



# LEARNING OPPORTUNITIES

## SAFER RECRUITMENT POLICY

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Our Safer Recruitment policy has been written and approved by a team with a range of experience and will be reviewed annually.

Review Date:                      August 2022

Next Review Date:                August 2023

## **INTRODUCTION**

Learning Opportunities is committed to safeguarding and promoting the welfare of students and expects all staff and volunteers to share this commitment. The first step to safeguarding is achieved through effective recruitment and retention of competent, motivated staff members who are suited to, and competent in their roles.

Our Recruitment Policy and Procedures are based on and conform with statutory and non-statutory guidance contained in 'Keeping Children Safe in Education (2022)'.

This policy should be read in conjunction with Learning Opportunities Safeguarding / Child Protection, Managing Allegations Against Staff, including Supply Teachers, Volunteers & Contractors policies, and Staff Code of Conduct. It sets out the minimum requirements needed to recruit and retain high calibre staff based on their merits, abilities and suitability for the post, whilst deterring, identifying and rejecting prospective applicants who are unsuitable for work with children and young people.

The purpose of this policy is to set out the minimum requirements of our recruitment process, the aims of which are to:

- attract the best possible applicants to vacancies;
- recruit staff with appropriate skills, both technical and personal, in order to meet Learning Opportunities current and future needs;
- ensure that all applicants are considered equitably and consistently;
- deter, identify and reject prospective applicants who are unsuitable for work with children. n or young people;
- ensure compliance with all relevant legislation, recommendations and guidance including the recommendations of the Department for Education (DfE) in Keeping Children Safe in Education (KCSIE 2022), and the code of practice published by the Disclosure & Barring Service (DBS);
- ensure that the school meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks.

### ***The Rehabilitation of Offenders Act 1974 / 2020 Amendment of the Rehabilitation of Offenders Act***

All posts which involve working directly with children, young people in school are exempt from the Rehabilitation of Offenders Act (1974), Section 4 (2) by virtue of the Rehabilitation of Offenders Act (1974) (Exemption) (Amendment) Order 1986. Candidates for these posts are obliged to declare any pending court actions, all previous criminal convictions, bind over orders or cautions, which for other posts would be considered spent. Failure to disclose this information could lead to the offer of employment being withdrawn.

The school is committed to ensuring people who have been convicted are treated fairly and given every opportunity to establish their suitability for position.

Any serious deliberate fraud or deception in connection with any application for employment may amount to a criminal offence (Obtaining Pecuniary Advantage by Deception). In such cases a report will be made to the police, and where applicable to the TRA.

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

## **EQUAL OPPORTUNITIES**

We recognise the value of, and seek to achieve, a diverse workforce comprising different backgrounds, skills and abilities. As such we are committed to a recruitment and selection process which is systematic, efficient, effective and equal. In doing so, it upholds our obligations not to discriminate against applicants on grounds of any of the Protected Characteristics.

## **LINKS to OTHER KEY POLICIES**

- Safeguarding / Child Protection
- Managing Allegations Against Staff, including Supply Teachers, Volunteers & Contractors
- Equality & Diversity
- Staff Code of Conduct
- Whistleblowing

## **SAFER WORKING PRACTICE**

Learning Opportunities is committed to promoting the welfare of children at every stage of the recruitment process and beyond. The proprietor and leadership team are responsible for ensuring that the school follows safe recruitment processes.

We will prevent people who pose risks to children from working in our school by ensuring that all individuals working in any capacity at our school have been subjected to safeguarding checks in line with *Keeping Children Safe in Education 2022*.

Every job description and person specification, and job advertisement will have a clear statement about the safeguarding responsibilities of the post holder. The school website will echo this within our 'staff vacancies' section. The school will consider carrying out an online search on shortlisted candidates to help identify any issues that are publicly available online.

We have a procedure in place to manage allegations against members of staff, including Supply Teachers, Volunteers & Contractors (and to respond to low level concerns) in line with KCSIE. We will communicate with Local Authority Designated Officer (LADO), through consultations and referrals when needed.

There is an agreed staff code of conduct which is compliant with 'Safer Working Practices', and includes - acceptable use of technologies, staff/student relationships, low level concerns and communications including the use of social media.

Staff are aware of the need to adopt ways of working and appropriate practice to help reduce the likelihood of an allegation being made. We believe that it is equally important that everyone is able to raise concerns about what seems to be poor or unsafe practice by colleagues, and that those concerns, and concerns expressed by students, parents / carers or others are listened to and taken seriously.

It is recognised that it will often be difficult to give credence to concerns particularly if they are about a long serving and trusted colleague. Unfortunately, those concerns will sometimes be true, and it is important that they are taken seriously and not simply dismissed (refer to Learning Opportunities Whistleblowing Policy).

