



# Safer Recruitment

CHARITY POLICY & PROCEDURE

Document Revised:	April 2024
Ratified by Trustees:	May 2024
Next Review Date:	October 2024

### Content

The following sections are included in this policy document:

#### Introduction

1. Recruitment and Selection Policy Statement
2. Purpose
3. Aims and Objectives
4. Principles
5. Pre-recruitment Process
6. Conditional Offer of Appointment and Pre-appointment Checks
7. Probationary Period
8. Post-appointment Induction
9. Retention and Security of Records
10. Training
11. Policy Review

#### Appendix 1

Policy Statement on the Recruitment of Ex-offenders

#### Appendix 2 (a & b)

Flow Chart for DBS – Disclosure of a Conviction  
Flow Chart for DBS – Disclosure of a Caution

### Introduction

Safer recruitment is central to the safeguarding of children. Organisations that appoint employees or volunteers to work with children have a duty to safeguard and promote their welfare. This includes ensuring that the organisation adopts safer recruitment and selection procedures which prevent unsuitable individuals from gaining access to children.

This policy has been produced in line with the Department for Education (DfE) Statutory Guidance 'Keeping Children Safe in Education.' It aims to ensure we conduct safest and fairest recruitment and selection possible at all times. Safeguarding and promoting the welfare of the Charity's children are an integral factor in recruitment and selection and an essential part of creating safe environments for the children.

This policy applies to all applicants, interviewees, and new employees, including existing employees applying for an alternative role.

Talbot House Children's Charity Limited ("the Charity") expects all employees to work within the Charity's rules and procedure. All employees have a responsibility to conduct themselves in an appropriate and professional manner in accordance with the Charity's Code of Conduct and values and co-operate in the application of this procedure.

This policy and procedure does not form part of any employee's contract of employment and it may be amended at any time. The Charity may also vary this procedure, including any time limits, as appropriate in any case.

### 1. Recruitment and Selection Policy Statement

The Charity is committed to:

- Safeguarding and promoting the welfare of the children (this is our highest priority).
- Ensuring the best possible environment for the children attending our school.
- Attracting, selecting, and retaining employees who will successfully contribute to the aims of the Charity, are motivated and committed with appropriate knowledge, skills, experience, and ability to do the job.
- Ensuring no applicant is treated unfairly by reason of a protected characteristic as identified within the Equality Act 2010.

### 2. Purpose

To ensure the recruitment of employees is conducted in a fair, effective, and economic manner. To achieve this purpose, those responsible for each stage of the recruitment process will deal honestly, efficiently, and fairly with all internal and external applicants.

### 3. Aims & Objectives

To ensure that the safeguarding and welfare of the Charity's children takes place at each stage of the process and to ensure consistent and equitable approach to the appointment of all the Charity's employees.

### 4. Principles

The following principles are encompassed in this policy:

- All applicants will receive fair treatment.
- The job description and person specification are essential tools used throughout the process.
- Employees will be recruited on the basis of the knowledge, experience and skills needed for the job.
- Selection will be carried out by a panel of at least two, but usually three or more, members.
- Selection will be based on receipt of a fully completed application form, followed by short-listing and finally a minimum of one interview (sometimes more as outlined within this policy).
- Interviews will include two different personality sections (special object and speed round) that are designed to both relax the interviewee, and to get an insight into their personality.
- Some interviews may include a task, full details of which will be given prior to interview.
- All posts will be advertised; however, the Charity reserves the right to advertise internally first and / or internally and externally at the same time.
- The Disability Discrimination Act 1995 requires that reasonable adjustment is made to the recruitment process if an applicant makes the Charity aware that they have a disability. This applies to the whole recruitment process from advertisement to appointment.

### 5. Pre-recruitment Process

#### 5.1 Advertising

- The advertisement will include a statement about the Charity's commitment to safeguarding and promoting the welfare of children and reference to the need for the successful applicant to undertake an enhanced Disclosure and Barring Service (DBS) check or DBS Online Update Service check.

### 5.2 Job Description & Person Specification

- An accurate job description is required for all posts, which includes the following:
  - The main duties of the post.
  - The extent of contact and / or responsibility for children.
- A person specification, which is a profile of the necessary requirements for the post, is also required, which includes the following:
  - Essential and desirable qualifications, training, experience, knowledge, skills and abilities, and personal qualities.
  - Other requirements needed to perform the role in relation to working with children.

### 5.3 Information Packs

- All information made available to applicants should highlight the importance of the rigorous selection processes and the duty to safeguard and promote the welfare of children. It should be clear that proof of identity will be required, as well as a DBS check.
- Each applicant should be issued, have access to, or be directed to the following:
  - The Application Form (to include explanatory notes about completing the form 'Tips for Applicants').
  - The Job Description and Person Specification.
  - This **Safer Recruitment Policy**.

