

Safer Recruitment Policy

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Document Control Table

Document History			
Version	Date	Author	Note of Revisions
V1	Feb 20	R Young	First Version
V2	Nov 21	R Young	<ul style="list-style-type: none"> • Addition of Policy Control Table • Formatting according to updated policy template • Safeguarding and child protection assurances from hirers • Safer recruitment requirements strengthened • Specific safeguarding responsibilities of an available post outlined in greater detail • Only shortlisted candidates now asked for self-declaration • Physical signature required • Reference from Principal/Headteacher now explicitly required • Strengthening of safeguarding questioning • Checks on individuals who have lived or worked outside of the UK adapted following the UK's exit from the EU.
V2.1	Oct 22	R Young	<ul style="list-style-type: none"> • Addition of online checks on shortlisted candidates
V2.2	Oct 23	R Young	<ul style="list-style-type: none"> • Clarification re: Police Clearance Checks for employees who have spent time abroad • Additional checks for staff working in wraparound care • Safeguarding wording in recruitment advertising expanded • Inclusion of process regarding allegation of incidents during premises hire • Checks for volunteers amended and expanded • Trustee and AQC checks amended to include further checks on those who have lived or worked outside the UK • Changes to the checks for existing staff and requirement for annual disclosure
V2.3	Oct 24	G Timmins and E Like	<ul style="list-style-type: none"> • Updated references to updated statutory guidance / legislation. • Updated references to job titles of posts which no longer exist in the HR Team. • Created consistency in terms. • Safer recruitment training now to be completed every three years. • Removal of Appendices. • Change of policy in relation to overseas checks. • Removal of unnecessary text. • Change references to "pre-employment" to "preappointment" and clarification of procedures. • Clarification of responsibilities within pre-employment checks.
V2.4	Sep 25	G Timmins	<ul style="list-style-type: none"> • Clarified and expanded definitions within existing processes (applications, shortlisting, references, overseas checks, staff disclosures) • Strengthened procedural wording • Alignment with updated statutory guidance • No material changes to policy requirements

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About this policy

The safe recruitment of staff is the first step towards protecting and supporting learners within The Prospect Trust Academies and promoting the welfare of children and young people in education.

The Prospect Trust (The Trust) is committed to safeguarding and promoting the welfare of all children and young people within our care and requires all staff and volunteers to share and demonstrate this commitment.

The Trust seeks to deter, identify and reject candidates who may cause harm to learners within our Academies, or those who are otherwise unsuited to working in an environment with children and young people.

To achieve this the Trust will implement robust safer recruitment and selection processes and procedures and will ensure that those involved in the recruitment and employment of staff to work with children have received appropriate safer recruitment training.

This policy has been prepared in accordance with Part Three of Keeping Children Safe in Education (KCSIE) - a copy of which is available [here](#).

The terms "must" and "should" are used throughout this policy. The term "must" indicates a legal requirement to do something, and "should" indicates recommended practice, which should be followed unless there is good reason not to.

Key aims of the recruitment process

When undertaking recruitment processes, Senior HR staff and Senior Leadership Team members (SLT) members in each Trust Academy will:

- Comply with all relevant legislation, recommendations, and guidance, including:
 - Keeping Children Safe in Education (KCSIE).
 - Prevent Duty Guidance for England and Wales 2023.
 - Guidance or codes of practice published by the Disclosure and Barring Service (DBS).
- Ensure the Trust meets its safeguarding responsibilities by carrying out all necessary pre-appointment checks.
- Recruit the most suitable candidate in accordance with the Equality Act 2010, regardless of any protected characteristic.
- Promote equal and consistent treatment for all candidates, unless there is a justifiable reason for taking alternative positive action.

In addition, Senior HR staff and SLT members are expected to ensure that:

- All staff involved in recruitment are familiar with and comply with this policy.
- Recruitment and selection activities are conducted in a professional, timely, and responsive manner, compliant with employment and safeguarding legislation.
- At least one member of each recruitment panel has received appropriate safer recruitment training within the last three years.
- Consideration is given to creating a diverse recruitment panel wherever possible.
- Staff involved in recruitment declare any close personal relationship with a candidate as soon as they are aware of an application. The Academy Principal/Head will undertake a risk assessment to determine whether the staff member may continue in the recruitment process.

Recruitment and selection process

Job descriptions

This is a fundamental component of any recruitment process and the hiring manager should review it before placing an advertisement. It outlines the duties, responsibilities and expectations of the respective role and the skills, previous experience and behaviours required to deliver effective performance. All job descriptions should include a specific reference to safeguarding responsibilities.