## **RECRUITMENT & SELECTION PROCESS**

The proprietor of Learning Opportunities will ensure that those involved with the recruitment and employment of staff within our school have received appropriate safer recruitment training. The minimum that this will cover will be Part 3 content of KCSIE 2022. At least one person on the interview Panel will have completed safer recruitment training.

### **Justification for Recruitment**

Before recruitment begins the Leadership Team will consider the following:

- Is it necessary to fill the vacancy?
- Does the role require changes in duties and responsibilities?
- Is it appropriate to evaluate the grade of the post?
- Could the work be accommodated in other ways?
- What terms and conditions are being offered for the post, are they appropriate and consistent with the rest of Learning Opportunities employees?

### **Advertising**

To ensure equality of opportunity, Learning Opportunities will advertise all vacant posts to encourage as wide a field of candidates as possible, normally this will entail an external advertisement.

We believe that the job advertisement shapes the first impression applicants have of Learning Opportunities and is therefore a very important tool when it comes to sending out the right message to the public; the business of the school, its culture and the type of person needed for the job.

Learning Opportunities will include the following information when defining the role (through the job or role description and person specification):

- the skills, abilities, experience, attitude, and behaviours required for the post;
- the school's commitment to safeguarding and promoting the welfare of children and make clear that safeguarding checks will be undertaken;
- the safeguarding responsibilities of the post;
- that a satisfactory enhanced DBS check on all successful candidates will be required before formally offering the job and awarding a contract of employment.
- Whether the post is exempt for the Rehabilitation of Offenders Act (1974) and subsequent amendments which provide that when applying for certain jobs and activities, certain spent convictions and cautions are 'protected', so that they do not need to be disclosed to employers, and if they are disclosed, employers cannot take them into account – further information is available via the MOJ's guidance on the Rehabilitation of Offenders Act 1974 and the Exceptions Order 1975 & the DBS filtering guide.

All advertised jobs will have a closing date.

### **Application Forms**

Learning Opportunities will include a statement in the information provided to applicants that it is an offence to apply for the role if the applicant is barred from engaging in regulated activity relevant to

children. We will also provide a link to our website where the applicant can view our Safeguarding / Child protection policy and procedures.

**Applicants are expected to provide:**

- personal details, current and former names, current address and national insurance number;
- details of their present (or last) employment and reason for leaving
- full employment history, (since leaving school, including education, employment and voluntary work) including reasons for any gaps in employment;
- qualifications, the awarding body and date of award;
- details of referees/references; and
- a statement of the personal qualities and experience that the applicant believes are relevant to their suitability for the post advertised and how they meet the person specification.

Learning Opportunities use a standard application form. Standalone CVs will not be accepted and will only be considered when presented alongside a fully completed application form. Scrutiny of the applications will be rigorous and any anomalies, discrepancies or gaps in employment information identified e.g. repeated changes of employment, mid-career move from permanent to temporary work. We require candidates to account for any gaps or discrepancies in employment history on the application form. Where an applicant is shortlisted, these gaps will be discussed at interview, and where applicable will be verified by the referee.

A fully completed application form will be retained on the personnel file.

**Short listing**

Where the volume of applicants is high, or the number of top calibre applicants is high, a matrix may be prepared and considered alongside relevant applications in the light of the skills and the qualifications required. Shortlisted candidates will then be invited to attend a **formal interview** at which his/her relevant skills and experience will be discussed in more detail.

All candidates will be assessed equally against the selection criteria contained in the person specification without exception or variation. Where short-listing is necessary candidates will be assessed against essential criteria first and then desirable criteria.

What is important is that the short-listing process is applied equally to all applicants and evidenced. This ensures fair selection and prevents claims of inequality or discrimination. It is vital that the short-listing notes are kept as part of the recruitment and selection process, and can be referred to if ever challenged.

**Self-declaration**

Shortlisted candidates will be asked to complete a self-declaration of their criminal record or information that would make them unsuitable to work with children.

For example:

- if they have a criminal history;
- whether they are included on the barred list;
- whether they are prohibited from teaching;
- whether they are prohibited from taking part in the management of an independent school;

- information about any criminal offences committed in any country in line with the law as applicable in England and Wales, not the law in their country of origin or where they were convicted;
- if they are known to the police and children's local authority social care;
- have they been disqualified from providing childcare and,
- any relevant overseas information.

Applicants will be asked to sign a declaration confirming the information they have provided is true. Where there is an electronic signature, the shortlisted candidates will be asked to physically sign a hard copy of the application form at point of interview.

The purpose of a self-declaration is so that candidates will have the opportunity to share relevant information and allow this to be discussed and considered at interview before the DBS certificate is received.

**The information will not be used to decide who should be shortlisted.**

Learning Opportunities will:

- ensure that at least two people carry out shortlisting – persons involved in shortlisting will be part of the interview panel
- consider any inconsistencies and look for gaps in employment and reasons given for them; and,
- explore all potential concerns.

