

## Safer Recruitment Policy

CATEGORY	<b>People &amp; Culture</b>
POLICY OWNER	<b>Director of People and Culture</b>
DATE & VERSION	<b>26.09.23 - Version 4.3</b>
APPROVED BY	<b>Principal</b>
REVIEW FREQUENCY	<b>Annual</b>

**Contents**

<b>SECTION</b>	<b>CONTENT</b>	<b>PAGE NUMBER</b>
1	Policy Purpose	3
2	Policy Statement	3
3	Policy Implementation	4
4	Related Information	5
5	Policy Measurement and Reporting	5
6	<p>Appendices</p> <ol style="list-style-type: none"> <li>1. Advertising, Recruitment &amp; Selection</li> <li>2. Pre-appointment Vetting Checks, Regulated Activity and Recording Information <ul style="list-style-type: none"> <li>- Rehabilitation of Offenders Act, DBS checks, dealing with convictions</li> <li>- Proof of identity, right to work, verification of qualifications</li> <li>- Medical fitness, Overseas Checks, Certificate of Sponsorship</li> <li>- Single Central Records, Record Retention/Data Protection</li> <li>- Contractors, Agency Workers, Volunteers, Governors</li> </ul> </li> </ol>	<p>6</p> <p>9</p>

## 1. Policy Purpose

UWC Atlantic (the College) is committed to safeguarding and promoting the welfare of all students in its care. The safer recruitment of staff and volunteers is the first step to safeguarding and promoting the welfare of young people at the College.

The College recognises that, in order to achieve these aims, it is of fundamental importance to attract, recruit and retain the highest calibre staff and volunteers who share this commitment.

The purpose of the Safer Recruitment policy is to help deter, reject or identify people who might abuse or harm young people or are otherwise unsuited to working with them at the College, by having robust and appropriate policies and procedures for appointing staff and volunteers.

Everyone working at the College is responsible for keeping young people safe by:

- Creating and maintaining a safe learning environment for young people
- Identifying wellbeing concerns and taking action to address them, where appropriate, working in partnership with outside agencies
- Developing young people's understanding, awareness and resilience through the curriculum

## 2. Policy Statement

The aims of the College's safer recruitment policy are as follows:

- To ensure that the best possible staff are recruited based on their merits, abilities and suitability for the position;
- To ensure that all candidates for positions at the College are considered equally and consistently;
- To ensure that no candidate is treated unfairly on any grounds, including race, colour, nationality, ethnic origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age;
- To ensure that the College meets its commitment to safeguarding and promoting the welfare of young people by carrying out all necessary pre-employment checks
- To ensure compliance with all relevant legislation, recommendations and guidance including statutory guidance as published;

**Wales Safeguarding Procedures;**

**National Minimum Standards for Boarding Schools 2003;**

**Independent Schools Standards (Wales) Regulations 2003;**

**\*Part 9 of Keeping Learners Safe (Welsh Government document 283/2022);**  
*This guidance replaces “Keeping Learners Safe, 2015 (158/2015) and Keeping Learners Safe, 2021 (275/2021).”*

**Prevent Duty Guidance for England and Wales;**

**Disclosure and Barring Service (DBS) guidance;**

\*Under section 157 of the Education Act 2002, proprietors of independent schools and Colleges **must have regard** to this guidance for the purpose of meeting standards set out in regulations and exercise their functions in a way that takes into account the need to safeguard and promote the welfare of children and young people.

Staff members, volunteers, governors or anyone involved in the management of an independent school will not be allowed to take up posts until all checks and enquiries required for that position have been satisfactorily completed.

Checks with the Disclosure and Barring Service will be carried out at the level appropriate to the applicant’s role in the College, usually enhanced level.

**3. Policy Implementation**

The Principal has overall responsibility for the recruitment of staff, however, the Board of Governors will ensure that they maintain an overview of the recruitment system in order to scrutinise practice and ensure all statutory checks are carried out.

Staff with responsibility for carrying out recruitment checks will ensure they have a copy of any relevant documents or take relevant reference or issue numbers from documents as proof that the document has been seen.