Advertising

All vacancy adverts and candidate information packs will include:

- The Trust's safeguarding commitment statement:

The Prospect Trust is committed to safeguarding and promoting the welfare of all children and young people within our care and requires all staff and volunteers to share and demonstrate this commitment. The job description sets out the safeguarding responsibilities of the post. Any offer of appointment remains subject to satisfactory pre-appointment checks, including enhanced DBS clearance, medical fitness check, overseas checks where applicable, and references.
- The safeguarding requirements and responsibilities of the role, such as the extent to which the role will involve contact with children.
- Whether or not a role is exempt from the Rehabilitation of Offenders Act 1974 (as amended by the Exceptions Orders 1975, 2013, and 2020). For exempt roles, certain spent convictions and cautions are 'protected' and do not need to be disclosed. If a protected conviction or caution is disclosed, the Trust cannot take it into account.

Application forms

Candidates are required to complete the Trust application form for all roles. CVs alone are not acceptable.

Application forms will:

- Personal details, current and former names, current address and national insurance number.
- 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 (see below for further information), and
- General suitability for the respective post as outlined within the job description.

The application form includes a statement that confirms that the post is exempt from the provisions of the Rehabilitation of Offenders Act 1974. It is unlawful for the Trust to employ anyone that is barred from working with children and it is a criminal offence for any individual who is barred from working with children to apply for a position.

Candidates are informed within the application process that providing false information is an offence and that this could result in the rejection of their application or summary dismissal if the candidate had already commenced employment. In these circumstances, it may also be appropriate to notify the DBS and the police.

As the Trust operates an electronic application process, shortlisted candidates should physically sign a hard copy of the application at interview.

The Prospect Trust takes the control and processing of employee data very seriously and is committed to acting in line with the General Data Protection Regulations when processing candidate and employee data. An applicant privacy notice accompanies the job advertisement to ensure that candidates understand how their data is processed.

Shortlisting and online searches

The shortlisting process will involve at least two people and will:

- Consider any inconsistencies and look for gaps in employment and reasons given for them.
- Explore all potential concerns.

Shortlisted candidates will be required to:

- Complete a self-declaration of their criminal record or any information that would make them unsuitable to work with children, so that they have the opportunity to share relevant information and discuss it at interview stage. The self-declaration require candidates to confirm:
 - If they have a criminal history.
 - Whether they are included on the children's barred list.
 - Whether they are prohibited from teaching.
 - Information about any criminal offences committed in any country in line with the law as applicable in England and Wales.
 - Any relevant overseas information.
 - The information they have provided is true.

As part of the shortlisting process, an online candidate search will be undertaken as part of the due diligence process. The HR Team will be responsible for undertaking and recording this check on behalf of hiring managers and only applies to shortlisted candidates. This additional check intends to identify any incidents of concern that are publicly available online in respect to any candidate using defined search parameters.

In circumstances where an online search of a candidate name highlights information of concern that the hiring manager would not already be aware of via the candidate's application and declaration, the HR team member will share the respective information source with the hiring manager and so that the information can be explored further and considered with the candidate.

Seeking references and checking employment history

The purpose of references is to verify the information listed on the application form and to obtain objective and factual information to support the selection decision.

References should be obtained before interview, where possible. Any concerns raised will be explored further with referees and explored with the candidate.

When seeking references the Trust will:

- Not accept open references.
- Liaise directly with referees and verify any information contained within references with the referees.
- Ensure any references are from the candidate's current employer and completed by a senior person with appropriate authority. Where the referee is school or college based, the reference should be confirmed by the headteacher/principal as accurate in respect to disciplinary investigations.
- Obtain verification of the candidate's most recent relevant period of employment if they are not currently employed.
- Secure a reference from the relevant employer from the last time the candidate worked with children (if they are not currently working with children).
- Ensure electronic references originate from a legitimate source.
- Establish the reason for the candidate leaving their current or most recent post.

- Establish any current disciplinary sanctions or any disciplinary procedures related to the safety and welfare of children and young people, including any in which the sanction has expired.
- Ask the referee to provide any reason why the candidate may not be employed in a post which gives significant access to children and young people.
- Compare the information on the application form with that in the reference and take up any inconsistencies with the candidate.
- Resolve any concerns before any appointment is confirmed.

In some circumstances, it may be appropriate to obtain more than two references and to contact a previous employer not listed as a referee by the candidate. In the unlikely event that a candidate had not previously been employed or undertaken any voluntary unpaid work, a character referee could be listed for consideration.

Interview and selection

The selection process will be dependent on the requirements and seniority of the respective role. It will ordinarily include a structured interview based on the requirements outlined in the job description and person specification, with a clear safeguarding section for all roles, regardless of whether the post will undertake regulated activity. A question bank is available to support hiring managers to assess respective suitability to work with children and these should be tailored in line with each particular role. When interviewing candidates, the hiring panel will:

- Probe and discuss any gaps in employment, or where the candidate has changed employment or location frequently.
- Explore any potential areas of concern to determine the candidate's suitability to work with children.
- Record all information considered and decisions made.