In light of updated guidance in KCSIE 2022 and as part of our due diligence, Learning Opportunities will consider carrying out an online search on shortlisted candidates. If any incidents / issues come to light, these will be explored with the applicant at interview.

**Employment History & References**

Factual information detailed within references will be used to support appointment decisions.

A minimum of two written references will be sought for all shortlisted candidates directly from the referee, and wherever possible before interview. This allows any concerns raised to be explored further with the referee and taken up with the candidate at interview.

Where necessary, referees will be contacted by telephone or e-mail in order to clarify any anomalies or discrepancies. A detailed written note will be kept of such exchanges.

Learning Opportunities will:

- not accept open references e.g. to whom it may concern;
- not rely on applicants to obtain their reference;
- ensure any references are from the candidate's current employer and have been completed by a senior person with appropriate authority if the referee is school or college based, we will expect the reference to be confirmed by the headteacher / principal as accurate in respect of any disciplinary investigations);
- obtain verification of the individual's most recent relevant period of employment where the applicant is not currently employed;

- secure a reference from the relevant employer from the last time the applicant worked with children (if not currently working with children), if the applicant has never worked with children, then ensure a reference from their current employer;
- always verify any information with the person who provided the reference;
- ensure electronic references originate from a legitimate source;
- contact referees to clarify content where information is vague or insufficient information is provided;
- compare the information on the application form with that in the reference and take up any discrepancies with the candidate;
- establish the reason for the candidate leaving their current or most recent post; and,
- ensure any concerns are resolved satisfactorily before appointment is confirmed.

Learning Opportunities will ensure the information contained within the reference confirms whether they are satisfied with the applicant's suitability to work with children and provide the facts (not opinions) of any substantiated safeguarding concerns / allegations that meet the harm threshold.

Any information about past disciplinary action or allegations will be considered in the circumstances of the individual case. Cases in which an issue was satisfactorily resolved some time ago, and where no further issues have been raised, are less likely to cause concern. More serious or recent concerns or issues are more likely to cause concern, as are a history of repeated concerns or allegations over time.

Where information provided in a reference is vague or insufficient in respect of a candidate's suitability to work with children, and where information requested in respect of issues around concerns / allegations is not forthcoming, Learning Opportunities will consult with the LADO to see if there is any additional information we should be aware of before progressing the application.

### **Interview**

Short-listed candidates will be invited to interview. The Headteacher will be the lead professional at all interviews except in the case of appointing the Headteacher.

At least one member of the interview panel will have successfully received accredited training in safe recruitment procedures, and one will be the schools Designated Safeguarding Lead (DSL).

### **Identity**

It is vital that when interviewing the candidate is the person they claim to be. Learning Opportunities require sufficient evidence to satisfy themselves of this.

Photographic evidence that includes a date of birth e.g. passport or photo card driving licence is the most suitable form of identification.

If these are not available the candidate will be asked to provide at least three documents that show the individual's name and address and/or date of birth (e.g. utility bill, paper driving license, birth certificate).

**NB No proof of identity, no interview.**

## **Selection**

Learning Opportunities will ensure the right questions are asked in relation to the candidate's suitability to the post and their understanding and commitment to our policies and procedures to keep students safe.

A competency-based interview will be conducted with evidence gathered against both technical and behavioural competencies that are most relevant to the post.

Those interviewing will agree structured questions. These will include:

- finding out what attracted the candidate to the post for which they have applied;
- exploring their skills and asking for examples of experience of working with children which are relevant to the role; and
- probing any gaps in employment or where the candidate has changed employment or location frequently, asking about the reasons for this.

Candidates will also be asked a range of questions to establish their understanding of Safeguarding / Child Protection. The interview questions aim to explore the candidate's attitude to safeguarding, beliefs, values and behaviour, including:

- Their motivation to work with children and young people;
- Ability to form and maintain appropriate relationships with children and young people;
- Emotional resilience in working with challenging behaviours;
- Attitudes to use of authority and maintaining discipline;

The interview will also be used to explore potential areas of concern to determine the applicant's suitability to work with children. Areas that may be concerning and lead to further probing include, but are not limited to:

- implication that adults and children are equal;
- lack of recognition and/or understanding of the vulnerability of children;
- inappropriate idealisation of children;
- inadequate understanding of appropriate boundaries between adults and children; and,
- indicators of negative safeguarding behaviours.

Any information about past disciplinary action or substantiated allegations will be considered in the circumstances of the individual case. All information considered in decision making will be clearly recorded along with decisions made.

Candidates will be offered the opportunity to have a tour of the School and may also be set a practical task, relevant to the role. Examples of such might include teaching a lesson, preparing documents or working in a team.

Selected students will be involved in the recruitment process and will be given the opportunity to 'interview' candidates and to provide feedback to the Leadership Team. All interactions between students and candidates will be closely supervised.

## Candidate Feedback

Learning Opportunities acknowledge that candidates often wish to gain feedback, for their own development.

