessment. The person responsible for completed the SCRE should add a note that indicates that a risk assessment is on file

## 9. Personnel Files

- 9.1** Where staff files are stored as hard copies, they must be stored in alphabetical order by last name and contain section dividers that are clearly labelled. They should be stored in a lockable cabinet and the keys kept securely.
- 9.2** Where staff files are stored electronically, they must have a clear folder system that is labelled appropriately and easy to navigate. The academy needs to ensure that security permissions are set up correctly to restrict access and prevent any breach of the GDPR.
- 9.3** Having completed the pre-employment checks, the personnel files should contain the following:
- Two references (one of which must be from the applicant's most recent employer and be provided by their line manager or headteacher) which the Academy considers to be satisfactory. Where these cannot be obtained then the Missing Reference Risk Assessment needs completing, which is available on the HR SharePoint site.
  - Signed hard copy of the application form or electronic application.

- Photocopies/scans of original documents confirming any educational and professional qualifications referred to in their application form. These should be signed and dated by the person who has seen them.
- Evidence of Identity, in most cases this is a copy of photo ID. If alternative identity checks were required, these must be kept in the file.
- Confirmation of medical fitness and copies of any risk assessments completed as a result of the occupational health assessment.
- Right to Work in the UK Checklist
- If the DBS disclosure revealed a criminal record and a DBS risk assessment is required (see Appendix 2) a copy of the risk assessment must remain on the personnel file.
- Contract of employment signed by the Principal and the employee.
- Offer of appointment letter.
- Prohibition Check confirmation printed/scanned/stored on file.
- All interview related information (shortlisting, questions, tasks etc)
- Copies of any amendment to contract letters
- Health/Medical related information, such as risk assessments
- Absence information such as annual leave request / fit notes / other leave requests
- Training Records (unless these are kept separately in a whole school CPD folder)
- Confirmation of the initial DBS checks – print out from DBS Portal.
- Signed copies of KCSIE/ Prevent certificates/ IT AUP.
- Records of professional discussions/appraisals and performance management interviews
- Records of disciplinary warnings.

**9.4** The personnel file should not contain:

- The DBS certificate, or copies of the DBS certificate

**9.5** It is very important that both the SCR and Personnel files are confidential. The SCR should be password protected and regularly backed up.

## **10. Policy Review**

**10.1** This policy will be monitored as part of the Academy's annual internal review and reviewed on annual basis in line with KCSIE, or as required by legislature changes.



## Appendix 1 - ID Documents for DBS

Group 1 – Primary Identity Documents	
Document	Notes
Passport	Any current and valid passport
Biometric Residence Permit	UK
Current Driving License Photocard (full or provisional)	UK, Isle of Man, Channel Islands and EEA. From 8 June 2015, the paper counterpart to the photocard driving licence will not be valid and will no longer be issued by DVLA
Birth Certificate – issued within 12 months of birth	UK, Isle of Man and Channel Islands - including those issued by UK authorities overseas, for example embassies, High Commissions and HM Forces
Adoption Certificate	UK and Channel Islands

Group 2a – Trusted Government Documents	
Document	Notes
Current driving licence photocard - (full or provisional)	All countries outside the EEA (excluding Isle of Man and Channel Islands)
Current driving licence (full or provisional) - paper version (if issued before 1998)	UK, Isle of Man, Channel Islands and EEA
Birth certificate - issued after time of birth	UK, Isle of Man and Channel Islands
Marriage/civil partnership certificate	UK and Channel Islands
Immigration document, visa or work permit	Issued by a country outside the EEA. Valid only for roles whereby the applicant is living and working outside of the UK. Visa/permit must relate to the non-EEA country in which the role is based
HM Forces ID card	UK
Firearms licence	UK, Channel Islands and Isle of Man

Group 2b – Financial and Social History Documents		
Document	Notes	Issue date and validity
Mortgage Statement	UK or EEA	Issued in last 12 months
Bank or building society statement	UK and Channel Islands or EEA	Issued in last 3 months
Bank or building society statement	Countries outside the EEA	Issued in last 3 months - branch must be in the country where the applicant lives and works
Bank or building society account opening confirmation letter	UK	Issued in last 3 months
Credit card statement	UK or EEA	Issued in last 3 months
Financial statement, for example pension or endowment	UK	Issued in last 12 months
P45 or P60 statement	UK and Channel Islands	Issued in last 12 months
Council Tax statement	UK and Channel Islands	Issued in last 12 months
Letter of sponsorship from future employment provider	Non-UK or non-EEA only - valid only for applicants residing outside of the UK at time of application	Must still be valid
Utility bill	UK - not mobile telephone bill	Issued in last 3 months

Benefit statement, for example Child Benefit, Pension	UK	Issued in last 3 months
Central or local government, government agency, or local council document giving entitlement, for example from the Department for Work and Pensions, the Employment Service, HMRC	UK and Channel Islands	Issued in last 3 months
EEA National ID card		Must still be valid
Irish Passport Card	Cannot be used with an Irish passport	Must still be valid
Cards carrying the PASS accreditation logo	UK, Isle of Man and Channel Islands	Must still be valid
Letter from head teacher or college principal	UK - for 16 to 19 year olds in full time education - only used in exceptional circumstances if other documents cannot be provided	Must still be valid

**Non EEA Paid – Primary Identity Documents**

Document	Notes
Biometric Residence Permit	<ul style="list-style-type: none"> <li>a. Indicating holder has indefinite or no time limit on stay in UK.</li> <li>b. Indicating holder can currently stay in the UK and do the work in question</li> </ul>
Passport	<ul style="list-style-type: none"> <li>a. Endorsed to show the holder has indefinite stay, right of abode or no time limit on stay in UK.</li> <li>b. Endorsed to show the holder is allowed to stay in UK and allowed to do the work in question</li> </ul>
Certificate of application issued to a family member of an EEA or Swiss national (issued within previous six months)	Stating that the holder is permitted to work. The holder must also have a Positive Verification Notice (PVN)
Application Registration Card	Stating holder is permitted to take the employment in question. The holder must also have a Positive Verification Notice (PVN)
Residence card	Issued to a non-EEA national who is a family member of an EEA or Swiss national that has a derivative right of residence
Immigration Status Document	<ul style="list-style-type: none"> <li>a. Containing a photo and endorsed to show the holder can stay in the UK and can do the work in question. Holder must also present a government document giving holder’s name and NI number.</li> <li>b. Indicating holder has indefinite stay or no time limit on stay in UK. Holder must also present a government document giving holder’s name and NI number.</li> </ul>

