Engineering UTC Northern Lincolnshire

Safer Recruitment Procedure

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SAFER RECRUITMENT PROCEDURE FOR ENGINEERING UTC NORTHERN LINCOLNSHIRE

INTRODUCTION

1. This UTC is committed to providing a safe environment for children and young people to live and learn. To achieve this, it is important that there are processes in place to identify, deter, and reject unsuitable people from working with children and young people.

2. Safer recruitment involves a range of checks that enable ENL UTC to make informed recruitment decisions on whether a potential employee is suitable to work in a post involving contact with children. It also requires robust recruitment advertising, assessment and selection processes.

3. This procedure should be used when recruiting to all posts based at ENL UTC. This applies to work of any kind, whether paid or unpaid. This includes all employees, supply staff and casual workers, volunteers, students, and apprentices.

4. At least one member of the shortlisting and interview panel must have undergone certified training in Safer Recruitment.

5. Recruitment decisions must be based on consideration of all aspects of this policy, including pre-employment checks, taking account of any gaps in the context of the information that is available, and a full risk assessment if necessary.

6. Any decision to allow an employee to commence work pending any outstanding checks will be in accordance with any statutory guidance, professional body and/or inspection requirements. Such decisions should be thoroughly risk-assessed and documented.

7. Responsibility for the decision to withdraw a conditional employment offer will lie with the Principal in conjunction with a senior HR representative. The reasons for the offer withdrawal will be confirmed in writing to the candidate.

8. All information considered in decision making throughout the process should be clearly recorded along with decisions made.

LEGISLATIVE FRAMEWORK

9. The School Staffing (England) Regulations 2009 and the Education (Pupil Referral Units) (Application of Enactments) (England) Regulations 2007 require governing bodies of maintained schools and management committees of pupil referral units (PRUs) to ensure that at least one of the persons who conducts an interview has completed safer recruitment training.

10. The Rehabilitation of Offenders Act 1974 enables criminal convictions to become ‘spent’ or ignored after a rehabilitation period. This means that once

the rehabilitation period has expired an ex-offender is not obliged to mention their conviction when applying for a job. However, the Exceptions Order 1975 and 2000 and the Protection of Freedoms Act 2012 set out occupations and positions where there is a valid need to see a person's full criminal record (including 'spent' convictions) to assess their suitability for a position. These are called 'exempted' posts. This includes a position whose normal duties include work in an education establishment.

11. The Education (Health Standards) (England) Regulations 2003 prescribes that relevant activity may only be undertaken by a person if they have the health and physical capacity to carry out that role.

12. The Childcare Act 2006 prohibits individuals employed to work in reception classes, or in wraparound care for children up to the age of 8, from working in these settings if they are disqualified under the 2018 Childcare Disqualification Regulations.

13. The Independent Educational Provision in England (Prohibition on Participation in Management) Regulations 2014 made under section 128 of the Education and Skills Act 2008 prohibits or restricts an unsuitable individual from participating in the management of an independent school, including academies, and disqualifies an individual from being a governor of a maintained school.

14. Keeping Children Safe in Education is statutory guidance for schools and colleges on safeguarding children and includes a section on safer recruitment. The guidance is updated every year and sets out the legal duties schools must follow to safeguard and promote the welfare of children and young people under the age of 18.

ADVERT

15. Adverts must include the following:

- A clear statement about the UTC's commitment to safeguarding and the expectation that the postholder will have the same commitment.
- A statement that recruitment to the post will follow safer recruitment procedures which includes obtaining references prior to interview.
- A statement that it is an offence for anyone barred from working with children to apply to work in regulated activity with children.
- The level of DBS check required.

JOB DESCRIPTION AND EMPLOYEE SPECIFICATION

16. This must include:

- The postholder's responsibility for safeguarding.
- The requirement for a DBS check and the relevant level.

INTERVIEW

17. When inviting candidates to interview, the invite will make it clear that the interview process will explore the candidate's commitment to safeguarding, their suitability to work with children and motivation for doing so.

18. The interview panel will complete a safer recruitment checklist for each candidate. See Appendix 1 for a template.

19. A range of selection techniques may be used to identify the most suitable person for the post. This should include structured questions to explore:

- What attracted the candidate to the post and their motivation for working with children.
- Their skills and any relevant experience of working with children.
- Any gaps in employment or where the candidate has changed employment or location frequently, and the reasons for this.

20. Any gaps, discrepancies or areas of concern must be fully explored, followed up if necessary, and documented.

PROOF OF IDENTITY

21. Candidates must bring proof of their identity to interview. This should be photographic where possible but must include their name, date of birth and current address.

SELF-DISCLOSURE (CONVICTIONS AND SANCTIONS)

22. Shortlisted candidates will be required to complete a self-disclosure form and submit it prior to interview. A template form is provided at Appendix 2.

23. The form is for candidates to have opportunity to share relevant information and for the panel to consider and discuss it with them at interview before the DBS certificate is received.