It is Learning Opportunities policy that feedback from short listing or interview will be provided upon request.

This feedback will be judged against the selection criteria. It will be honest, but constructive. Learning Opportunities is aware that a candidate can hold them liable for unfair selection and this feedback can be used as evidence.

## PRE-APPOINTMENT VETTING CHECKS

All offers of appointment are conditional until satisfactory completion of all mandatory pre-employment checks. Learning Opportunities will:

- verify a candidate's identity, it is important to be sure that the person is who they claim to be, this includes being aware of the potential for individuals changing their name. Learning Opportunities follows best practice guidance in checking the name on their birth certificate, where this is available.
- obtain an enhanced DBS (including children's barred list information) check using Care Check online service - when using the DBS update service, we will obtain the original physical certificate
- verify the candidate's mental and physical fitness to carry out their work responsibilities.
- verify the person's right to work in the UK
- if the person has lived or worked outside the UK Learning Opportunities will make further checks as appropriate
- verify professional qualifications, as appropriate. The TRA Employer Access Service will be used to verify any award of qualified teacher status (QTS), and the completion of teacher induction or probation.
- check that any person taking up a management position is not subject to a section 128 direction made by the Secretary of State;
- check that the person is not subject to a prohibition order issued by the Secretary of State using the TRN or manually.

## DISCLOSURE & BARRING SERVICE (DBS)

These are the types of checks available:

- **Basic DBS check** – this provides details of convictions and conditional cautions considered to be 'unspent' under the terms of the Rehabilitation of Offenders Act 1974.
- **Standard DBS check** –this provides information about convictions, cautions, reprimands and warnings held on the Police National Computer (PNC), regardless or not 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.
- **Enhanced DBS check** – this provides the same information about convictions, cautions, reprimands and warnings held on the Police National Computer (PNC) as a Standard DBS check, plus additional information held by police such as interviews and allegations. Additional

information will only be disclosed where a chief police officer reasonably believes it to be relevant and considers that it ought to be disclosed. The position being applied for/or activities being undertaken must be covered by an exempted question in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 and by provisions in the Police Act 1997 (Criminal Records) Regulations 2002.

- **Enhanced DBS check with children's barred list information** – where people are working or seeking to work in regulated activity relating to children, this allows an additional check, to be made, about whether the person appears on the children's barred list, along with a check of the Police National Computer records plus additional information held by police as above. The position being applied for or activities being undertaken must be eligible for an enhanced DBS check as above and be for a purpose listed in the Police Act 1997 (Criminal Records) (No2) Regulations 2009 as qualifying for a barred list(s) check. In addition, this check can also include information as to whether an individual is subject to a section 128 direction. However, it is necessary to use specific wording in the position applied for field.

### Considering which type of check is required

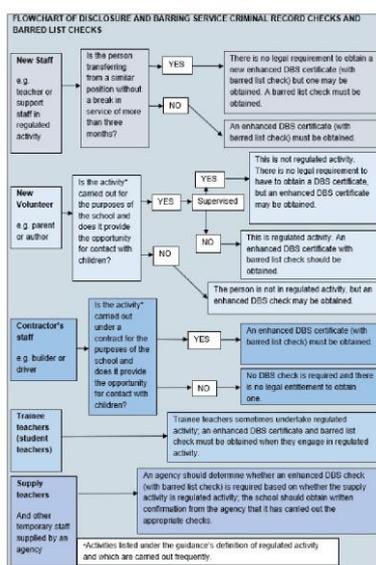
Learning Opportunities staff will be engaging in regulated activity relating to children. An enhanced DBS check which includes children's barred list information, is therefore required.

In assessing any disclosure information on a DBS certificate Learning Opportunities will take into consideration the explanation from the applicant, including for example:

- the seriousness and relevance to the post applied for;
- how long ago the offence occurred;
- whether it was a one-off incident or a history of incidents;
- the circumstances around the incident; and
- has the individual accepted responsibility for their actions?

In addition to the above, Learning Opportunities will consider the incident in the context of the Teacher's Standards and Teacher Misconduct guidance

A decision not to appoint somebody because of their conviction(s) will be clearly documented, so if challenged Learning Opportunities can defend its decision, in line with its policy on recruitment of ex-offenders.



## **DBS Update Service**

Individuals can join the DBS Update Service at the point that an application for a new DBS check is made. Subscription to the service enables future status checks to be carried out by employers to confirm that no new information has been added to the check since its issue.

Learning Opportunities encourage new staff to join the Update Service. The benefits of joining the Update Service are:

- portability of a DBS check across employers;
- free online checks to identify whether there has been any change to the information recorded, since the initial certificate was issued and advise whether the individual should apply for a new DBS check; and
- that individuals will be able to see a full list of those organisations that have carried out a status check on their account.