Other information is shared and available.

### 5.4 Application Form

- Applicants must complete an application form; this is to obtain a common set of core data. The Charity will not accept a curriculum vitae (CV) in place of an application form. This is because CVs may only contain the information that the applicant wishes to present and may omit relevant details.
- The application form and information contained within other recruitment documents listed above refer to the Charity's commitment to safeguarding. The Charity will make applicants aware that all posts involve some degree of responsibility for safeguarding children, although the extent of that responsibility will vary according to the nature of the post.
- Application forms include:
  - Identifying details of the applicant including current and former names, current address, and National Insurance Number.
  - A full history in chronological order since leaving secondary education, including periods of any post-secondary education and / or training and part-time and voluntary work as well as full time employment, with start dates, explanations for periods not in employment (or education / training) and reasons for leaving employment.
  - A history of any academic and / or vocational qualifications with details of grade achieved, awarding body and date of award.
  - A section to detail referee contact information.
  - A section for the applicant to write a detailed statement of their competencies and experience that the applicant believes showcases their suitability for the post and how they meet the essential and desirable criteria of the role.
  - A statement explaining that the post is exempt from the Rehabilitation of Offenders Act 1974.

## Safer Recruitment

- To comply with the Equality Act 2010, the date of birth is no longer included on the main application form, but added to safer recruitment form, which is retained by HR and not made available to those involved in the short-listing process.
- An area requesting any previous convictions (including spent convictions), cautions, reprimands, warnings, is included on the Safer Recruitment Form which must be submitted at time of application but is not on the application form.
- The Charity is aware that some online platforms only allow an applicant to submit their CV, however, it is always specified in the advert and so applicants who do not apply as per the advert are not guaranteed contact, however, the Charity will endeavour to contact the applicant to further request an application is completed.
- If an applicant requires additional help to complete an application form the Charity reserves the right to invite them to attend a meeting to help them complete any required documentation.
- As the position for which applicants are applying involves substantial opportunity for access to children, it is important that applicants provide the Charity with legally accurate answers. Upfront disclosure of a criminal record may not automatically debar an applicant from being appointed, see Appendix 1.
- Any unspent convictions, cautions, reprimands, or warnings must be disclosed to the Charity. Amendments to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020) provide that certain spent convictions and cautions are 'protected' and are not subject to disclosure to employers and cannot be taken into account. Guidance and criteria on the filtering of these cautions and convictions can be found on the DBS website.
- Successful applicants will be required to complete a DBS application, this is paid for by the Charity. Additionally, successful applicants should be aware that they are required to notify the Charity immediately if there are any reasons why they should not be working with children. Following receipt of the DBS the applicant must subscribe to the DBS Online Update Service which is renewed each year and paid for by the Charity during continued employment.
- 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 by the Charity (if they have been appointed), followed by possible referral to the police and / or DBS.

### 5.5 References

- Although there is no obligation for employers to provide references, the Charity aims to provide references upon request, wherever possible.
- The purpose of a reference is to obtain factual information, in confidence, from a third party to provide a factual check on a candidate's employment history, as well as other factual information to evidence time keeping, sickness absence record, general performance and development. This is to support either the selection process or appointment decisions.
- The information sought usually includes length of employment, job title, reasons for leaving etc. References may also be used to check factual evidence such as time keeping, sickness absence record, general performance and development.
- Referees will be asked to complete the Charity's pro-forma reference request.
- Details of referees are required to be completed in full on the application form. One referee should be the applicant's current (or most recent employer where unemployed).

