

SWRAC

Safer Recruitment Policy

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Statement of intent

SWRAC has implemented this policy to assist with recruitment and employee selection. It outlines SWRAC's recruitment procedure and how SWRAC ensures safer recruitment is considered at all levels of the recruitment process. This will ensure that :-

- We minimise risk to students
- Our safeguarding policy and procedures are maintained
- We recruit the most suitable candidate; selected for their skills, experience and qualifications and match the requirements for the post
- We ensure effective and consistent recruitment practices to ensure that all applicants are treated fairly

The safety and protection of SWRAC's students is always at the forefront of SWRAC's concerns, which is why this policy aims to embed a robust safeguarding culture into the recruitment practices of SWRAC.

Legal framework

This policy has due regard to all relevant legislation including, but not limited to, the following:

- Rehabilitation of Offenders Act 1974
- Children Act 1989
- Education Act 2002
- Sexual Offences Act 2003
- Children Act 2004
- Safeguarding Vulnerable Groups Act 2006
- Education and Skills Act 2008
- Equality Act 2010
- The UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018
- Amendments to the Exceptions Order 1975, 2013 and 2020

This policy has due regard to guidance including, but not limited to, the following:

- DfE (2020) 'Governance handbook'
- DfE (2021) 'Staffing and employment advice for schools'
- DfE (2022) 'ID checking guidelines for standard/enhanced DBS check applications from 1 July 2021'
- DfE (2021) 'Right to work checks: employing EU, EEA and Swiss citizens'
- DfE (2023) 'Keeping children safe in education'
- DfE (2023) 'Recruit teachers from overseas'
- Disclosure & Barring Service (2018) 'Regulated activity with children in England'
- Home Office (2022) 'Employer's guide to right to work checks'
- Safer Recruitment Consortium (2022) 'Guidance for safer working practice for those working with children and young people in education settings'

This policy operates in conjunction with the following policies:

- Child Protection and Vulnerable Adults Safeguarding Policy
- Complaints Procedures Policy
- Disciplinary Policy and Procedure
- Data Protection Policy
- Equality and Diversity Policy
- Online Safety Policy

Definitions

“Regulated activity” includes:

- Being responsible, on a regular basis, for teaching, training, instructing, caring for or supervising children if the person is unsupervised, or providing advice or guidance on physical, emotional or educational wellbeing, or driving a vehicle only for children.
- Working for a limited range of establishments (known as ‘specified places’, which include schools and colleges), or in connection with the purposes of the establishment, with the opportunity for contact with children, but not including work undertaken by supervised volunteers.
- Engaging in intimate or personal care or healthcare or any overnight activity, even if this happens only once.

Regulated activities do not include:

- Paid work in specified places which is occasional and temporary and does not involve teaching or training.
- Supervised activities which are paid in non-specified settings.
- A supervised volunteer who regularly teaches or looks after children.

“Teaching role” refers to a role involving planning and preparing lessons and courses for students; delivering lessons to students; and assessing and reporting on the development, progress and attainment of students. These activities are not teaching work for the purposes of KCSIE if the person carrying out the activity does so (other than for the purposes of induction) subject to the direction and supervision of a qualified teacher or other person nominated by the Managing Director to provide such direction and supervision.

A **“standard DBS”** provides information about convictions, cautions, reprimands and warnings held on the Police National Computer, regardless of whether they are spent under the Rehabilitation of Offenders Act 1974. The law allows for certain old and minor matters to be filtered out.

An **“enhanced DBS”** provides the same information as the standard DBS, plus any additional information, e.g. interviews and allegations, held by the police which a chief officer reasonably believes to be relevant and considers ought to be disclosed.

An **“enhanced DBS with barred list check”** check is required for when people are working or seeking to work in regulated activity with children. This check allows for additional checks to be made as to whether the person appears on the children’s barred list.

The **“children’s barred list”** is a list maintained by the DBS which covers individuals who are unsuitable to work with children and vulnerable adults. In addition, where an enhanced DBS including a barred list check is obtained, the certificate will also detail whether the candidate is subject to a direction under section 128 of the Education and Skills Act 2008 or section 167A of the Education Act 2002.

A “**section 128 check**” provides for the Secretary of State to direct that a person may be prohibited or restricted from participating in the management of an independent school (which includes academies and free schools). A person prohibited under section 128 is also disqualified from holding or continuing to hold office as a governor of a maintained school.

“**Safer recruitment**” is the safeguarding and protection of students during the recruitment and selection process. Its overall purpose is to help identify and deter or reject individuals who are deemed to be at risk of abusing children.

