

1	<b>What is safer recruitment in schools?</b>	Schools are required to have arrangements for carrying out their functions with a view to safeguarding and promoting the welfare of children under sections 175 and 157 of the Education Act 2002. Statutory Guidance Keeping Children Safe in Education (KCSIE) is provided for school to follow
2	<b>Do staff and governors have to be trained in safer recruitment?</b>	There is a requirement for at least one member of any interview panel to have completed Safer Recruitment Training The Local Authority provides training courses which are certificated by the Safer Recruitment Consortium. Please contact HR for further information.
3	<b>How do we check criminal records?</b>	The Disclosure & Barring Service (DBS) provide disclosures of criminal records via a DBS check and these checks are administered via an internal IT system which schools have access to. The Local Authority acts as the counter signatory for these DBS checks for most schools.
4.	<b>What are the different levels of DBS check?</b>	<ul style="list-style-type: none"> <li>☑ <b>Standard</b> - provides information about convictions, cautions, reprimands and warnings held on the Police National Computer, regardless of whether they are spent under the Rehabilitation of Offenders 1974. The law allows for certain old and minor offences to be filtered out;</li> <li>☑ <b>Enhanced</b> – same as standard check, plus any approved information held by the police which they feel is relevant and should be disclosed;</li> <li>☑ <b>Enhanced with barred list check</b> – where people are working or seeking to work in regulated activity with children and or/adults, this allows an additional check to be made as</li> </ul>

		<p>to whether the person appears on the children's/adults barred list.</p> <p><b>You are only legally entitled to undertake a barred list check if regulated activity will be undertaken (see definition in Keeping Children Safe in Education )</b></p> <p>Most employees in schools and some volunteers will require an Enhanced DBS check with a children's barred list check.</p>
5.	<b>What is regulated activity with children in schools?</b>	<p>Regulated activity is work that a barred person must not do. This includes work in a specified place such as a school which has opportunity for contact with children. This activity must be done frequently, i.e. once a week or more or on 4 days in a 30 day period or overnight between 2 am and 6 am (even once)). Each school/specified place is counted separately for the frequency condition. Note: This does <b>not</b> include work by <b>supervised volunteers</b>.</p> <p>For a full definition of regulated activity see the definition in Keeping Children Safe in Education.</p>
6.	<b>If a volunteer is going to be supervised at all times can a school still ask for an enhanced disclosure?</b>	<p>Yes. Although as they are supervised this would not meet the definition of regulated activity and therefore they can only have an enhanced DBS check, <b><u>without</u></b> barred list check.</p>
7.	<b>So who do we need to request an Enhanced DBS check with children's barred list check for?</b>	<p>Currently the following enhanced DBS checks (with childrens barred list check) should be made <b>as long as the staff/volunteers meet the definition of regulated activity as set out in Keeping Children Safe in Education. This would be the majority of staff working in a school setting.</b></p>