Before using the update service, Learning Opportunities will:

- obtain consent from the individual to carry out an online check to view the status of an existing standard or enhanced DBS check
- confirm the DBS certificate matches the individual's identity
- examine the original certificate to ensure that it is valid for the employment with the children's workforce
- ensure that the level of the check is appropriate to the job they are applying for.

## **PROHIBITIONS, DIRECTIONS, SANCTIONS & RESTRICTIONS**

### **Secretary of State teacher prohibition, and interim prohibition orders**

Teacher prohibition and interim prohibition orders, prevent a person from carrying out teaching work as defined in the Teachers' Disciplinary (England) Regulations.

Teacher prohibition orders are made by the Secretary of State following consideration by a professional conduct panel convened by the TRA. Pending such consideration, the Secretary of State may issue an interim prohibition order if it is considered to be in the public interest to do so.

A person who is prohibited **must not** be appointed to a role that involves teaching work (as defined in the Teachers' Disciplinary (England) Regulations 2012).

### **Secretary of State section 128 direction**

A section 128 direction prohibits or restricts an unsuitable individual from participating in the management of an independent school. An individual who is subject to a section 128 direction is unable to:

- take up a management position in an independent school, academy, or in a free school as an employee;
- be a trustee of an academy or free school trust; a governor or member of a proprietor body of an independent school; or,

- be a governor on any governing body in an independent school, academy or free school that retains or has been delegated any management responsibilities.

A section 128 direction will be disclosed when an enhanced DBS check with children's barred list information is requested, provided that 'child workforce independent schools' is specified on the application form as the position applied for. Where a person is not eligible for a children's barred list check but will be working in a management position in an independent school, a section 128 check should be carried out using the TRA's Employer Access service.

### **How to check TRA, Teacher Employer Access service for prohibitions, directions, sanctions and restrictions**

Learning Opportunities uses the TRA's Employer Access service to make prohibition, direction, restriction, and children's barred list checks, either using TRNs or manually as applicable.

## **RECORDING INFORMATION**

### **Single Central Register (SCR)**

Learning Opportunities maintains an electronic single central record of pre-appointment checks, which covers all staff, including, where applicable teacher trainees on salaried routes, agency and third-party supply staff, and the Proprietor. The record indicates 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 requested/certificate provided;
- a prohibition from teaching check;
- further checks on people who have lived or worked outside the UK;
- a check of professional qualifications, where required;
- a check to establish the person's right to work in the United Kingdom; and
- details of the section 128 checks undertaken for those in management positions.

For agency and third-party supply staff, the SCR includes 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, the date this confirmation was received and whether details of any enhanced DBS certificate have been provided in respect of the member of staff.

The details of an individual will be removed from the single central record once they have left the employment of Learning Opportunities.

## **RETENTION OF DOCUMENTS**

Learning Opportunities acknowledge that they are not required to keep copies of DBS certificates to fulfil the duty of maintaining the SCR. However, where a decision is made to retain a copy of a DBS, there will be a valid reason for doing so and it will not be kept for longer than six months. Copies of DBS certificates and records of criminal information disclosed by the candidate are covered by UK GDPR/DPA 2018 Article 10.

Learning Opportunities will keep a copy of documents used to verify the successful candidate's identity, right to work and required qualifications on their personnel file.

### **INDIVIDUALS WHO HAVE LIVED OR WORKED OUTSIDE THE UK**

Individuals who have lived or worked outside the UK will undergo the same checks as all other staff. In addition, further checks will be made where it is felt to be appropriate so that any events that occurred outside the UK may be considered. **These checks could include, where available:**

- criminal records check for overseas applicants - Home Office guidance can be found on GOV.UK; and for teaching positions
- obtaining a letter (via the applicant) from the professional regulating authority in the country (or countries) in which the applicant has worked confirming that they have not imposed any sanctions or restrictions, and or that they are aware of any reason why they may be unsuitable to teach.

Where this information is not available Learning Opportunities will seek alternative methods of checking suitability and / or undertake a risk assessment that supports informed decision making on whether to proceed with the appointment.

### **AGENCY & THIRD-PARTY STAFF (SUPPLY STAFF)**

Learning Opportunities will obtain written notification from an agency or third-party organisation that they have carried out the same checks as we would do as a school. This written confirmation must confirm that an Enhanced DBS certificate has been obtained, and that a barred list check has been completed. Where any matter or information has been disclosed to the agency or organisation, Learning Opportunities will obtain a copy of the certificate from the agency.

Learning Opportunities will always check that the person presenting themselves for work is the same person for whom the checks have been made.

### **CONTRACTORS**

Under exceptional circumstances where a contractor is required to provide a service during the school day, they will not be left unsupervised. Learning Opportunities will always check the identity of contractors on arrival at the school.

### **VISITORS**

The Headteacher will use their professional judgement regarding the need to escort or supervise visitors to the school.

For visitors attending the school in a professional capacity, Learning Opportunities will check ID and be assured that the visitor has had the appropriate DBS check (or the visitor's employers have confirmed that their staff have appropriate checks).