ONLINE CHECKS

24. An online search should be carried out on shortlisted candidates to identify any incidents or issues, that are publicly available online, which could call into question their suitability to work with children.

25. To reduce the risk of discrimination or bias the search should be carried out by someone who is not connected to the interview process, who should then share any information which is relevant and of concern with the panel.

PRE-EMPLOYMENT CHECKS

26. Once all the necessary checks have been completed and are deemed satisfactory, a start date can be arranged.

DISCLOSURE AND BARRING SERVICE (DBS)

27. A DBS check relevant to the post will be undertaken. For the majority of posts based within ENL UTC this will be an Enhanced DBS Check with Barred List Check. See the Recruitment of Ex-Offenders and DBS policy for more information on this process.

OVERSEAS CRIMINAL RECORDS

28. Where a candidate has lived, studied or worked outside of the UK for a period of at least three months in the last five years, they will be required to obtain a criminal record check from the relevant country/ies in addition to a DBS check.

29. If the document is not in English, candidates must also supply a certified translation. Translator credentials should be provided along with an official declaration that the translation is accurate.

30. Where further checks cannot be made, extra care must be taken in taking up references and carrying out other background checks.

REFERENCES

31. References may be requested prior to interview to allow for scrutiny beforehand and discussion with the candidate.

32. At least two references must be obtained, and as many as required to enable an informed and safe recruitment decision to be made.

33. One reference must be from the current or most recent employer wherever relevant.

34. Additional references should be sought if:

- They are more relevant to the role.
- The candidate has recently held more than one role concurrently and these are not covered by the primary referees.
- More information is required about a candidate's activities during a particular period.

35. 'Open' references ('to whom it may concern') should not be accepted.

36. Personal or 'character' references should only be sought in the absence of any other suitable referees.

37. Written permission must be obtained from candidates to contact referees other than those specified.

38. Any concerns must be resolved satisfactorily before the appointment is confirmed.

39. All references must be carefully scrutinised and verified by a panel member via telephone and a written record kept of the discussion.

40. The information provided by the applicant should be compared with the information provided by the referee and any discrepancies fully explored.

41. Where information is vague or insufficient, referees should be asked to clarify content.

42. Where a referee discloses significant issues during the verification process, this must be followed up in writing and the referee asked to confirm the content.

PROFESSIONAL STATUS AND QUALIFICATIONS

43. The Teaching Regulation Agency (TRA) has an online Employer Access service which should be used before appointing a teacher to check for: Award of QTS, completion of teacher induction and whether there are any prohibitions, sanctions or restrictions that might prevent the individual from taking part in certain activities or working in specific positions.

44. If any other documents are required to provide evidence that an applicant meets the essential requirements of the role for which they are applying, they should provide the original documents and copies taken.

HEALTH ASSESSMENT

45. Employees must have an appropriate level of physical and mental fitness to carry out their work responsibilities.

46. Applicants will complete an online medical questionnaire which the Occupational Health Service will use to assess their medical suitability. Occasionally a telephone or face-to-face consultation will also be required.

RIGHT TO WORK

47. Applicants must supply evidence of their right to work in the United Kingdom. A list of acceptable evidence will be provided.

CHILDCARE DISQUALIFICATION

48. If applicants will be employed to provide, or directly manage, early years childcare, they will be required to complete a self-declaration form (see Appendix 3) to disclose whether they are disqualified from undertaking the role. This includes people:

- Employed to work in reception classes.
- Employed to work in childcare outside of the normal school day for children above reception age but under 8.

SECTION 128

49. Governors in maintained schools and individuals holding management positions in academies are required to have a Section 128 check.

50. If a person is eligible for a children's barred list check, the Section 128 check can be carried out as part of the DBS check. Otherwise, a section 128 check should be carried out using the TRA's Employer Access service.

Safer Recruitment
Appendix 1 - Checklist

- **This checklist must be completed by an interview panel member (with the exception of Section A for Online Checks) for all applicants shortlisted for interview.**
- **Please refer to the Safer Recruitment policy for further details and guidance on the process.**

Applicant			
Post title			
Post number			
Date of interview			
Panel members		**Completed Safer Recruitment training?**	
		Yes	**No**

BEFORE INTERVIEW
NOTE: Not all education/employment history gaps will be automatically flagged by the recruitment portal. **Please check for these.**

Scrutinise the application form carefully before answering the questions below:

Does the application form contain any gaps in employment/education/ circumstances?	**Yes**		**No**	
Are there frequent or unusual changes in employment/ circumstances?	**Yes**		**No**	
Is there anything else on the application form that causes concern?	**Yes**		**No**	

If you have answered 'yes' to any question, record details of the concerns below. These must be explored with the candidate at interview.

Details of concerns:
Candidate's response:

REFERENCES

The candidate will provide two referees (one where they are an internal candidate already working with the same vulnerable group) prior to interview, and references will be sent for.