Details of the processes and procedures for how the policy is implemented can be found in the appendices:

1. Appendix one details the advertising, recruitment and selection process

2. Appendix two details pre-appointment Vetting Checks, Regulated Activity and Recording

#### 4. Related Information

Part 9 of the [Keeping learners safe | GOV.WALES](#)

[National Minimum Standards for Boarding Schools 2003](#)

[Independent Schools Standards \(Wales\) Regulations 2003](#)

#### 5. Policy Measurement and Reporting

The Safer Recruitment Policy is reviewed annually by the People & Culture Committee of the Board and Director of People and Culture, as part of the annual review cycle and as part of the whole College development plan. Part of this review process will consider to what extent the policy is being used as an active working document.

The policy is communicated to the school community electronically on **Every** and is available on the UWCA website.

## **Appendix 1 - Advertising, Recruitment and Selection**

### **1.1 Advertising**

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

When advertising the role, the College will make clear its commitment to safeguarding and promoting the welfare of young people and that prospective applicants are aware that appropriate safeguarding checks will be undertaken. All posts for employees, volunteers, contractors and governors require the appropriate level of Disclosure and Barring Service (DBS) check.

All documentation relating to applicants will be treated confidentially in accordance with the Data Protection Act (DPA2018).

### **1.2 Application form**

The College uses its own application form and all applicants for employment will be required to provide the following information as part of their application:

- personal details, current and former names,
- current address;
- 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;
- 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

The application form includes the applicant's declaration regarding convictions and working, which makes it clear that the post is exempt from the provisions of the Rehabilitation of Offenders Act 1974.

## Employee Handbook

All applicants should be aware that the provision of false information is an offence and could result in the application being rejected or summary dismissal from the College if employment has commenced, and a possible referral to the police and/or DBS.

It is unlawful for the College to employ anyone who is barred from working with children. The application form advises prospective applicants that it is a criminal offence to apply for the role if the applicant is barred from engaging with regulated activity relevant to children.

The College does not accept copies of curriculum vitae in place of an application form.

### 1.3 Shortlisting

The College will expect applicants 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 social care;
- have they been disqualified from providing childcare; and,
- any relevant overseas information.

This information should be provided in the form of a confidential disclosure to the Director of People and Culture. The purpose of a self-declaration is so that applicants have the opportunity to share relevant information and allow this to be discussed and considered at interview and before the DBS certificate is received.

The College will:

- ensure that at least two people carry out the shortlisting exercise ;
- consider any inconsistencies and look for gaps in employment and reasons given for them;

- explore any potential concerns;

#### **1.4 Interview and Selection**

The College will use a range of selection techniques to identify the most suitable person for the post. There will be a face to face interview wherever possible, and a minimum of two interviewers will interview the applicant. All interview panels will agree structured interview questions in advance with all candidates asked the same questions with probing from the interview panel where necessary.

One of the key purposes of the interview is to establish whether the candidate is suitable to work with children and young people. For this reason, the College will structure interviews to enable a full exploration of the candidate's knowledge, skills and experiences of teaching and/or working with children/young people as well as their attitudes and motivations to safeguarding.

The interview will also explore any unexplained gaps in employment or frequent changes of employment, any information on allegations or disciplinary actions, or any other areas of concern.

At least one member of any interviewing panel will have undertaken Safer Recruitment in Education training or refresher training as applicable. Governors involved in selection panels are also recommended to complete this training.

Students may be involved in the recruitment process in a meaningful way. Observing short listed candidates and appropriately supervised interaction through interviews is common and recognised as good practice. All student panel interviews or lesson observations should be observed by a staff member.

All information considered in decision making should be clearly recorded along with decisions made. Interview notes and qualification certificates for successful applicants will be stored on their People and Culture personal file. Interview notes and qualification certificates for unsuccessful applicants will be stored securely and destroyed 6 months following the interview.



## **Appendix 2 - Pre-appointment Vetting Checks, Regulated Activity and Recording Information**

### **2.1 Employment history and reference checks**

The purpose of seeking references is to allow the College to obtain factual information to support appointment decisions. All offers of employment will be conditional until satisfactory completion of the mandatory pre-employment checks.

All offers of employment will be subject to the receipt of two references which are considered satisfactory by the College, one of which must be from the applicant's current or most recent employer. If the current/most recent employment does/did not involve work with children and young people, then the second reference should be from the employer with whom the applicant most recently worked with children/young people.

The College will seek references for the preferred candidate following the selection process and any offer of employment will be conditional subject to receipt of satisfactory pre employment checks.