Roles and responsibilities

The Managing Director and in part the Advisory Board are responsible for:

- Agreeing and monitoring effective policies to ensure recruitment at SWRAC is in accordance with the legislation outlined above.
- Ensuring that staff recruitment is as safe as possible, as well as fair and compliant with the relevant legislation.
- Ensuring appropriate checks have been carried out on staff, volunteers, contractors and agency workers working within SWRAC.
- Appointing an appropriate recruitment panel.
- Ensuring that at least one member of the recruitment panel has undergone safer recruitment training.
- Ensuring that all members of the recruitment panel understand their role, i.e. advisory or decision making.
- Ensuring a member of the board is on the recruitment panel for a new Managing Director.
- Ensuring that all members of the recruitment panel are familiar with their obligations with regards to safer recruitment, as set out in KCSIE.
- Monitoring SWRAC’s SCR to ensure that the necessary vetting checks for employees are carried out.
- Ensuring that equal opportunities are established and implemented throughout the recruitment process.
- Ensuring that the salary of the successful candidate is determined.
- Accommodating the needs of new employees and making reasonable adjustments when necessary.
- Ensuring that the DPO reviews this policy and that any recruitment data that is kept is in accordance with the Records Management Policy.
- Ensuring that they have the skills to carry out effective selection processes, including knowing when and how to request references.
- Establishing a recruitment panel including at least one individual who has completed safer recruitment training within the past five years.

The HR department is responsible for:

- Creating the advert and ensuring it meets all the necessary requirements.

- Shortlisting the potential candidates with the aim of reducing the application field and identifying those with the potential to effectively undertake the role.
- Appropriately delegating responsibility for recruitment to the appropriate manager.
- Ensuring that the interview addresses leadership ability, team working skills, integrity, understanding of SWRAC's ethos and vision, and why the candidate believes they would be a good fit for SWRAC.
- Ensuring that the interview addresses safeguarding practices.
- Ensuring that the interview addresses the candidate's motivation, reasons for being interested in joining SWRAC, and attitude to working with children.
- Appointing an appointing officer who will be responsible for the entire management of the recruitment process.
- Ensuring that references have been received where requested.
- Ensuring that all references for a shortlisted candidate are obtained in a timely manner, properly scrutinised, and that information is not contradictory, unclear, or incomplete, with clarification requested when appropriate.
- Asking previous employers of new staff members whether the individual has been subject to capability procedures in the previous two years.
- Where possible, ensuring that the shortlisting panel and interviewing panel are comprised of the same people.
- Managing the entire recruitment process.
- Sourcing suitable candidates.
- Acting as a point of contact between candidates and SWRAC.

The appointing officer is responsible for:

- Reviewing and scrutinising candidates' applications and identifying any gaps.
- Preparing the recruitment panel to conduct interviews.
- Organising interviews with shortlisted candidates.
- Ensuring the recruitment process is carried out in line with the relevant SWRAC policies.
- Ensuring that the candidate chosen to fill a vacancy is suitable for the role.

The Managing Director is responsible for:

- Ensuring appropriate checks have been carried out on prospective staff, volunteers, contractors and agency workers working within SWRAC.
- Ensuring that appropriate supervision of employees and volunteers is organised, and for promoting the safety and wellbeing of students generally and throughout the recruitment process.
- Leading the interview when the candidate is at a lower level.
- Ensuring that the successful candidate receives the appropriate training, e.g. safeguarding and induction.
- Ensuring that all relevant staff members are familiarised with this policy.

During the recruitment process, and especially during the initial stages, the recruitment panel will be watchful of candidates displaying the following characteristics:

- No understanding or appreciation of children's/young person's needs
- Expressing that they want the role to meet their needs at the expense of the students
- Using inappropriate language in relation to children/young people
- Expressing extreme views or views that do not support safeguarding practices
- Displaying unclear boundaries with children/young people
- Providing vague answers when asked about their experience and being unable to explain gaps in their employment

The DPO is responsible for:

- Ensuring that all references are handled in line with the Data Protection Policy and relevant legislation.

The DSL is responsible for:

- Deciding when it is appropriate or necessary to disclose any safeguarding concerns or allegations as part of a reference, in line with KCSIE.
- Discussing with the Managing Director the suitability of a candidate when a reference has disclosed safeguarding concerns or prior allegations.

Planning, advertising and shortlisting

The job information and associated documents will be provided within any advertisement for the position. The full requirements of the role will be clearly explained, including any employment vetting requirements such as a DBS check.

The recruitment panel will comprise an appointing officer, who is responsible for the management of the entire recruitment process, and at least one other members of staff. At least one member of the recruitment panel will have successfully completed up-to-date safer recruitment training. The HR department will create the advertisement.

Once a vacancy has been identified, SWRAC will allow an appropriate amount of time for planning and structuring the recruitment process.

The SMT will:

- Decide on the recruitment timeframe.
- Decide who will be involved in the process and what their roles will be, e.g. who forms the recruitment panel and who will lead interviewing.
- Prepare the documents that will be provided to candidates, including the job description, person specification and application form – ensuring that these documents contain a clear message about safeguarding, the checks that will be carried out and that references will be sought.

- Ensure that application packs, where relevant, state that candidates must be willing to sign a self-declaration form to obtain information about staff disqualification, in line with the Childcare Act 2006.

Advertising

SWRAC will consider the following information when advertising for a role within SWRAC:

- The skills, abilities, experience, attitude and behaviours required for the post
- The safeguarding requirements, including to what extent the role will involve contact with children and whether the appointed staff member will be engaging in regulated activity

Advertisements will include:

- A statement of SWRAC's commitment to safeguarding and promoting the welfare of students whilst making clear that safeguarding checks will be undertaken.
- The safeguarding responsibilities of the post as per the job description and person specification.
- Information surrounding whether the post is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020.