## Safer Recruitment

- Details of the applicants direct Line Manager must be provided. Please note this must be the Head Teacher for direct school staff roles. The Charity will not accept references from colleagues.
- A second reference may be academic; however, the Charity reserves the right to contact any previous company, educational establishment and / or any other institution listed on the application form to obtain a reference.
- A minimum of two referees will be sought for each applicant who is short-listed / each new employee.
- Where an applicant is not currently working with children, but has done so in the past, an additional reference may also be obtained from that organisation in addition to the two referees provided.
- The Charity will verify all electronic references by phone call as minimum.
- References should not be accepted from relatives or friends, unless in exceptional circumstances for central staff only (this would not be accepted for direct school staff under any circumstances).
- If the applicant does not wish the Charity to take up references in advance of the interview, they should indicate this on the application form. Where a reference has not been obtained on the preferred candidate before the interview, once received it should be scrutinised and any concerns resolved satisfactorily before the applicant's appointment is confirmed.
- All referees will be provided with a copy of the job description and person specification and will be asked, amongst other things, to confirm the following:
  - The referee's relationship with the candidate, e.g. did they have a working relationship and how long has the referee known the candidate (start and end dates).
  - Confirmation of the applicants current / previous job title and final salary.
  - Whether they believe that the applicant is suitable for the job for which they have applied.
  - Whether they have any reason to believe that the applicant is unsuitable to work with children.
  - The applicant's date of employment, salary, job title, duties, reason for leaving, performance, timekeeping.
  - Whether the applicant has ever been the subject of disciplinary procedures involving issues related to the safety and welfare of children (including any in which the disciplinary sanction has expired).
  - Whether any allegations or concerns have been raised about the applicant that relate to the safety and welfare of children or their behaviour towards children.
  - Whether the referee is satisfied that the candidate is suitable to work with children / vulnerable people. If not, for details of the referee's concerns and the reason why the person might be unsuitable.
  - A further reference requested attendance record details is sent, usually following an offer of employment.
- References may be sought at any point from receipt of application form, and wherever possible, prior to an interview being held. The Charity reserves the right to seek references following interview stage pending the number of interviews. By applying for the role (at the point of submitting an application form) applicants given permission for references to be sought.

### 5.6 On receipt of references

- Each reference will be checked to ensure all questions have been answered and that answers are deemed satisfactory by the Charity.
- 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 or an allegation determined to be unfounded or did not require formal disciplinary sanctions, and in which no further issues have been raised, are less likely to cause concern than more serious or recent concerns, or issues that were not resolved satisfactorily. A history of repeated concerns or allegations over time should give cause for concern.
- Offers of employment are subject to satisfactory references (the references must be deemed satisfactory by the Charity, not the applicant). If any references sought, including any additional references, are returned, and are deemed to be unsatisfactory by the Charity, an offer of employment may be withdrawn at that time.
- References may not always be shared, please refer to the **Data Protection Policy** for more details.

### 5.7 Short-listing

- The same selection panel should short list and interview the applicant. At least one member of the panel should have undertaken safer recruitment training. Short-listing will usually be completed during a meeting of the panel.
- The Charity will short-list applicants according to the relevance and suitability of their professional attributes and personal qualities to the role. Short-listed applicants will then be invited to attend a formal interview at which their relevant skills and experience will be discussed in more detail.
- All application forms should be scrutinised to ensure:
  - They are fully and properly completed.
  - The information is consistent and does not contain any discrepancies.
  - Gaps in employment and / or training or a history of repeated changes of employment are identified.
- Incomplete applications will be rejected.
- Any anomalies, discrepancies or gaps in employment and the reasons for this should be noted, so that they can be taken up as part of the consideration of whether to short-list the applicant and / or invite them to interview. Other information such as a history of repeated changes of employment without any clear career or salary progression or a mid-career move from a permanent to temporary post will also be considered.
- All candidates should be assessed equally against the criteria contained in the person specification.

### 5.8 Interviews

- One person will be appointed as chair of the panel; this is usually the most senior member of the panel. At least one person on the appointment panel will have undertaken safer recruitment training.
- Prior to the interview the panel will meet to agree the assessment criteria and to prepare a list of questions they will ask all applicants relating to the requirements of the post. The panel will also identify any issues they wish to explore with individual applicants based on the information provided in their application form, safer recruitment form and / or within their references.



## Safer Recruitment

- The interview will assess the merits of each applicant against the job requirements and explore their suitability to work with children. No job offer will be made without a face-to-face interview. During any pandemic the Charity reserves the right to adapt the above procedures, however, it will ensure, in so far as is reasonably practicable, to continue to follow the full process despite any adaptations made (for example the need to hold interviews online may prevent face-to-face in person).
- Applicants with disabilities who are invited to interview are invited to inform the Charity of any necessary reasonable adjustments or arrangements to assist them in attending the interview. The Charity will endeavour to make any such reasonable adjustments to accommodate an interviewee's request.
- Interviews are a one or two stage process, depending on the seniority of the role, or where it is difficult to select from first interview.
- During the interview process, open ended questions will be used to explore the applicant's suitability for the post. Questions will also be asked about the applicant's attitude towards child protection and safeguarding and will request examples from the interviewee's experience rather than hypothetical responses. Questions will also explore:
  - The applicant's attitude towards children.
  - The applicant's ability to support the Charity's agenda for safeguarding and promoting the welfare of children.
  - Gaps in the applicant's employment history.
  - Concerns or discrepancies arising from the information provided by the applicants and / or a referee.
  - If the applicant wishes to declare anything in light of the requirement for an enhanced DBS check.
  - If there is an occasion when references cannot be obtained before the interview, applicants will be asked at interview if there is anything they wish to declare and / or disclose in light of the questions that will be put to their referees.
  - The applicant's motivation to work with children.
  - Ability to form and maintain appropriate relationships and personal boundaries.
  - Emotional resilience in working with challenging behaviours.
  - Attitudes to use of authority.
  - Notes made by members of the interview panel will be retained, and in the case of the successful applicant will form part of their employment records. The notes and other documentation for unsuccessful applicants will be shredded no later than six months after the date of interview.
- The interview panel will apply the same procedures to all applicants.
- Some form of photographic ID must be seen at first interview stage; however, photocopies of documents will not be taken at this stage.
- All applicants should bring with them documentary evidence of their right to work in the UK and their identity. Evidence should be as prescribed by UK Visas and Immigration and the DBS and can include a current passport, or, alternatively, a full birth certificate along with proof of national insurance number.
- All applicants must bring a document such as a utility bill or financial statement that shows the candidate's current name and address (please note they must be no more than 3 months old).
- If applicable, applicants must provide change of name documentation.
- Please note that the Charity can only accept original documentation required. Photocopies or certified copies are not sufficient.