Learning Opportunities will give careful consideration to the suitability of using external speakers / visitors. An assessment will be made of the education value, the age appropriateness of what is going to be delivered and whether relevant checks will be required.

## **VOLUNTEERS**

Under no circumstances will a volunteer on whom no checks have been obtained be left unsupervised or allowed to work in regulated activity.

Learning Opportunities will undertake a written risk assessment and use professional judgement and experience when deciding what checks, if any, are required for volunteers. The risk assessment will consider:

- the nature of the work with children, especially if it will constitute regulated activity, including the level of supervision;
- what the school knows about the volunteer, including formal or informal information offered by staff, parents / carer and other volunteers;
- whether the volunteer has other employment or undertakes voluntary activities where referees can advise on their suitability; and
- whether the role is eligible for a DBS check and if it is, what level is appropriate.

Details of any risk assessment will be recorded.

Learning Opportunities will obtain an enhanced DBS check (which should include children's barred list information) for all volunteers who are new to working in regulated activity with children, i.e. where they are unsupervised and teach or look after children regularly.

## **ALTERNATIVE PROVISION**

Learning Opportunities acknowledge it is responsible for the safeguarding of students who are placed with an alternative provision provider. We will undertake necessary checks to satisfy ourselves that the provider meets the needs of the student.

Learning Opportunities require all alternative providers to complete a Service Level Agreement, confirming that appropriate safeguarding checks have been carried out on individuals working at the establishment.

### **Adults who supervise children on work experience**

Learning Opportunities will ensure that the placement provider has policies and procedures in place to protect children from harm. We will consider the specific circumstances of the work experience, in particular the nature of the supervision and the frequency of the activity being supervised. The outcome of these considerations will determine what, if any, checks are necessary. These considerations will include whether the person providing the teaching/training/instruction/supervision to the student on work experience will be:

- unsupervised themselves; and
- providing the teaching/training/instruction frequently (more than three days in a 30 day period).

If the person working with the student is unsupervised and the same person is in frequent contact with the child, the work is likely to be regulated activity relating to children. If so, Learning Opportunities will ask the employer providing the work experience to ensure that the person providing the instruction or training is not a barred person.

## **PRIVATE FOSTERING**

Private fostering occurs when a child under the age of 16 (under 18 for children with a disability) is provided with care and accommodation by a person who is not a parent, person with parental responsibility for them or a relative in their own home.

A child is not privately fostered if the person caring for and accommodating them has done so for less than 28 days and does not intend to do so for longer.

If such arrangements come to the attention of Learning Opportunities, we will notify the local authority to allow the local authority to check the arrangement is suitable and safe for the child.

## **ONGOING VIGILANCE**

The proprietor committed to providing a coordinated whole school approach to safeguarding. As a school, Learning Opportunities will ensure continuous vigilance, maintaining an environment that deters and prevents abuse and which challenges inappropriate behaviour.

As part of this commitment, systems and procedures are in place that promote a culture where staff feel comfortable to discuss matters both within, and where it is appropriate, outside of the workplace, which may have implications for the safeguarding of children.

## **EXISTING STAFF**

Learning Opportunities acknowledge that there are limited circumstances where we would need to carry out new checks on existing staff. This will occur when:

- an individual working at the school moves from a post that was not regulated activity with children into work which is considered to be regulated activity with children. In such circumstances, the relevant checks for that regulated activity will be carried out.
- there has been a break in service of 12 weeks or more, or
- there are concerns about an individual's suitability to work with children.

## **DUTY TO REFER TO THE DISCLOSURE & BARRING SERVICE**

Learning Opportunities has a legal responsibility to make a referral to the DBS where we remove an individual from regulated activity (or would have removed an individual had they not left), and they believe the individual has:

- engaged in relevant conduct in relation to children and/or adults,
- satisfied the harm test in relation to children and/or vulnerable adults; or
- been cautioned or convicted of a relevant (automatic barring either with or without the right to make representations) offence.

The DBS will consider whether to bar the person.

Referrals will be made as soon as possible, when an individual is removed from regulated activity. This could include when an individual is suspended, redeployed to work that is not regulated activity, dismissed or when they have resigned. It is important that as much relevant information is provided to the DBS as possible.

Where there is any doubt as to whether a person should be referred, Learning Opportunities will consult with the LADO.

### **DUTY TO CONSIDER REFERRAL TO THE TEACHING REGULATION AGENCY**

Where Learning Opportunities dismisses or ceases to use the services of a teacher because of serious misconduct or might have dismissed them or ceased to use their services had they not left first, we will consider whether to refer the case to the Secretary of State, as required by sections 141D and 141E of the Education Act 2002.

The Secretary of State may investigate the case, and if s/he finds there is a case to answer, must then decide whether to make a prohibition order in respect of the person.

Details about how to make a referral to the TRA can be found on GOV.UK.