The College will:

- not accept open references e.g. to whom it may concern;
- not rely on applicants to obtain their reference;
- not accept a reference from a relative of the applicant
- ensure any references are from the applicant's current or most recent employer and have been completed by a senior person with appropriate authority;
- ensure that referees are asked if they are aware of any know reason why the applicant should not be employed to work with children or young people
- contact with each previous employer involving work with children or vulnerable adults to check the reasons employment ended and suitability to work with children and young people. (National Minimum Standards - regulation 38.2)
- 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;

## Employee Handbook

- contact referees to clarify content where information is vague or insufficient information is provided;
- explore and explain any gaps in the applicant's employment history
- compare the information on the application form with that in the reference and take up any discrepancies with the candidate;

The College will undertake checks in order to verify the following information for all new employees.

- verify the applicant'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. This will include checking the name on their birth certificate or other photographic ID including receipt of proof of current address. The College will ensure that it complies with government guidance when verifying identity.
- check the applicant's right to work in the UK which must be evidenced through documentation. Only original documentation will be accepted and its validity checked in the presence of the applicant, following government guidance.
- in the case of teaching staff, checks will be made on the applicant's academic and vocational qualifications and further checks will be made to ensure they are not prohibited from teaching under a teacher prohibition order.
- for overseas applicants, similar enquiries will be made relating to the applicant's qualifications, suitability to teach including relevant overseas criminal records checks.
- checks will be made to ensure that any member of staff or governor involved in the management of the school is not barred from doing so.
- enquiries will be made regarding the applicant's state of physical and mental health to the extent that it may affect their capacity to carry out their role.

The College will keep individual People and Culture personal files, additionally, documents used as a proof of identity, documents that provide the right to work in the UK, all pre employment and vetting checks, DBS information will be recorded in the single central record.

## 2.2 The Rehabilitation of Offenders Act 1974

The Act does not apply to positions which involve working with, or having access to learners. Therefore, any convictions, cautions and reprimands that would normally be considered “SPENT” must be disclosed when applying for a position at the College.

## 2.3 DBS checks - Definition of Regulated Activity and Frequency

Any position undertaken at, or on behalf of the College will amount to “regulated activity” if it is carried out

- Frequently, meaning once a week or more; or
- Overnight, meaning between 02.00am and 06.00 am; or
- Satisfies the “period condition”, meaning four times or more in a 30-day period; and
- Provides the opportunity for contact with young people

## 2.4 DBS Checks

In order to ensure that people who work in the College are suitable to do so and are not barred from working with children, the College will apply to the Disclosure and Barring Service (DBS) for police checks and other barred list information as part of the recruitment process.

The DBS disclosure must be obtained before the commencement of employment of any new employee or engagement of a volunteer who works directly with young people in regulated activity or has unsupervised access to young people.

The relevant DBS check will be taken out according to the role of the individual and their level of unsupervised contact with young people

Enhanced DBS checks including police information and children’s barred list information will only be taken out on individuals who are involved in regulated activity. This is defined as:

- teaching, training, instructing, caring for or supervising children/young people (including driving vehicles only)
- working in the College on a regular basis giving opportunities for contact with children (for example in an administrative role)
- engaging in intimate or personal care or healthcare within the College.

## Employee Handbook

Enhanced DBS checks with barred list checks will also be carried out on unpaid volunteers who regularly work unsupervised at the College and whose work means they have an opportunity for regular contact with children.

Other staff, contractors and supervised volunteers who have opportunities for regular contact with children or young people but do not carry out a regulated activity will be subject to an enhanced DBS check but **not** barred list checks.

The College has robust procedures for day to day staff management and supervision and clear procedures for reporting and acting on concerns.

The DBS no longer issues a Disclosure Certificate to employers, therefore, the College expects successful applicants to provide a DBS certificate as soon as practicable following the conditional offer of employment so that information on the disclosure can be considered.

The College will consider any disclosures to decide if the candidate is suitable to work with children and will take into account the number and nature of disclosures, their seriousness and when offences occurred. A risk assessment will be undertaken by the recruiting manager in conjunction with the Director of People and Culture. Decisions not to appoint following DBS disclosure will be carefully recorded giving details of how the decision was reached. Further information is contained within the Rehabilitation of Offenders Act and DBS Policy.