## Safer Recruitment

- Applicants should bring documents confirming any educational and professional qualification/s. If this is not possible, written confirmation must be obtained from the awarding body. Documentation of registration with appropriate professional body.
- If successful, documents must usually be submitted within 5 days following an offer of employment, where upon copies will be taken and retained on file to complete pre-employment checks and online enhanced DBS submission.
- Notes of the applicant's interview answers should be collated and stored by the HR Department in accordance with data protection requirements.

### 5.9 The interview panel

A minimum of two people will make up the interview panel, usually three or more. At least one being safer recruitment trained, however, who sits on the panel will differ pending the role, as follows:

- Chief Executive (CEO) will usually be present at all interviews involving management level roles, administration and central employees, and the appointment of Trustees and Governors. The CEO is Safer Recruitment trained.
- The Head Teacher, and Deputy Head Teacher, are both Safer Recruitment trained, and will usually be present at all interviews involving direct school employees including kitchen and domestic employees and may have involvement in the appointment of Trustees and Governors.
- At least one Trustee will be invited to attend interviews for management level roles and may have involvement in teaching roles, where availability allows.
- A member of the HR Department will be present at all interviews (the HR Department are Safer Recruitment trained).

### 5.10 Participation of Children

- Children can make a valuable contribution to the recruitment process and their participation should be considered for key strategic and managerial posts as well as posts where staff will have a high level of responsibility for children e.g. teaching posts and other direct school staff.
- The following considerations should be taken into account in planning children's involvement:
  - The role that the children will take in the process (including how their views will be taken into account in selection and what weighting these will be given).
  - Any preparation and / or training that may be required.
  - Any required process for debriefing and feedback.

## 6. Conditional Offer of Appointment and Pre-appointment Checks

Any offer to a successful applicant will be conditional upon:

- Receipt of at least two satisfactory references (if these have not already been received).
- Verification of identity and right to work in the UK.
- Verification of current address.
- Verification of National Insurance Number.
- Verification of qualifications.
- A satisfactory enhanced DBS check, deemed appropriate by the Charity, (unless the DBS Online Update Service applies) and if appropriate, a check of the Barred List maintained by the DBS.
- A Prohibition Order Check (Teacher Status Check including General Teaching Council for England (GCTE) check, where necessary). This is for a Teacher vacancy, a check

## Safer Recruitment

that the applicant is not subject to a prohibition order issued by the Secretary of State. Teaching work is defined in The Teachers' Disciplinary (England) Regulations 2012 to encompass:

- Planning and preparing lessons and courses for children.
- Delivering and preparing lessons to children.
- Assessing the development, progress, and attainment of children.
- Reporting on the development, progress, and attainment of children.

A prohibition check is a three-point check that looks at the following:

- Teachers and others prohibited from the teaching profession
  - GTCE check
  - Teachers who have failed induction or probation
- Verification of membership of professional bodies, where appropriate.
  - Verification of successful completion of statutory induction period (for teaching posts – applies to those who obtained QTS after 7 May 1999).
  - Where the successful applicant has worked or been resident overseas such checks and confirmations as the Charity may consider appropriate so that any relevant events that occurred outside the UK can be considered.
  - Satisfactory medical fitness (health questionnaire to be completed). It is the Charity's practice that a successful applicant must complete a pre-employment health questionnaire. The information contained in the questionnaire will then be held by the Charity in strictest confidence. The 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 i.e. proposed workload, extra-curricular activities, layout of the Charity etc.
  - Confirmation from you that you are not disqualified from providing childcare under the Childcare (Disqualification) Regulations 2009 or receipt of a signed Staff Suitability Declaration form showing that you are not disqualified from providing childcare under the Childcare (Disqualification) Regulations 2009.
  - As we are a non-maintained special school (NMSS) we are not required to complete a check under section 128 of the Independent Provision in England (Prohibition on Participation in Management) Regulations 2014, however we may still do so at our discretion, where the successful applicant will be taking part in the management of the Charity, such as a Trustee, Governors or member of the Senior Management Team.
  - It is the Charity's practice that a successful applicant must complete a pre-employment health questionnaire. The information contained in the questionnaire will then be held by the Charity in strictest confidence. The 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 i.e. proposed workload, extra-curricular activities, layout of the Charity.
  - The Charity is aware of its duties under the Equality Act 2010 no job offer will be withdrawn without first consulting with the applicant, considering medical evidence and considering reasonable adjustments.
  - All checks will be:
    - Documented and retained on the personnel file (subject to certain DBS and Data Protection Act restrictions).
    - Recorded on the Charity's single central record (where applicable).
    - Followed up if they are unsatisfactory or there are discrepancies in the information received.

## Safer Recruitment

- Where the following facts are found (see list below) they will be reported to the police and / or DBS (if they are not already aware). Anyone who is barred from working with children is committing an offence if they apply for, offer to do, accept or do any work which constitutes as Regulated Activity. It is also an offence for an employer knowingly to offer work in a regulated position, or to procure work in a regulated position for an individual who is disqualified from working with children, or fail to remove such an individual from such work:
  - The candidate is found to be on the Barred Lists, or the DBS Certificate shows they have been disqualified from working with children by a Court.
  - The applicant has provided false information in, or in support of, their application.
  - There are serious concerns about an applicant's suitability to work with children.
- Employment cannot normally commence until all the checks and procedures required by this policy have been fully completed in full.

### 6.1 DBS Check

- The Charity applies for an enhanced disclosure from the DBS in respect of all positions at the Charity. The purpose of carrying out an enhanced check for regulated activity is to identify whether an applicant is barred from working with children by inclusion on the Children's Barred List and to obtain other relevant suitability information.
- Statutory Guidance Keeping Children Safe in Education sets out detailed provisions on checks and levels of supervision for staff, volunteers, contractors, and visitors in educational establishments.
- Enhanced checks will be undertaken where the activities will fall within the definition of Work with Children or Regulated Activity, as used by the DBS.

### 6.2 DBS Online Update Service

- An optional Online Update Service is operated by the DBS, designed to reduce the number of DBS checks requested.
- Instead of a DBS and / or barred lists check being necessary whenever an individual applies for a new paid or voluntary role working with children and / or vulnerable people including adults at risk, individuals can opt to subscribe to the Online Update Service. This will allow them to keep their criminal record certificate up to date, so that they can take it with them from role to role, within the same workforce.
- Where an applicant already subscribes to the DBS Update Service a DBS disclosure is not usually sought, providing the DBS Online Update Service is valid (still in date) and the Charity is able to view the information provided on the original and corresponding DBS Certificate. The Charity must be and is satisfied with the information provided on the DBS Update Service along with the DBS certificate.
- Applicants automatically give consent to the Charity to check their DBS Online Update Service records, mainly to confirm that there have not been any changes since the issue of a DBS certificate. If the applicant is offered employment and becomes an employee, by accepting the offer of employment, the employee gives consent to the Charity to check the DBS Update Service, at any time during the period of employment, to ensure there have been no changes since the issue of a disclosure certificate.
- It is a condition of continued employment with the Charity for our Employees to subscribe to the Online Update Service, this is paid for annually by the Charity. Bi-annual checks are then completed to ensure that the original DBS Certificate used for employment remains unchanged.

## Safer Recruitment

- DBS Online Service checks are treated as confidential and stored securely by the HR Department. Any copies taken of a DBS Certificate will be destroyed as soon as no longer required (not normally longer than 6 months after decision to appoint; however, note that it may be necessary to retain them for longer for inspection regimes).

### 6.3 If disclosure is delayed

Only a short period of work may be allowed under controlled conditions. The CEO, Head Teacher and HR Manager may agree to allow the new employee to commence work under a risk assessment, this will be for a short period of time only and would be under controlled conditions:

- Without confirming the appointment.
- After a satisfactory check of the barred list if the person will be working in regulated activity and all other relevant checks (including any appropriate prohibition checks) having been completed satisfactorily.
- Provided that the DBS application has been made in advance.
- With appropriate safeguards taken (for example, will not work unsupervised).
- Providing safeguards are reviewed at least every two weeks.
- Providing the new employee is informed of what these safeguards are, and they agree to work within the temporary measures.

### 6.4 Criminal Record

The Charity will make a judgement about suitability, taking into account only those offences which may be relevant to the post in question, please see Appendix 1 - Policy Statement on the Recruitment of Ex-Offenders, for more detail.