Vacancies will be advertised through external media, such as Indeed and other social media sites, with due consideration to SWRAC's Equality and Diversity Policy, ensuring that the advertisement reaches a wide range of groups. Advertisements will contain a statement of commitment to ensuring equal rights. Advertisements will detail the closing date. The contact number who to contact and details of the application process will be clearly outlined.

When an advert receives a response, the HR department will ensure that candidates receive the application pack.

Application forms

Applicants will be reminded in the application form or elsewhere in the information provided to applicants that it is an offence to apply for the role if they are barred from engaging in regulated activity relevant to children.

SWRAC will also provide a copy of the Child Protection and Vulnerable Adults Safeguarding Policy and information on employment of ex-offenders in the application pack.

Applicants will be required to provide the following:

- Personal details, e.g. their current and former names, current address, and national insurance number
- Details of their current or most recent employment, including the reason for leaving
- Full employment history, including explanations for any gaps in their employment
- Qualifications, the awarding body and the date of the award
- Details of references

- A statement of their personal qualities and an explanation of why they meet the person specification to be a suitable candidate for the role
- A declaration form outlining whether they are barred from teaching

SWRAC will only accept a CV alongside a completed application form; a CV on its own will not be accepted. When shortlisting candidates for an interview, all application forms will be considered. Shortlisting criteria will be agreed in advance by the recruitment panel.

Candidates who are shortlisted will meet all the essential aspects of the person specification requirements. SWRAC will ensure that the shortlisting process is as systematic as possible, and that the recruitment panel reads through all applications. Each member of the panel will create their own shortlist which will then be collated and discussed. Candidates will be assessed against the same shortlisting criteria to ensure a fair process.

Where applicable, SWRAC will use the application form to make clear that shortlisted candidates may be subject to online searches.

Shortlisting

Shortlisted candidates will be asked to complete a self-declaration of their criminal record or disclosure of any information making them unsuitable to work with children.

Only those candidates who have been shortlisted will be asked to disclose any relevant information including:

- Information of any criminal offences committed.
- If they are known to the police and children's social care services.
- Whether they have been disqualified from providing childcare.
- Any relevant overseas information.

Applicants will need to sign a declaration which confirms that the information they have provided is true.

When shortlisting candidates, SWRAC will:

- Ensure that at least two people carry out the shortlisting proceedings – ideally, these two people will also conduct the interview.
- Assess whether there are any inconsistencies or gaps in the candidate's employment and consider the reasons given for them.
- Consider undertaking online searches, as necessary, and explore any further potential concerns.

Requests for further information from candidates will be replied to promptly. All applications will be replied to with a letter notifying candidates whether they have been shortlisted or not.

Interviews will be arranged for the shortlisted candidates.

Invitation to interview

Before interview invitations are sent, the HR department will ensure that application packs are sent and include the following:

- A job description
- A person specification
- Any equal rights material, e.g. an equal opportunities statement
- A brief outline of SWRAC, its values and aims
- Any relevant policies, e.g. the Child Protection and Vulnerable Adults Safeguarding Policy

Once a shortlist has been confirmed, the candidates to be invited for interviews will be contacted by the HR Department and suitable interview times will be decided. The recruitment panel will ensure that all shortlisted candidates receive information about the interview arrangements, how they will be conducted, the areas that will be explored and what documents they should bring.

Pre-interview checks

The HR Department will complete the necessary pre-interview checks.

Pre-interview checks will include the following:

- Requesting three references from each shortlisted candidate directly from the referees – where possible, one reference will be obtained relating to the role in which the candidate worked with children
- Verifying that the candidate has qualifications or experience relevant to the post
- Checking references against application forms and noting down discrepancies or concerns, and following up these concerns with referees
- Checking and, where necessary, following up candidates' self-declaration forms

Requesting references

Once a candidate has been shortlisted references will be requested and scrutinised by the recruitment panel. Any concerns will be resolved satisfactorily prior to confirming an appointment. References will always be requested directly from the referee and from a senior person with appropriate authority, rather than a colleague. SWRAC's standard request form will always be used to obtain references.

References will be requested in written form from the candidate's current employer – if they are unemployed, verification of their most recent period of employment and reasons for leaving will be obtained from their previous employer. Wherever possible, at least one reference will be from employment through which the candidate worked with children.

If the applicant has never worked with children, SWRAC will ensure that a reference from their current employer is received.

If the candidate is a school leaver or has not been in work for over two years, a character reference will be requested.

When a candidate is applying for a teaching role (including the role of Managing Director), information about the details of any capability procedures in the previous two years that they may have been subject to, and the reasons for these, will be requested from their current or former employer.

Concerns raised following a candidate's references will be explored further with the referee where appropriate and discussed with the candidate at interview.

Open references, e.g. 'to whom it may concern' testimonials, and unverified information provided by the candidate as part of the application process, will not be relied upon. Electronic references will be checked to ensure that they originate from a legitimate source.

Checking references

References will be checked upon receipt to ensure that all questions have been answered satisfactorily and that information is not contradictory or incomplete. The referee will be contacted to provide further clarification where appropriate, e.g. if some answers are vague or insufficient, or contradictory information has been provided. The reference will be compared for consistency with the information on the candidate's application form. Discrepancies between the reference and the application form will be discussed with the candidate at interview.