Do the two primary referees include the present/most recent employer(s)?	**Yes**		**No**	
If the candidate has previously worked with the client group, is that role covered by the primary referees?	**Yes**		**No**	
If the candidate has most recently had more than one employer at the same time, are they all covered by the primary referees?	**Yes**		**No**	

If you have answered **'no'** to any question, you must ask the candidate to supply details of further referees. They should supply as many as needed for you to make an informed and safe recruitment decision.

Referee name		**Organisation**	
Email address		**Phone number**	

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Email address		**Phone number**	

DISCLOSURES

The candidate should submit their self-disclosure form (Appendix 2) prior to interview.

Has the candidate answered 'yes' to any of the questions on the form?	**Yes**		**No**	

If so, record the details below. These must be explored with the candidate at interview.

Details of disclosure:
Candidate's response:

ONLINE CHECK

A. **To be completed by the person who has carried out the online search**

Is there any publicly available information which could call into question the candidate's suitability to work with children?	**Yes**		**No**	
Details:				
Name:		**Date of check:**		
Signature:				

B. **To be completed at interview stage**

Candidate's response:

DBS

Is the applicant registered with the DBS Update Service?	**Yes**		**No**	

If **'no'** the successful candidate will be required to complete a DBS check online.
If **'yes'** you will need to view the original certificate and complete the following information so HR can carry out an online check to ensure there is no new information available.

Certificate number (12 digits)	**00/**			
Surname on certificate				
Date of birth				
Is the check for the correct workforce and at the right level?	**Yes**		**No**	
Is there any information recorded on the certificate?	**Yes**		**No**	

If **'yes'**, liaise with HR as soon as possible.

Has the applicant worked/lived/studied abroad for at least 3 months in the last 5 years?	**Yes**		**No**	

If **'yes'**, advise the candidate that, if successful, they will be required to obtain an overseas criminal check, in addition to a DBS check.

KEY DOCUMENTS

- The candidate must bring evidence of their identity to interview. The document/s must include full name, date of birth, current address. They should include some form of photographic identification unless, for exceptional reasons, none is available.
- It is good practice for one of these documents to be a birth certificate.

Identity				
Original documents supplied?	**Yes**		**No**	
Document(s) supplied:				
Documents must be copied, verified and forwarded to HR				

The candidate must bring proof of any **essential** qualifications/training to interview.

Qualifications/Training				
Original documents supplied?	**Yes**		**No**	
Document(s) supplied:				
Documents must be copied, verified and forwarded to HR				

To be completed by the interview panel member who has undertaken these checks

Name:		**Date:**	
Signature:			

Safer Recruitment - Appendix 2
Self-disclosure form

The role you have applied for is covered by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975. Further information on this is available here:
Guidance on the Rehabilitation of Offenders Act 1974 and the Exceptions Order 1975 - GOV.UK (www.gov.uk)

As you have been shortlisted for interview, you are required to provide the information requested on this form to disclose a criminal record and share information which might make you unsuitable to work with children. Any disclosures will be discussed with you at interview, to help us determine your suitability for this role.

If a conditional offer of employment is made, you will still be asked to undergo relevant vetting and barring checks.

Full name:	
Post title:	
School/academy:	

Please tick one box for each question

Have you ever been known to any Children's Services department or police as being a risk, or potential risk, to children?	YES ☐	NO ☐
Have you been the subject of any investigation and/or sanction by an organisation or body due to concerns about your behaviour towards children?	YES ☐	NO ☐
Have you ever been the subject of disciplinary sanctions or been asked to leave employment or voluntary activity due to inappropriate behaviour towards children?	YES ☐	NO ☐
Do you have any unspent convictions or conditional cautions?	YES ☐	NO ☐
Do you have any spent adult cautions (simple or conditional) or convictions that are not 'protected' as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975?	YES ☐	NO ☐
Do you have any overseas convictions?	YES ☐	NO ☐

If you have answered **YES** to any of the questions above you should provide further details below including dates and relevant court(s) or organisation(s).

Declaration

In signing this form, I confirm that the information provided is true to the best of my knowledge and that:

- I agree that the information provided here may be processed in connection with recruitment purposes and I understand that an offer of employment may be withdrawn or disciplinary action may be taken if information is not disclosed by me and subsequently comes to the school/academy's attention.
- If I have disclosed any information, I consent to this being clarified with the relevant agency, if required.
- I agree to inform the school/academy within 24 hours if I am subsequently investigated by any agency or organisation in relation to concerns about my behaviour towards children or young people, or which might impact my role.
- I understand that the information contained on this form, the results of the DBS check and information supplied by third parties may be supplied to other persons or organisations in circumstances where this is considered necessary to safeguard children.

I understand this declaration will be held and processed in accordance with the UK General Data Protection Regulation and the Data Protection Act.

Full name:			
Signed:		Date:	

Please return this form to the postal/email address provided, prior to your interview date.