### 6.5 Childcare Disqualification

- For employees who work in childcare provision or who are directly concerned with the management of such provision, appropriate checks must be carried out to ensure that individuals are not disqualified under the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018. Further information on the employees to whom these Regulations apply, the checks that should be carried out, and the recording of those checks can be found in Statutory Guidance: Disqualification under the Childcare Act 2006.
- These 2018 Regulations remove 'disqualification by association' (living in the same household where another person who is disqualified lives or is employed) for individuals working in childcare in non-domestic settings (e.g. schools and nurseries).
- The arrangements continue to disqualify individuals working in domestic and non-domestic settings if they themselves have been found to have committed a relevant offence.

### 6.6 Checks on Overseas Employees

- The same checks should be made on overseas employees as for all other employees, (although it is not possible to conduct overseas DBS checks). A 'Certificate of Good Conduct' or equivalent should be obtained.
- Where an applicant has worked or been resident overseas for more than 3 months in the previous 5 year period, the Charity will obtain a check of the applicant's criminal record from the relevant authority in that country, and seek additional information about an applicant's conduct. Not all countries provide this service and so, in this situation, advice will be sought from the DBS. The application process for criminal records checks or

## Safer Recruitment

'Certificates of Good Character' for someone from overseas varies from country to country. For further information, see GOV.UK - Criminal records checks for overseas applicants.

- Applicants from non-EEA countries must have a Sponsorship Licence under the UK Visas and Immigration points-based system, and the employer must be registered UK Visas and Immigration to be able to issue such a Licence. For further information, see the UK Visas and Immigration website.

### 6.7 Employment Agency Workers

Where workers are temporarily placed through an agency, written confirmation should be obtained that the appropriate checks have been undertaken. If the agency worker becomes permanent all checks as outlined within this policy will be completed ahead of the start date with the Charity.

### 6.8 Workers Records

In relation to each employee appointed, a record should be kept showing:

- Written references obtained and verified by telephone. (counter signed by the HR Manager, and the Head Teacher and / or the CEO, as appropriate).
- Gaps in employment history.
- A satisfactory DBS Online Update Service check is complete (using original matching certificate), or an Enhanced DBS certificate obtained, with unique reference number and date.
- Reasons and decision to appoint despite criminal convictions (i.e. a Risk Assessment).
- Evidence of proof of identity (this will also be required for the DBS check).
- Evidence of relevant qualifications.
- Details of registration with a professional body, where appropriate.
- Confirmation of right to work in UK.
- Record of interview questions and answers.

## 7. Probationary Period

The first six months of employment will be probationary. For direct school employees and those working term time only, the probationary is only counted as the first 26 term weeks of employment i.e. it excludes any period of allocated school holidays. The probationary period may be extended at the Charity's discretion.

Probationary reviews will usually occur at month 1, 3 and 6 or term weeks 4, 12 and 26 for direct school employees.

## 8. Post-appointment Induction

There will be an induction programme for all employees appointed to the Charity regardless of previous experience.

## 9. Retention and Security of Records

The Charity will comply with its obligations regarding the retention and security of records in accordance with the DBS Code of Practice and its obligations under its **Data Protection Policy**. Copies of DBS certificates will not be retained for longer than 6 months, as outlined within this policy

### 10. Training

- All those involved in recruitment and selection of employees, including key managers and HR professionals, should have regular comprehensive safer recruitment and selection training, and read appropriate updates.
- Each interview panel should include at least one person who is suitably trained (there is typically more than one Safer Recruitment trained person on each panel).

### 11. Policy Review

This policy is non-contractual and is subject for review in line with changes to legislation and may be subject for review prior to the date shown if deemed necessary. The HR Department will be responsible for reviewing this policy.

### Appendix 1

#### Policy Statement on the Recruitment of Ex-offenders

As an organisation assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS) the Charity complies with the DBS Code of Practice: <https://www.gov.uk/government/publications/dbs-code-of-practice> and will treat all applicants for positions fairly.

The Charity undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed. We are committed to treat all people equally irrespective of age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex, trade union membership and activities, or offending background.

The Charity will make a judgement about suitability, taking into account only those offences which may be relevant to the post in question. In deciding the relevance, the following will be considered:

- The nature of the appointment.
- The nature of the offence.
- The age at which the offence took place.
- The frequency of the offence.

The Charity will make a copy of this policy statement available to all applicants at the start of the recruitment process.

A disclosure is requested for all positions within the Charity. Recruitment information will contain a statement that a DBS certificate will be requested in the event of the individual being offered the position.

We can only ask an individual about convictions and cautions that are not protected. Having a criminal record will not necessarily bar you from working with us. This will depend on the nature of the position and the circumstances and background of your offences.