Where a reference appears incomplete or other concerns arise, SWRAC will carry out one of the following actions:

- Call the referee to discuss the reference further
- Email the referee the reference for confirmation of its accuracy

The HR Department will ensure that any past disciplinary action or allegations disclosed as part of a reference are considered carefully when assessing the candidate's suitability for the role. If this involves safeguarding or potential safeguarding concerns, the DSL will be consulted to help assess the candidate's suitability.

Before making a decision not to appoint a candidate based on an unsatisfactory reference, the HR Department will consider if external HR advice is necessary. Once the decision is made, the Managing Director will record this on the recruitment file as the reason for non-appointment.

All members of staff who provide a reference will be responsible themselves for checking the content to ensure that it only contains factual and verifiable statements. If there is any doubt about whether to include information, caution will be exercised, and it will be omitted. Alternatively, advice will be sought from a senior figure, e.g. the Managing Director or the chair of governors.

Providing references

References will only be provided once written consent has been obtained from the person requesting a reference.

The member of staff providing a reference will follow this policy's procedures and the prospective employer's requests as much as is reasonably possible, e.g. if pro-forma is provided, they will

complete the form. If the reference is not requested in a specific format, the member of staff will decide the most appropriate method, e.g. a pro-forma or a letter-formatted reference.

The Managing Director will decide in exceptional circumstances if a reference cannot be provided or if certain questions asked by the prospective employer cannot be answered, with HR advice sought when appropriate.

Staff members will make the Managing Director aware when they have been asked to provide a personal reference, e.g. for a current or former colleague. The staff member will make it clear within the reference that it is a personal one and is not written for or on behalf of SWRAC. The staff member will use their own paper or an email address unaffiliated with SWRAC and ensure that the reference is not linked to SWRAC in any way.

Details of any capability procedures in the previous two years for a teacher (including Managing Director) or former teacher at SWRAC, and the reasons for these, will be provided if requested.

If, as part of a settlement agreement, SWRAC has agreed to provide a reference for a member of staff, the Managing Director will ensure it is provided in line with the agreement and this policy. In circumstances where new evidence emerges that indicates information provided in the reference is incorrect, the Managing Director will decide if the reference is changed or withdrawn, with legal advice sought where necessary, and will notify the employee of any decision first.

SWRAC will ensure that any information provided confirms whether they are satisfied with the applicant's suitability to work with children, and only provide the facts of any substantiated safeguarding concerns or allegations, including a group of low-level concerns about the same individual, that meet the harm threshold.

Any repeated concerns or allegations which do not meet the harm threshold which have been found to be false, unfounded, unsubstantiated, or malicious will not be included in any reference.

Content of references

Basic information will always be expected in references received and provided, e.g. skills, knowledge, duties undertaken, experience working with children, and personal characteristics, in addition to any information relating to safeguarding. Further relevant comments will be made as much as is reasonably possible in line with the employer's requests, provided they are verifiable and objective, e.g. through appraisals or attendance records.

References will contain only factual and verifiable information and will not include speculation, e.g. about a former employee's suitability for a job, or hearsay. The person providing the reference will ensure all comments have a factual basis and that an impression is not given which is misleadingly positive or negative. Performance issues or concerns which have not been discussed or raised with the employee beforehand will not be mentioned.

All members of staff providing references will be made aware that information provided verbally to the prospective employer is subject to the same duties as written information and will avoid making

verbal statements. Where it is necessary or appropriate, verbal information will be provided only in line with this policy's procedures, e.g. all statements must be verifiable and objective.

Previous disciplinary action

The recruitment panel will ensure that any references requested by SWRAC include a section asking for any past disciplinary action or allegations to be disclosed. Any disclosures will be carefully considered when assessing the candidate's suitability for the role, in line with this policy.

Information from DBS checks will not be included in references provided by SWRAC. Information regarding criminal offences from other sources will not be included, unless the Managing Director deems it appropriate and HR advice has been sought.

When providing references, the disclosure of information about past disciplinary action or allegations not relating to safeguarding will be provided where it is deemed appropriate, e.g. it is relevant to the staff member or former staff member's suitability for the role. Information relating to disciplinary action will generally only be disclosed if penalties or sanctions remain in place for the employee.

Allegations which were proven to be false, unsubstantiated or malicious, e.g. relating to misconduct, will not be included in a reference – this includes if it is a history of repeated concerns or allegations which have been found to be false, unsubstantiated or malicious. The member of staff providing the reference will make no comments about their own personal views on the veracity of allegations.

If an allegation exists which has yet to be investigated or an investigation is incomplete, the Managing Director will seek HR advice, and legal advice where necessary, on what information, if any, should be provided to the prospective employer.

Use of data and confidentiality

Personal data relating to references will be handled in line with the Data Protection Policy. All references will be properly addressed and marked private and confidential.

In accordance with the Data Protection Act (2018) and the UK GDPR any personal information will be processed fairly and lawfully and will be kept safe and secure e.g. in locked, non-portable containers or, for electronic information, password protected. Access will be strictly controlled and limited to those who are entitled to see it as part of their duties.