### **2.5 Portability of DBS Certificate Checks**

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

This allows for portability of a certificate across employees: The College will:

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

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

## 2.6 Dealing with convictions

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

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

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

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

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

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

All applicants invited to attend an interview at the College will be required to bring their identification documentation such as passport, birth certificate, driving licence etc. with them as proof of identity/eligibility to work in the UK in accordance with the Immigration, Asylum and Nationality Act 2006 and DBS identity checking guidelines.

Where an applicant claims to have changed their name by deed poll or any other means (e.g. marriage, adoption, statutory declaration) they will be required to provide documentary evidence of the change.

## Employee Handbook

In addition, applicants must be able to demonstrate that they have actually obtained any academic or vocational qualification legally required for the position and claimed in their application form.

### **2.8 Medical Fitness**

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

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

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

### **2.9 Overseas checks**

The College, in accordance with the regulations stipulated by UK Visas and Immigration (UKVI) will, if applicable, sponsor new overseas nationals (see Certificate of Sponsorship section).

In addition, applicants who have lived/worked overseas for more than 3 months will need to obtain a criminal records check/certificate of good conduct from the relevant country. The applicant will not be permitted to commence work until the overseas information has been received and is considered satisfactory by the College. Where this information is not available, the College will seek alternative methods of assessing suitability and/or undertake a risk assessment that informs decision making on whether to proceed with the appointment.

### **2.10 Certificates of Sponsorship (CoS)**

The College holds a Skilled Worker sponsorship licence with UKVI. Before any offer of employment is made, the Hiring Manager should consult with People and Culture to ensure the criteria for issuing a CoS are met.

## Employee Handbook

Only People and Culture or designated users are able to issue a CoS. In addition to the CoS the applicant must apply for entry clearance/leave to remain through the UKVI and comply with the UKVI requirements.

The process can take up to three months and staff cannot, under any circumstances, be employed until permission is given. Detailed advice on the above is available from People and Culture.

### **2.11 Single Central Record**

The College will keep a single central record of recruitment and vetting checks taken out on all staff that provide education to young people. This is kept up to date and retained by People and Culture.

The Single Central Record will contain details of the following:-

- All employees who are employed to work at the College;
- all employees who are employed as supply staff to the school whether employed directly or through an agency;
- all others who have been chosen by the school to work in regular contact with children. This will cover volunteers, governors, peripatetic staff and people brought into the College to provide additional teaching or instruction for students  
The Safeguarding Link Governor will be responsible for auditing the Single Centralised Record and reporting findings to the full Governing Body

### **2.12 Record Retention/Data Protection**

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

This documentation will be retained by the College for the duration of the successful applicant's employment with the School. All information retained on employees is kept centrally electronically in People and Culture.

### **2.13 Agency workers and contractors**

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

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

The College will ensure that any contractor, or any employee of the contractor, who is to work at the College has been subject to the appropriate level of DBS check.

In respect of contractors and sub-contractors for whom no checks have been obtained, they will not be allowed to work unsupervised without an appropriate level of supervision depending on the circumstances.

### **2.14 Volunteers**

The College will ensure that the following are carried out in relation to unpaid volunteers

#### ***For volunteers who work directly with children and young people in regulated activities***

- All volunteers will be required to undergo a recruitment process, with references, enhanced DBS with Children's Barred List and other checks and interviews carried out as appropriate and proportional to the duties assigned to them.
- The College will ensure that all volunteers are competent to carry out the duties assigned to them and are only assigned duties that are suitable to their qualification and experience.
- All volunteers will be fully inducted in relation to all College policies and procedures including the Safeguarding and Respectful Community Policy and the Employee, Volunteer and Contractor Code of Conduct
- All volunteers must undertake mandatory safeguarding training



### **2.15 For all other volunteers, the College will:**

Request an enhanced DBS disclosure and Children's Barred List information on all volunteers undertaking regulated activity with students at or on behalf of the College (the definition of regulated activity set out above will be applied to all volunteers).

Volunteers should be fully inducted in relation to all College policies and procedures including the Safeguarding and Respectful Community Policy and the Employee, Volunteer and Contractor Code of Conduct

The College will ensure no unchecked volunteers are permitted to have unsupervised contact with children or young people.

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

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

### **2.16 Checks for governors**

The College will undertake enhanced DBS checks on Governors including a barred check if an individual governor will be carrying out a regulated activity at the College. The College will also undertake checks to establish if individuals have been barred from being involved in the management of schools or Colleges. All governors will undertake mandatory safeguarding training.