The Charity select all applicants for interview based on their skills, qualifications, and experience.

Where a disclosure is to form part of the recruitment process, we encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process. We request that this information is sent under separate, confidential cover. We guarantee that this information is only to be seen by those who need to see it as part of the recruitment process. The information will be disposed of once a recruitment decision has been made, in line with our **Data Protection Policy**.

We ensure that all those in the Charity who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

At interview stage (if known), or in a separate discussion, we ensure that an open and measured discussion takes place with the applicant on the subject of any offences or other matter that might be relevant to the position.



## Safer Recruitment

Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment or dismissal.

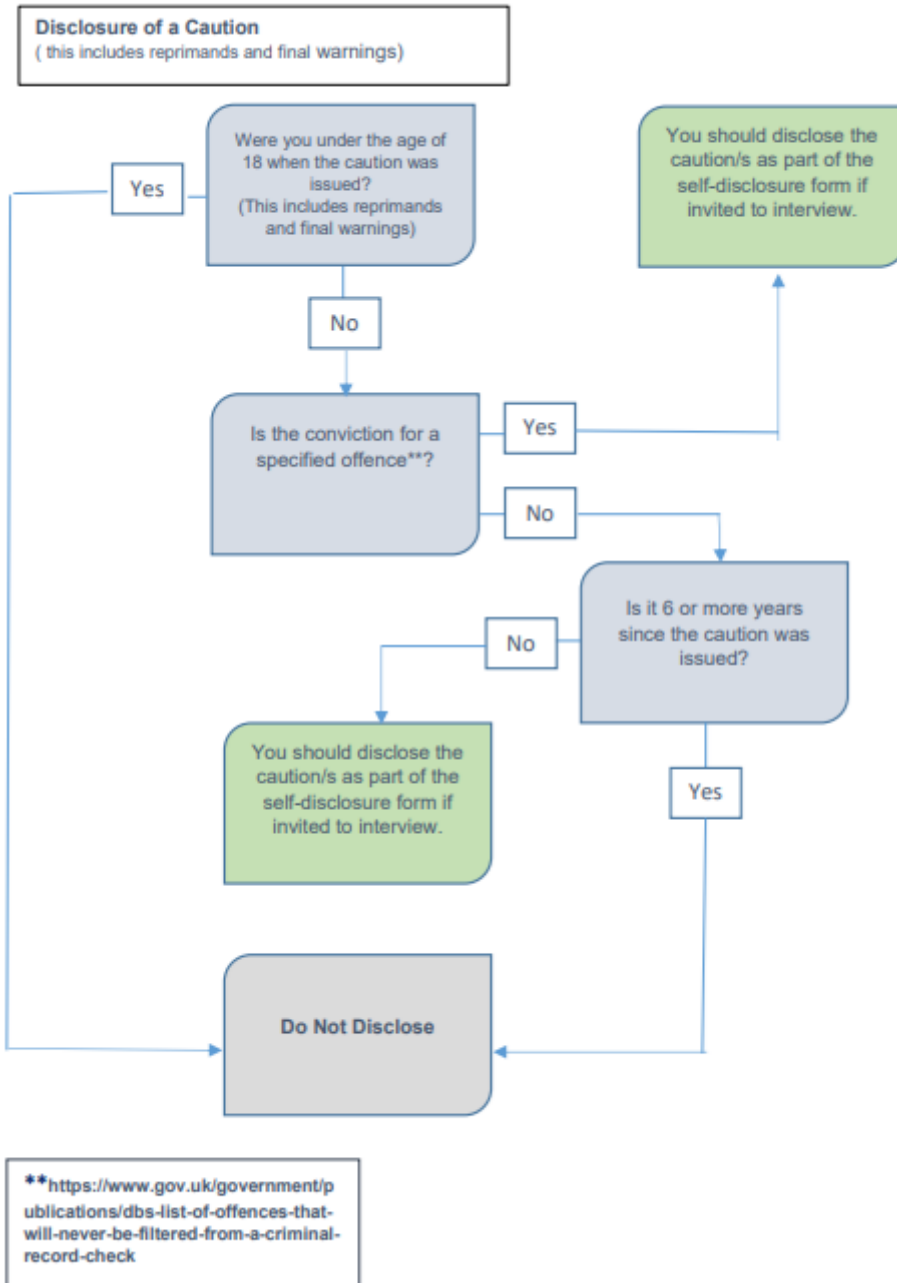
We undertake to discuss any matter revealed on a DBS certificate or disclosed on the safer recruitment form, with the individual seeking the position before withdrawing a conditional offer of employment.