Information relating to an individual's health and sensitive personal data, e.g. information relating to the individual's ethnicity, religion or trade union membership, will not be disclosed as part of a reference unless 'express consent' has been received from the individual for this purpose.

The person requesting a reference will be offered the opportunity to see it before it is sent, unless the Managing Director decides this is not appropriate; however, SWRAC is aware that ultimately, they cannot prevent the person receiving a copy in line with the Data Protection Act. If the person raises comments about the reference before it is sent, the member of staff responsible for the

reference will consider the comments and, if they decide to leave it unchanged, record the reason(s) behind their non-agreement.

Online searches on shortlisted candidates

In line with KCSIE, SWRAC will consider carrying out online searches on shortlisted candidates as part of its due diligence. Online searches solely aim to help identify any incidents or issues that have happened, and are publicly available online, that SWRAC may want to explore with the applicant at interview.

Online searches will be conducted on shortlisted candidates only, and only where SWRAC considers this appropriate. SWRAC will consider any potential risks of online searches, e.g. unlawful discrimination or invasion of privacy, and will ensure staff conducting online searches are clear on the purpose of the search. Shortlisted candidates will be made aware that online searches may be conducted as part of due diligence checks.

Online searches will only examine data that is publicly available. Staff will not 'follow' or submit a friend request to shortlisted candidates on social media platforms to access further details or information.

Online searches will be carried out by an individual who is independent of the recruitment process to minimise the risk of bias or discrimination and to ensure that only relevant information is considered. The person responsible for carrying out online searches will have due regard to Part three of KCSIE.

The online search process may include searching for the candidate by name via search engines and social media platforms.

When carrying out searches of shortlisted candidates' online presence, SWRAC will look out for indicators of concern, such as:

- Inappropriate behaviour, jokes or language.
- Discriminatory comments.
- Inappropriate images.
- Drug or alcohol misuse.
- Anything that suggests the candidate may not be suitable to work with children.
- Anything that could harm the reputation of SWRAC.

Any concerns will be addressed during the interview process. SWRAC will ensure that candidates are given an opportunity to discuss any concerns raised by the online search.

The interview

During the interview process, candidates will be asked standard questions and their responses will be recorded for ease of comparison by a designated note-taker on the interview panel. Any concerns raised through contact with referees will be discussed with the candidate at this stage. The recruitment panel will ask open questions to assess the candidate's experience and suitability

for the post, and to explore the candidate's motivation towards safeguarding and their suitability to work with children. SWRAC will use a range of selection techniques to identify the most suitable person for the post.

Interview questions seek to:

- Find out what attracted the candidate to the post being applied for and their motivation for working with children.
- Exploring their skills and asking for examples of experience of working with children.
- Looking at any gaps in employment or where the candidate has changed employment or location frequently and asking about the reasons for this.
- Seek examples of the candidate's previous experience.

Interviews will also be used to explore the potential areas of concern to determine the applicant's suitability to work with children.

Areas that may raise concerns and lead to further enquiry include:

- Implication that adults and children are equal.
- Lack of recognition or understanding of the vulnerability of children.
- Inappropriate idealisation of children.
- Inadequate understanding of appropriate boundaries between adults and children.
- Indicators of negative safeguarding behaviours.
- Attempts to push or overstep boundaries.
- Consistent rule-breaking behaviour.

Candidates shortlisted for interview will be given the opportunity to complete a self-disclosure form before their interview, to give the interview panel time to consider the information provided. Candidates will also be asked to show proof of identification and qualifications at interview – this proof will be viewed and checked by the interview panel.

The candidate will be given the opportunity to discuss any concerns or ask any questions. The process will always comprise a face-to-face interview, this might be in the form of an online meeting.

After the interview

After the interview has been completed, the recruitment panel will:

- Assess all candidates' performance using the same agreed criteria.
- Ask the successful candidate to provide proof of identification and qualifications for SWRAC's records, and to complete the DBS check as soon as possible.
- Contact and provide feedback to the unsuccessful candidates – feedback will be verbal and based on evidence of their performance against the person specification for the role.

Interview notes and assessment materials will be held securely for an appropriate amount of time after the interviews in case any aspect of the recruitment process is challenged.

After choosing a successful candidate, SWRAC will:

- Make a conditional offer of employment to the candidate.
- Ask the successful candidate to provide identification and proof of qualifications, if this has not already been done.
- Complete the relevant pre-appointment checks.

Any spent or filtered convictions declared on the candidate's self-declaration form, or declared at interview, will not affect the offer of employment if already made; however, SWRAC will undertake the relevant assessments to determine whether the candidate is suitable to work in SWRAC.

Remote recruitment

SWRAC will follow all the requirements set out in this policy when recruiting remotely, changing only the in-person nature of the interview, and implementing the necessary additional steps to support this. Online interviews will be conducted in line with SWRAC's Online Policy and Data Protection Policy at all times.

Staff members conducting an online interview will ensure they understand how to operate the various relevant functionalities of the online interview platform, e.g. how to share their screen, prior to the interview commencing. Staff members conducting an online interview will ensure privacy settings are adjusted appropriately on the provider's site or application.