		<ol style="list-style-type: none"><li>1. Students who are required to work with children or vulnerable adults as a necessary part of a training course.</li><li>2. Contractors - Schools should ensure that any contractor, or employee of a contractor, who is to work at the school has been subject to the appropriate level of DBS check. Those engaging in regulated activity (see page 30 KCSIE 2018) will require an enhanced DBS check with barred list check. Other contractors who are not engaging in regulated activity, but whose regular work provides them with an opportunity for regular contact with children, an enhanced check (without barred list) will be required.</li><li>3. <b>All</b> new starters (employees and <b>unsupervised</b> volunteers). This is likely to include those that do not work directly with children such as administrative staff, caretakers, cleaners and kitchen staff.</li><li>4. If a person takes up new duties or moves to a new post which meets the regulated definition where it didn't previously.</li><li>5. If there are significant grounds for concern about an existing employee's suitability for working with children.</li><li>6. If a person has had a break of 3 months or more in service.</li><li>7. In the case of agency staff and supply staff, Schools must obtain written notification from any agency they use to confirm that they have undertaken the checks that the school would otherwise perform. In respect of the DBS certificate, written confirmation that the certificate has been obtained. Where the position requires a barred list check this must be obtained by the agency prior to the appointing the individual.</li></ol>
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<p>8.</p>	<p><b>Can an employee or volunteer start before an enhanced DBS is received?</b></p>	<p>If the employee or volunteer will be engaged in regulated activity they <b>cannot start</b> until:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> a check has been made on the children’s barred list which can be done by the school or the employment services team via using the DfE Sign In portal.</li> <li><input checked="" type="checkbox"/> they have had a previous enhanced DBS (including children’s barred list check) undertaken by their present employer and this is from their current address</li> <li><input checked="" type="checkbox"/> They have produced an original copy of the disclosure certificate and it is <b>clear</b>.</li> <li><input checked="" type="checkbox"/> all other pre-employment checks have been undertaken (see Safer Recruitment Guidance Note 1)</li> <li><input checked="" type="checkbox"/> There are no unexplained ‘gaps’ in employment.</li> <li><input checked="" type="checkbox"/> Original identification documents have been checked</li> <li><input checked="" type="checkbox"/> Suitable measures such as supervision can be introduced during the period whilst the disclosure is awaited.</li> <li><input checked="" type="checkbox"/> a pre DBS risk assessment form has been completed and signed by the Headteacher and the Local Authority (Mandatory in Community &amp; Voluntary Controlled Schools)</li> </ul>

9.	<b>The applicant has never had a DBS check – can they start whilst waiting for one</b>	No. Any one in an education setting working in regulated activity must have had an appropriate DBS check prior to starting work.
10.	<b>Someone has come to us from another T&amp;W school do they need another DBS?</b>	A teacher moving from maintained school to another maintained school within Telford & Wrekin <b>who has previously had a CRB/DBS check</b> will not need to be rechecked provided there has not been a break in service of 3 months or more. It will be necessary, however, to ensure that <b>all other recruitment checks</b> have been completed <b>before</b> the employee starts work in the new school.
11.	<b>What other mandatory checks are required BEFORE a person can start in post?</b>	All new appointments to the school workforce are subject to additional pre-employment checks in addition to DBS checks. These are detailed in Safer Recruitment Guidance Note 1.
12.	<b>What is the Single Central Record?</b>	<p>Each school is required to keep a Single Central Record of safer recruitment checks. This record will be checked by Ofsted during inspections.</p> <p>A template and further guidance is available in Safer Recruitment Guidance Note 1.</p> <p>This is a record of all those working within the school on any given day and details their pre-employment checks. It includes all paid staff, including those provided by third parties (ie cleaning and catering staff), tutors (including online tutors), supply/agency staff. For academies/independent schools all Trustees/members of the proprietor body should also be included and for maintained schools this should include all governors.</p>

<p>13.</p>	<p><b>What happens if someone has lived outside of the country for a period of time?</b></p>	<p>Individuals who have lived or worked overseas must have the same check as other staff.</p> <p>There is no requirement for a school to obtain an enhanced DBS certificate or carry out checks for events that may have occurred outside the UK if, during a period which ended not more than three months before the persons appointment, the applicant has worked:</p> <p>In a school in England in a post:</p> <ul style="list-style-type: none"><li><input checked="" type="checkbox"/> Which brought them regularly into contact with children or young persons; or</li><li><input checked="" type="checkbox"/> To which the person was appointed on or after the 12 May 2006 and which did not bring the person regular into contact with children or young persons; or</li><li><input checked="" type="checkbox"/> In an institution within the further education sector in England in a post which involved the provision of education which brought the person into contact with children or young persons.</li></ul> <p>However, should the above not apply then an overseas criminal records check/certificate of good conduct will be required. Guidance can be found here: <a href="http://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants">www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants</a></p> <p>EAA Checks</p> <p>Between 18 January 2016 and 31 December 2020, schools had a statutory responsibility to check that applicants for teaching posts had not been sanctioned in any other EEA nation. Access to this list (on the Teachers Services website) will no longer be possible now that the UK has left the EU.</p>
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<p><b>14.</b></p>	<p><b>Should we be undertaking online checks for applicants?</b></p>	<p>KCSIE 2022 brought in a requirement to consider online checks. This specifically stated :</p> <p>220. In addition, as part of the shortlisting process schools and colleges should consider carrying out an online search as part of their due diligence on the shortlisted candidates. This may help identify any incidents or issues that have happened, and are publicly available online, which the school or college might want to explore with the applicant at interview.</p> <p>The advice from the Safer Recruitment Consortium is that ‘should’ in statutory guidance means you should do it unless you have a good reason not to, KCSIE says ‘should consider undertaking’ not ‘should undertake’ – school leaders will need to decide whether there are any circumstances where they would not undertake online</p>