### **STAFF INDUCTION, TRAINING AND DEVELOPMENT**

Leadership Team members who are involved with the recruitment and employment of staff will receive appropriate safer recruitment training, which at a minimum will cover the content of KCSIE Part three.

All new members of staff, including newly qualified teachers and teaching assistants, will be given induction that includes basic safeguarding training on how to recognise signs of abuse, how to respond to any concerns, e-safety and familiarisation with the safeguarding policy, staff code of conduct, Keeping Children Safe in Education and other related policies.

There are mechanisms in place, such as safeguarding updates, to assist staff to understand and discharge their role and responsibilities as set out in Part one of Keeping Children Safe in Education.

The induction will be proportionate to roles and responsibilities.

All Designated Safeguarding Leads (DSLs) complete updated DSL safeguarding training every two years at minimum. In addition, they undertake Prevent awareness training and disseminate the training to all staff annually and at regular intervals throughout the year.

All staff members of the school will undergo face to face training (whole-school training) which is regularly updated.

The Proprietor completes training to the same level as the DSLs within the school, in addition to governor specific awareness training to equip them with the knowledge to provide strategic challenge, so they're assured safeguarding policies/procedures are effective and deliver a robust whole-school approach to safeguarding. This training is updated annually.

We will ensure that staff members provided by other agencies and third parties, e.g. supply teachers and contractors, have received appropriate safeguarding training commensurate with their roles

before starting work. They will be given the opportunity to take part in whole-school training if it takes place during their period of work for the school.

### **PROBATION PERIOD**

The first 3 months of employment will be a probationary period in order to assess newly appointed staff's suitability for the post. If it is felt that staff need additional support with their role to meet the expectations required of their practice, then their probationary period may be extended. If this is the case, staff will be notified in writing and given clear targets to work towards to successfully complete their probationary period.

### **PERFORMANCE REVIEWS**

Integral to staffing policies and procedures, Learning Opportunities undertakes reviews of the performance of staff members. This process contributes to strategic planning and identifies the individual training needs of the staff team. Performance reviews are framed within a learning and supportive environment and contribute to positive working conditions in which the work of all staff is valued.

### **RETENTION OF STAFF**

Learning Opportunities recognise that safer recruitment and selection is not just about the start of employment but should be part of a larger policy framework. We therefore provide ongoing training and support for all staff. This includes opportunities for raising concerns and for promoting a whole school culture which embraces safeguarding.

Issues will be monitored as they arise, and through the use of such strategies as exit interviews, Learning Opportunities will seek to continually improve the school environment, for the benefit of both staff and students.

### **STAFF EXITING EMPLOYMENT**

Learning Opportunities believes that when a member of staff resigns or leaves it is important that the procedure adopted continues to be as professional as at any other time of their employment. Employees are offered the opportunity to have an Exit Interview at the time of leaving and these provide a valuable source of information to help monitor the effectiveness of our employment strategies and to provide information concerning Learning Opportunities performance as an employer.

### **MONITORING**

This policy will be reviewed annually as part of Learning Opportunities policy review process. Any amendments to policy and procedures will be cascaded to all staff. Monitoring of both the recruitment process and induction arrangements will allow for future recruitment practices to be better informed.

## Appendix A            Model Invitation to Interview Letter and Checklist

Dear

Interview for the post of xxx

Further to your recent application for the post of xxxxx at Learning Opportunities, we would like to invite you to attend for interview on:

Date:

Time:

Location:

We anticipate that the interview will last approximately xxxxxx.

Directions to the school are enclosed. On arrival, please report to reception.

The purpose of the interview is to assess your suitability for the above post and give both the panel and you an opportunity to gain further information before making a successful appointment. It is also an opportunity to seek clarification on information which you have provided in your application.

The interview will also assess your suitability to work with children and will include questions relating to safeguarding and promoting the welfare of children.

IF APPLICABLE: There will also be a presentation/group exercise/data exercise/in-tray exercise (include details of the exercise, what the interviewees need to prepare, etc.)

Please confirm your attendance to [simong@learningopps.org](mailto:simong@learningopps.org)

Please complete the attached self-declaration form and bring it in a sealed envelope to the interview. Alternatively, please send via email together with the confirmation of your attendance. Please note that this post requires an enhanced DBS including barred list check.

Please bring the following original documents to interview:

Identity and Right to Work in the UK / Photographic ID

Documents will be photocopied and placed on your personal file, should you be appointed.

Academic and Professional Qualifications

You will need to provide evidence that you have obtained all the academic and professional qualifications you have claimed to have achieved. When you attend for interview, please bring with your original qualification certificates and/or copies certified by awarding institution(s).

References

Prior to interview, we will be writing to referee(s) to provide an objective assessment of your suitability to work with children and to undertake this role.