SWRAC will be aware of, and have due regard for, the potential risks associated with online communication, e.g. ease of anonymity, and will ensure it takes suitable precautions, e.g. encrypting data where possible. SWRAC will ensure that any tasks set for candidates during the interview are compatible with the online nature of the interview, e.g. they do not require the exchange of physical paper resources.

SWRAC will communicate its expectations to candidates regarding the use of the online platform in good time prior to the interview. These expectations will include, but will not be limited to, the following:

- The candidate will participate in the interview with both the video camera and microphone features enabled at all required times
- The candidate will participate in the interview in a suitable setting – a quiet area with a neutral background
- The candidate will keep personal information, which is not relevant to the recruitment process private, e.g. their email password, and will not ask the staff members conducting the interview to share any such private information
- Where necessary, the candidate will be aware that SWRAC will record the online interview, and that they will be required to consent to this in order for the interview process to continue

When recording an online interview, prior permission will be acquired from the candidate in writing via email and all members of the interview will be notified before the interview commences via email, and again once they have joined the interview before recording commences. If the candidate

does not provide consent to recording the interview, SWRAC will consider whether the online interview can still take place in line with SWRAC's safeguarding and records management responsibilities.

SWRAC will not discriminate against candidates who are recruited remotely; they will be considered fairly alongside any candidates who are not recruited remotely.

If a candidate refuses to interview remotely, SWRAC will consider whether alternative arrangements for an in-person interview are possible, always having due regard to SWRAC's equality duties. If this is not possible, then SWRAC will sensitively inform the candidate that the remote interview process is a requirement of the application process and have a considerate and good-natured discussion with the candidate as to whether they can continue with the recruitment process at this time. SWRAC will direct candidates towards the DfE's advice on '[Attending your first remote interview](#)' prior to the interview.

Pre-appointment checks

All appointments will be conditional on satisfactory completion of the necessary pre-appointment checks. These checks seek to identify whether there is anything that would make the candidate an unsuitable appointment for working with children or as a teacher.

When appointing new staff, SWRAC will:

- Verify the candidate's identity, e.g. checking the name and birth date on a birth certificate and verifying any name changes.
- Obtain an enhanced DBS check via the candidate and, for candidates engaging in regulated activity, barred list information.
- Obtain a separate children's barred list check if the individual will start work in regulated activity with children before the DBS certificate is available.
- Verify a candidate's mental and physical fitness to carry out their role.
- Verify the person's right to work in the UK.
- Make further checks as appropriate on any individual who has lived or worked outside the UK.
- Verify professional qualifications, as appropriate.
- Check individuals taking up management positions are not subject to a section 128 direction.
- For those in management, Advisory Board roles, conduct a section 128 check.

The recruitment panel will ensure any candidate employed to carry out teaching work is not subject to a prohibition order, or any sanction or restriction imposed (that remains current) by the GTCE before its abolition in March 2012.

The recruitment panel will assess all cases fairly and on an individual basis. Where a decision has been made not to appoint somebody because of their convictions, it will be clearly documented to enable SWRAC a chance to defend its decision if challenged.

SWRAC will consider the following when assessing any disclosure information on a DBS certificate:

- The seriousness and relevance to the post which they have applied to
- How long ago the offence occurred
- The country where the offence occurred
- Whether it was a one-off incident or a history of incidents
- The circumstances around and at the time of the incident
- Whether the individual accepted responsibility for what happened
- Whether the offence has been decriminalised

If SWRAC has reason to believe that an individual is barred, it is an offence under section 9 of the Safeguarding Vulnerable Groups Act (SVGA) 2006 for SWRAC to allow the individual to carry out any form of regulated activity.

SWRAC will use the Employer Secure Access sign-in portal via the Teaching Regulation Agency Teacher Services web page to check if a proposed governor is barred as a result of being subject to a section 128 direction.

Checks for all prohibitions, directions, sanctions and restrictions will be carried out by using the secure access portal on the Teacher Services' [web page](#).

In line with KCSIE, SWRAC will not require candidates to have an enhanced DBS certificate or undergo checks for events that may have occurred outside the UK if, in the three months prior to their appointment, the candidate has worked in England in a post:

- In a school which brought them into regular contact with children or young people; or
- In a school since 12 May 2006 which did not bring the person into regular contact with children or young people: or
- In an institution within the FE sector, or in a 16 to 19 academy, in a post which involved the provision of education which brought the person regularly into contact with children or young people.

This is because the candidate will have already undergone this process in their previous position.

Volunteers/Work experience students

For all volunteers, SWRAC will undertake a written risk assessment and use professional judgement and experience when deciding what checks, if any, will be required.

SWRAC will request a DBS check for all volunteer unless they are under 16 and are on work experience from a school.

SWRAC will only request barred list information for volunteers in regulated activity.

Candidates who have lived outside the UK

For candidates who have lived outside the UK, all mandatory checks outlined in this policy will be carried out, along with additional checks where necessary, including an enhanced DBS certificate

with barred list information for those engaging in regulated activity, even if they have never been to the UK before.

SWRAC will make any further checks that it deems appropriate so that any relevant events occurring outside the UK can be considered, e.g. obtaining proof of past teaching conduct for any candidate for a teaching position from the professional regulating authority in the country in which they worked, where available.

If a candidate is unable to provide the correct documentation, they cannot submit a DBS check. This is because the right to work in the UK cannot be established.