searches on shortlisted candidates. This should then be set out in the Recruitment and Selection/Safer Recruitment Policy.

Applicants should be made aware that online searches will be conducted if they are **shortlisted** (e.g. in recruitment materials, safer recruitment policy, etc). This can be included on adverts, application forms, self-disclosure form etc...We have updated our standard templates to reflect this.

An 'online search' **is not** a 'social media search' – checking someone's social media activity could lead to bias and discrimination and, ultimately, an employment tribunal.

There is no requirement to add a column to the SCR for online searches but the person completing the search should ensure the fact that the search was undertaken is recorded on the safer recruitment checklist / retained in HR file.

Our advice would be that for all recruitment from the 1.9.22 in most cases these online checks should be undertaken for those candidates that are **shortlisted**, it would seem appropriate to do this at the same time as reviewing their self-disclosure form.

This could be via a simple google search of the full name, ensuring that any information found is about that individual and not someone else with the same name. The person undertaking the search should then share relevant information with the panel so they can raise any issues with the candidate at interview. This should be documented along with responses at the interview. Remember this is only information that may affect their suitability to work with children only. If in doubt whether information is relevant then please speak to your HR Advisor for advice before sharing this any further.



		<p>In terms of who does the online check this should be someone who is not a member of the interview panel and not someone who would work closely with the candidate should they be appointed. For example, if a member of admin staff is undertaking this check and this post will work within that team someone more appropriate should undertake the check.</p>
<p><b>15.</b></p>	<p><b>Should we be asking candidates to disclose their convictions on the application form?</b></p>	<p>No – our advice alongside that of the Safer Recruitment Consortium is that these questions should not be asked at this stage of the recruitment process. This is to avoid judgements being made at the shortlisting stage.</p> <p>Shortlisted candidates should be asked to complete a self-disclosure form and submit this prior to the interview. This will then allow the panel to ask any appropriate questions at that stage. A template self-disclosure form is available on the HR SharePoint site.</p>
<p><b>16.</b></p>	<p><b>Can we see the DBS certificates of agency staff?</b></p>	<p><u>The Education (Independent School Standards) Regulations 2014</u> set out that for academies and independent schools - the agency should provide a copy of the DBS certificate at the contracting/booking stage, regardless of whether this is clear or not.</p> <p>For maintained schools – the agency should only provide a copy of the DBS certificate at the contracting stage where there have been disclosures on it. It will then be for the headteacher to determine whether they engage this worker or not. Your HR Advisor can be contacted for advice in these cases.</p>