Anyone who is barred from working with children is committing an offence if they apply for, offer to do, accept, or do any work constituting Regulated Activity.

It is an offence for an employer to knowingly offer employment in a regulated position, or to procure work in a regulated position for an individual who is disqualified from working with children, or fail to remove such an individual from such work.

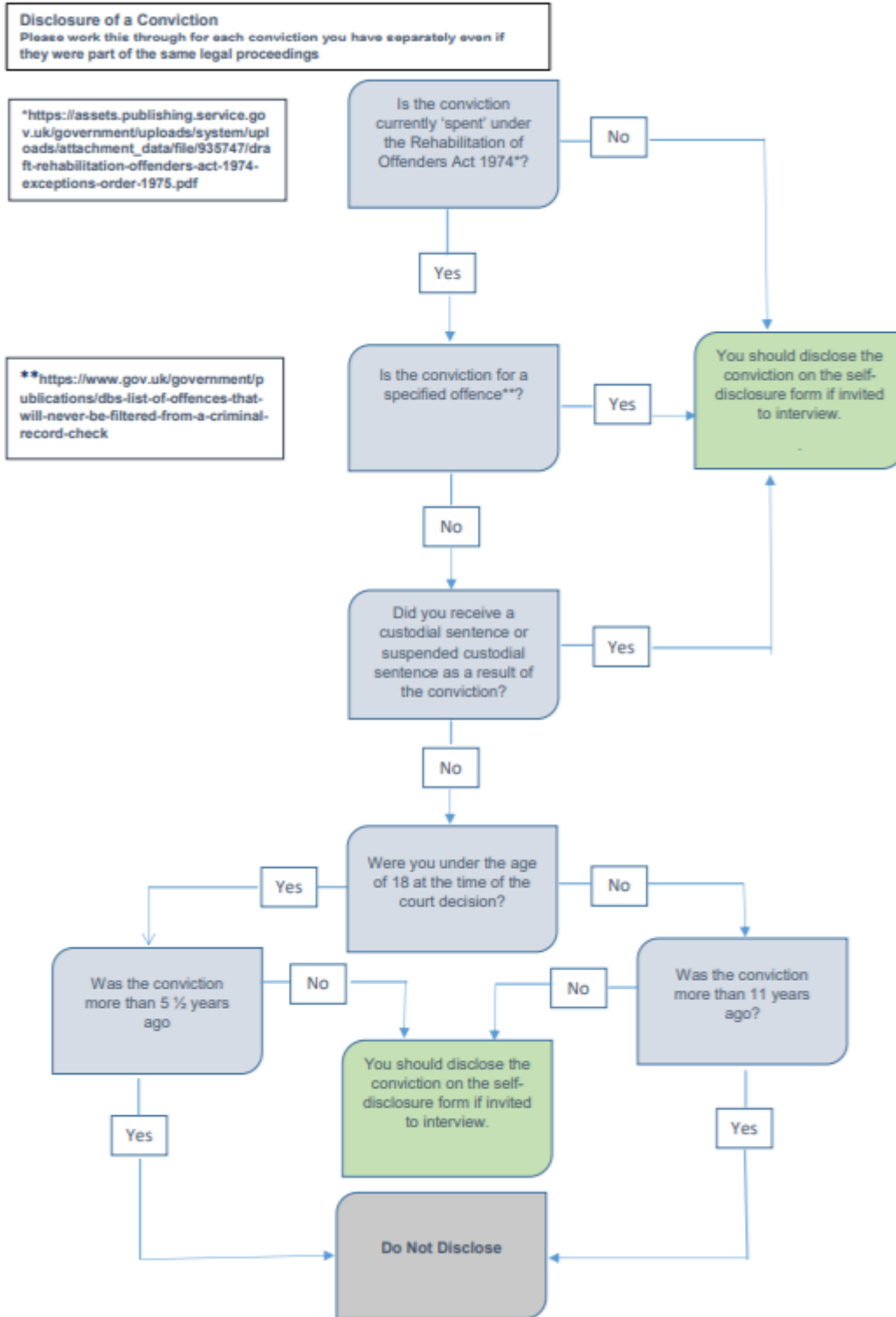
## Appendix 2 (a)

### Flow Chart – Disclosure of a Caution



## Appendix 2 (b)

### Flow Chart – Disclosure of a Conviction





I have read, understood, and acknowledge this Policy and will endeavour to follow the guidance outlined within.

Print name: \_\_\_\_\_

Job Title: \_\_\_\_\_

Department: \_\_\_\_\_

Sign: \_\_\_\_\_

Date: \_\_\_\_\_

---

Please complete full details above, once complete please return to the HR Department within 5 working days.

Please do not hesitate to contact me should you have any questions.

HR Department

Talbot House Children's Charity