Following the UK's exit from the EU, schools and colleges should apply the same approach for any individuals who have lived or worked outside the UK regardless of whether or not it was in an EEA country or the rest of the world.

Agency and third-party staff

In the case of any employee working at SWRAC who is sourced from an agency or third-party organisation, SWRAC will obtain written notification from the organisation confirming that they have carried out the same checks as SWRAC would otherwise perform on any individual who will be working at SWRAC, or who will be providing education on SWRAC's behalf, including through online delivery. Confirmation will also be obtained that the individual who presents for work is the same person on whom all checks have been completed. A copy of photographic identification will generally be kept where appropriate.

SWRAC will obtain a copy of the enhanced DBS certificate from the agency or third-party organisation where it has been obtained before the person is due to commence work and has disclosed any matter or information.

Existing staff

If a member of staff moves from a post that was not regulated activity to one that is, the relevant checks will be carried out.

If a member of staff moves from one role that did not involve the provision of education to one that does, the college will treat it as if the individual were a new member of staff and all required pre-appointment checks will be carried out.

Where an existing member of staff is moving to regulated activity, the recruitment panel will carry out further checks where there is a concern about a member of staff's suitability to work with children. An investigation will be carried out to gather enough evidence to establish if an allegation has a foundation. SWRAC will ensure they have sufficient information to meet the relevant referral duty criteria, as outlined in the DBS's barring referral guidance.

SWRAC will refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult where:

- The harm test is satisfied in respect of that harm.

- The individual has received a caution or conviction for a relevant offence, or if there is reason to believe that the individual has committed a listed relevant offence.
- The individual is deployed to another area of work not in regulated activity, or where they have been suspended.

Referrals to the DBS will be made on conclusion of an investigation where an individual has been removed from regulated activity. Referrals to the DBS will be made as soon as possible after the resignation, removal or redeployment of the staff member.

Contractors

SWRAC will ensure that any contractor, or any employee of the contractor, has been subject to the appropriate level of DBS check. Contractors engaging in regulated activity will require an enhanced DBS certificate (including barred list information). For all other contractors who are not engaging in regulated activity, but whose work provides them with an opportunity for regular contact with children, an enhanced DBS check (not including barred list information) will be required. Under no circumstances will a contractor in respect of whom no checks have been obtained be allowed to work unsupervised or engage in regulated activity.

SWRAC will set out its safeguarding requirements in the contract between the contractor's organisation and SWRAC.

If a contractor is self-employed, SWRAC will consider obtaining the DBS check, as self-employed people are not able to make an application directly to the DBS on their own account. SWRAC will always check the identity of contractors and their staff on arrival.

Adults who supervise children on work experience

If SWRAC is organising work experience placements, it will ensure that the placement provider has policies and procedures in place to protect children from harm.

Advisory Board Members

The Advisory board will request an enhanced DBS certificate without a barred list check on an individual as part of the appointment process for governors. An enhanced DBS certificate (which will include a barred list check) will only be requested if the governor will be engaging in regulated activity.

Right to work checks

SWRAC will obtain evidence that all candidates for a position have the right to work in the UK by either conducting a manual document-based check, or by using the government's online portal. This will be done before a candidate is offered a position.

When conducting a manual, document-based check, SWRAC will ensure that the documents received from candidates are acceptable in line with government guidance, and from the

appropriate list: List A for candidates with a permanent right to work in the UK, or List B for candidates with a temporary right to work in the UK. Checks on documents will be conducted in line with section 19 of this policy.

SWRAC will obtain proof of candidates' immigration status in the UK.

SWRAC will contact the Home Office in the event that a statutory excuse must be established in the following circumstances:

- The candidate provides a document confirming receipt of an application to EUSS on or before 30 June 2021
- The candidate provides a non-digital certificate of application confirming receipt of an application to the EUSS on or after 1 July 2021
- SWRAC has checked a digital certificate of application and has been directed to the Home Office's Employer Checking Service
- The candidate provides an Application Registration Card stating the holder is permitted to undertake the work in question
- SWRAC is satisfied it has not been provided with any acceptable documents because the candidate has an outstanding application with the Home Office made before their previous permission expired, or has an appeal or review pending against the Home Office's decision and cannot provide evidence of their right to work as a result
- SWRAC considers that it has not been provided with any acceptable documents, but the person presents other information indicating they are a long-term resident of the UK, i.e. having arrived before 1988.

SWRAC will not make assumptions about a person's right to work in the UK, or their immigration status, on the basis of their race, ethnicity, nationality, length of residence in the UK or background. All candidates, including British citizens, will have their right to work in the UK checked.

Where a candidate's right to work is time limited, SWRAC will conduct a follow-up check in advance of its expiry.

SWRAC may use a certified digital identity service provider (IDSP) to conduct right to work checks on candidates.

Identification checking process

When checking the validity of identifying documents, SWRAC will ensure that this is done in the presence of the holder, e.g. in person or via a live video link. In both cases, SWRAC will be in physical possession of the original documents. SWRAC will only accept valid, current and original documentation in its physical form. SWRAC will not accept photocopies or documentation printed from the internet, e.g. internet bank statements.