		<p>You would <b>not</b> need to retain a copy of the DBS certificate in either cases if they were engaged for work but you should record that the DBS cert has been seen on the SCR if applicable.</p> <p>You should <b>not</b> request that the worker brings in their own DBS certificate for you to view.</p>
17.	<p><b>What should we do if you receive a notification that the DBS is not clear?</b></p>	<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> You should ask the candidate to bring in the original DBS certificate in for you to view to note the convictions listed.</li> <li><input checked="" type="checkbox"/> You should then ask them to explain the convictions in more detail in terms of the context etc and take a note of this (unless you have already done this at interview stage)</li> <li><input checked="" type="checkbox"/> Compare these convictions with those that were declared on the application (if they were) or alternatively ask them why they did not declare these at this stage and take a note of this.</li> <li><input checked="" type="checkbox"/> If you wish to progress with the recruitment process then please speak with your HR Advisor who can assist with assessing the risk level of the conviction and support you through the LA Vetting Process.</li> <li><input checked="" type="checkbox"/> In the meantime should continue to obtain all other pre-employment checks</li> <li><input checked="" type="checkbox"/> Do not confirm any offers of employment until you have had appropriate advice from HR.</li> </ul>
18.	<p><b>What about LA visiting staff/LA staff based at the school who have unsupervised regular access to children?</b></p>	<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Telford &amp; Wrekin Local Authority employees who visit schools do not carry their Disclosure &amp; Barring Service (DBS) certificate with them. However, they have official Telford &amp; Wrekin Local Authority photo identification badges which are provided to confirm to schools and other providers that they</li> </ul>

are subject to the safer recruitment checks relevant to their role. This will enable you to check that the person presenting themselves is the same as the person on whom the checks have been made.

- All T&W Local Authority employees who meet the definition of working in regulated activity with children have been through a thorough pre-employment checking process in line with Keeping Children Safe in Education, which includes an enhanced DBS check alongside a children's barred list check. This confirms that they have the suitable level of check to have unsupervised access to children and young people.
- T&W LA provides written confirmation of this to all schools on an annual basis. Should you require any further information around the DBS checks of a member of T&W LA staff, please contact the Telford & Wrekin HR Team who can confirm the status of check of any individual employee. They can be contacted on 01952 383601 or via email at [hrhelpdesk@telford.gov.uk](mailto:hrhelpdesk@telford.gov.uk).

For those schools outside of the borough of Telford & Wrekin you will need to seek confirmation from your own local authorities in respect of their employees attending your school.

19.	<b>What about contractors?</b>	<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Schools should ensure that any contractor, or employee of a contractor, who is to work at the school has been subject to the appropriate level of DBS check. Those engaging in regulated activity will require an enhanced DBS check with barred list check.</li> <li><input checked="" type="checkbox"/> Other contractors who are not engaging in regulated activity, but whose regular work provides them with an opportunity for regular contact with children, an enhanced check (without barred list) will be required.</li> <li><input checked="" type="checkbox"/> Under no circumstances should a contractor with no DBS checks be allowed to work unsupervised or engage in regulated activity.</li> <li><input checked="" type="checkbox"/> If the contractor is self-employed and they are unable to apply directly for a DBS certificate the school or the LA should consider obtaining this for them.</li> <li><input checked="" type="checkbox"/> Always check the identity of contractors and their staff on arrival on site.</li> </ul>
20.	<b>What about other visitors to school?</b>	<p>Schools do not have the power to request DBS checks or ask to see DBS certificates for visitors. Headteachers should use their professional judgement about the need to escort or supervise visitors.</p>
21.	<b>What about checks for those undertaking work experience?</b>	<p>They should be treated in the same way as volunteers.</p> <p>DBS - In most cases they would be “supervised” volunteers and therefore no barred list check would be required. You can assess</p>

		<p>whether an enhanced DBS is required (if over 16) by using the Volunteer Risk Assessment template.</p> <p>References – you should obtain at least one reference from the school they attend and any other relevant referee if possible.</p>
22.	<b>Where can I get further advice?</b>	<p>Please contact your HR Advisor directly or via the HR Helpdesk on 01952 383601 <a href="mailto:hrhelpdesk@telford.gov.uk">hrhelpdesk@telford.gov.uk</a></p>