Please note that any position offered will be conditional until we have received satisfactory pre-employment checks including references, medical clearance, satisfactory DBS disclosure, verified proof of eligibility to work in the UK, proof of professional registration body and qualifications.

It is important to remember that an offer of employment cannot be made until the above documents have been received and verified.

Any information supplied by you as part of the selection process will be securely held on file.

Reasonable adjustments

If you consider yourself to have a disability, we will be pleased to make any reasonable adjustments to our recruitment process to enable you to participate fully. Please contact me on email address or phone number prior to the interview date so we can discuss your requirements.

If you have any questions please contact me via [simong@learningopps.org](mailto:simong@learningopps.org)

Finally, thank you again for applying for the post. We are looking forward to meeting you and wish you good luck.

Yours sincerely,

Enc. Directions to school

Pre-interview checklist for candidates

(IF APPLICABLE, any instructions for presentation, group work, etc.)

## Pre-Interview Checklist for Candidates

Any appointment to the school is **subject to satisfactory completion of all relevant pre-employment checks**.

Use this checklist to help you organise what you need to bring for your interview. Please remember to bring **original** documents with you.

What you need to bring	What documents are you taking?	Check off
<b>All applicants will be required to show:</b>		
1. Proof of your identity*		
2. Proof of your right to work in the UK* (see list of documents accepted)		
3. Certificates for relevant qualifications		
4. Valid up-to-date Enhanced DBS check certificate If you do not have one or it is not available for any reason, please make interviewers aware. If successful at interview, the school will ask you to complete a DBS disclosure application.		
<b>Applicants for posts where driving is a requirement will also be required to show:</b>		
5. Driving License and counterpart		

Pre Employment check	Notes – what are you taking?	Check off
<b>Applicants for Teaching posts will also be required to show:</b>		
6. QTS certificate If you do not require QTS in order to teach in a school, please provide evidence of the reason why you are exempt – see below for the list of exemptions.		

Pre Employment check	Notes – what are you taking?	Check off
7. Induction certificate  If you are exempt from needing to have satisfactorily completed statutory induction, please provide evidence of the reason why you are exempt – see below for the list of exemptions.		
<b>Applicants for Headteacher posts will also be required to show:</b>		
8. NPQH certificate, if required for the role (it is no longer a statutory requirement)		

### **Right to Work in the UK**

The [Home Office Right to Work checklist](#) shows the acceptable documents to verify an individual's right to work. Please bring the appropriate document(s) with you to your interview.

Please note that this checklist is an employers' checklist, but the lists of acceptable documents remain valid - see lists A and B on page 1.

### **Qualified Teacher Status (QTS) (Teaching posts only)**

In order to carry out specified work in a relevant school in England, teachers must hold QTS, or satisfy a requirement in the Schedule of [The Education \(Specified Work\) \(England\) Regulations 2012](#). The table below outlines these requirements as set out in the Regulations – more detail can be found in the Regulations themselves.

Private and Confidential

All information you provide will be treated as confidential and managed in accordance with relevant data protection legislation and guidance. You have a legal right to access any information held about you.

### Part One

<i>For completion by the person applying for the role.</i>	
Name of Candidate / person:	
Previous name(s) Please include date(s) each name was used (MM/YYYY)	
Address and Postcode:	
Telephone/Mobile No:	
Date of Birth:	
Gender:	
Identification ( <i>tick box below</i> ):	

### Part Two

If the role you have applied for involves frequent or regular contact with or responsibility for children you will also be required to provide a valid DBS (Disclosure and Barring Service) certificate which will provide details of criminal convictions; this may also include a Barring List check depending on the nature of the role.

<i>For completion by the individual (named in Part one):</i>	
Have you ever been known to any Children's Services department or Police as being a risk or potential risk to children?	YES / NO
<i>(if Yes, please provide further information)</i>	
Have you been the subject of any investigation and/or sanction by any organisation or body due to concerns about your behaviour towards children?	YES / NO

<i>(if Yes, please provide further information)</i>	
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
<i>(if Yes, please provide further information)</i>	
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 either:  the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended in England, Scotland and Wales. or the Rehabilitation of Offenders (Northern Ireland) Order 1978 as amended in Northern Ireland?	YES / NO
Do you have any overseas convictions?	YES / NO
<i>(if Yes, please provide further information)</i>	
Confirmation of Declaration <i>(tick box below)</i>	
<input type="checkbox"/>	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 come to the organisation's attention.
<input type="checkbox"/>	In accordance with the organisation's procedures I agree to provide a valid DBS certificate and consent to the organisation clarifying any information provided on the disclosure with the agencies providing it.
<input type="checkbox"/>	I agree to inform the organisation 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.
<input type="checkbox"/>	I understand that the information contained on this form, the results of the DBS check and information supplied by third parties may be supplied by the organisation to other persons or organisations in circumstances where this is considered necessary to safeguard other children.

<b>Signature of candidate:</b>	
<b>Print name:</b>	
<b>Date:</b>	