SWRAC will request documents with photographic identity, such as a passport, and compare this against the candidate's likeness. SWRAC will not accept documents that are not in the candidate's current name as recorded on the application form.

SWRAC will ensure that the candidate declares all previous name changes and provides documentary evidence to support the name change. If the candidate is unable to provide evidence to support the name change, SWRAC will hold a discussion with the candidate about the reasons why. SWRAC will always aim to check the name on the candidate's birth certificate in order to validate their identity.

SWRAC will compare the candidate's address history with any other information the candidate has provided, such as their CV.

SWRAC will ensure that all letters and statements provided by the candidate are recent e.g. within a three-month period.

SWRAC will keep a dated record of every document that has been checked for the duration of the candidate's employment and for a further two years after they have left SWRAC. This will be either as a hard copy or in a scanned format which cannot be manually altered, e.g. JPEG or PDF document, and will be made available to the appropriate authorities if and when requested.

In line with the UK GDPR and Data Protection Act 2018, SWRAC will only retain copies of DBS certificates where there is a valid reason for doing so, and only for as long as is needed to consider the information provided – this will not be for longer than six months.

When information is destroyed, SWRAC may keep a record of the fact that vetting was carried out, the result of this vetting, and the recruitment decision taken.

SWRAC may use a certified digital IDSP to secure DBS checks on candidates.

After the pre-appointment checks

Once the pre-employment checks have been completed, the recruitment panel will:

- Agree a start date with the candidate.
- Destroy the completed self-declaration forms.
- Submit contractual paperwork, including the completed DBS check, copies of identification, references, proof of qualifications, P45, application/equal opportunities and emergency contacts.
- Add the required details of the checks carried out to SWRAC's SCR.

Single central record (SCR)

SWRAC will maintain and regularly update the SCR.

All new employees will be added to the record, which will include:

- All staff (including supply staff) who work at SWRAC.

- All others who work in regular contact with children in SWRAC or college, including volunteers.
- All members of the Advisory Board

The bullet points below set out the minimum information that must be recorded in respect of staff members (including teacher trainees on salaried routes). The record will indicate whether the following checks have been carried out or certificates obtained, and the date on which each check was completed, or certificate obtained:

- An identity check
- A barred list check
- An enhanced DBS check
- A prohibition from teaching check
- Further checks on people living or working outside the UK, including checks for European Economic Area (EEA) teacher sanctions and restrictions
- A check of professional qualifications
- A section 128 check
- A check to establish the person's right to work in the UK
- For those in management, trustee or governor roles, a section 128 check

SWRAC will record whether the person's position involves 'relevant activity', i.e. regularly caring for, training, supervising or being solely in charge of persons aged under 18.

For supply staff, SWRAC will include whether written confirmation has been received that the employment business supplying the member of supply staff has carried out the relevant checks and obtained the appropriate certificates, and the date that confirmation was received and whether any enhanced DBS check certificate has been provided in respect of the member of staff.

If checks are carried out on volunteers, this will be recorded in the SCR.

The details of individuals will be removed from the SCR once their employment with SWRAC ends.

Safer recruitment training

At least one member of the recruitment panel will have completed formal safer recruitment training.

As a measure of good practice, SWRAC will ensure that this training is renewed every two years.

Staff and board members involved in the recruitment process will have an awareness of information regarding the following:

- The recruitment and selection process
- Pre-appointment and vetting checks, regulated activity and recording of information
- Other checks that may be necessary for, staff, volunteers and others
- How to ensure the ongoing safeguarding of children and legal reporting duties on employers

Safeguarding

For references provided to SWRAC, the candidate's suitability will always be assessed with particular regard paid to their suitability to work with children. The DSL will be consulted where appropriate.

The DSL will recognise SWRAC's duty to disclose safeguarding concerns overrides any other duties to an employee and ensure SWRAC complies with its safeguarding obligations. The DSL will ensure records are kept of all allegations against staff in line with the most up-to-date version of KCSIE.

For all safeguarding allegations, excluding those proven to be malicious, a clear and comprehensive summary of the allegation, details of how the allegation was followed up and resolved, and a note of any action taken, and decisions reached, will be kept on the confidential personnel file of the accused member of staff. Accurate information based on these records will be given in response to future requests for a reference, where appropriate. Safeguarding information will not be given in circumstances where the allegation was found to be false, unsubstantiated, or malicious – this includes if it is a history of repeated concerns or allegations which have been found to be false, unsubstantiated or malicious. The member of staff providing the reference will make no comments about their own personal views on the veracity of allegations.

Exceptionality

Under exceptional circumstances, SWRAC may consider making an appointment whilst checks are being made on a prospective member of staff. However, the decision to do so will only be authorised by the Managing Director in consultation with the HR department, the and the appointing officer. Such an appointment shall be made subject to satisfactory background checks being completed, an individual risk assessment prepared and that the individual shall not be permitted to work alone with children. Any such staff member will have their employment terminated should background checks not be satisfactorily completed by the end of their first period of probation.

Monitoring and review

This policy is reviewed annually by the Managing Director.

Any changes made to this policy will be communicated to all members of staff and relevant stakeholders.

All members of staff are required to familiarise themselves with all processes and procedures outlined in this policy as part of their induction programme.