Additionally, the selection process may include role specific exercises, including safeguarding scenarios as required. Candidates will receive specific information in writing before the interview.

Offer of appointment

The offer of appointment is determined by the selection panel and acceptance by the candidate is binding on both parties, subject to the satisfactory pre-appointment vetting checks, as outlined below, all of which must be deemed satisfactory by the Trust.

Pre-appointment vetting checks

The HR Team will record verified information on the relevant Trust HR databases for publication on the Single Central Record (SCR) for the Trust. Copies of these pre-appointment checks, where appropriate, will be retained on individuals' personnel file.

Any temporary, agency or supply staff are both included and removed from the SCR in line with statutory guidance (regardless of the tenure of their duties and even if for one day) and that other leavers are duly removed when their employment or engagement with the Trust ceases. The Single Central Record is reviewed termly by the Academy Principal/Trust Executive Lead and Designated Safeguarding Lead.

New staff

All offers of appointment will be conditional until satisfactory completion of the necessary pre-employment checks. When appointing new staff, The Trust will:

- Verify their identity, using checking guidelines on the gov.uk website. Birth certificates should be checked as best practice.
- Verify their right to work in the UK.

- Obtain (via the applicant) an enhanced DBS certificate, including children's barred list information where available, for those who will be engaging in regulated activity, as defined below. We will obtain the certificate before, or as soon as practicable after, appointment, including when using the DBS update service.
- Obtain a separate children's barred list check if they will start work in regulated activity before the DBS certificate is available.
- Verify any professional qualifications, as appropriate.
- Confirm their mental and physical fitness to carry out their work responsibilities.
- Ensure they are not subject to a teaching prohibition order, including any sanction or restriction imposed that remains current. Whilst this check is primarily intended for those that will be undertaking teaching, the Trust expects this check to be undertaken for all new appointments that will be undertaking regulated activity;
- For those who will be undertaking management positions, ensure that they are not subject to a prohibition from management (section 128) direction made by the Secretary of State.
- Carry out further additional checks, as appropriate, on candidates who have lived or worked outside of the UK for 3 months or more in the last 10 years, taking into account guidance issued by the Home Office. These checks could include, where available:
 - For all staff, including teaching positions: a criminal record check from the relevant authority in that country criminal records checks for overseas applicants.
 - For teaching positions: obtaining a letter from the professional regulating authority in the country where the applicant has worked, confirming that they have not imposed any sanctions or restrictions on that person, and/or are aware of any reason why that person may be unsuitable to teach.
 - Where this information is not available, alternative methods of checking suitability will be sought and a risk assessment undertaken to support decisions as to whether to proceed with an appointment. Additional references would be acceptable as alternative further checks, for example.
 - In particular circumstances a more extensive approach to these checks may be required to establish a candidate's suitability. The Trust will apply a risk based approach in such circumstances, and document and record any decisions on the individuals' personnel file.
- Carry out appropriate checks to ensure that individuals employed to work in reception classes, or in wraparound care for children up to the age of 8, are not disqualified from working in these settings under the 2018 Childcare Disqualification Regulations.

As part of the safer recruitment checking process, the HR Compliance Lead will document and escalate any areas of concern/points to note within a risk assessment. The respective Academy Principal/Trust Executive lead and Designated Safeguarding Lead must endorse this risk assessment and the associated control measures before employment commences, and will be reviewed regularly, where applicable.

Regulated activity

A person will be engaging in regulated activity with children if, as a result of their work, they:

- Will be responsible for teaching, training, instructing, caring for, or supervising children on a regular basis, defined as:
 - once a week or more, or
 - on four or more days in a 30-day period, or
 - overnight (between 2am and 6am) with the opportunity for face-to-face contact with children.

- Will be working on a regular basis in a specified establishment, such as a school or college, or in connection with the purposes of the establishment, where the work gives opportunity for contact with students.
- Engage in intimate or personal care or healthcare or any overnight activity, even if this happens only once.

Disclosure of convictions

In the event that candidates disclose any convictions on the employment declaration form or any are returned on the DBS certificate, consideration will be given to the Rehabilitation of Offenders Act 1974 and the following criteria:-

- Date of the offence.
- Details of the offence, seriousness and relevance.
- Isolated incident of history of offences.
- Change in circumstances.

A formal meeting will take place between the candidate and the Designated Safeguarding Lead and senior HR staff to establish further facts, including any relevant mitigation, for discussion with the Academy Principal. After full consideration of all information and a risk assessment surrounding the role for which the candidate is applying, the Academy Principal will make their decision and document this on the candidate file. If a candidate wishes to dispute any information outlined in the disclosure certificate they must contact the DBS directly.

If a candidate challenges a decision to withdraw an offer of employment a review will take place by HR within three working days and the candidate will receive confirmation in writing. There will be no further right of appeal.

Existing staff

In certain circumstances we will carry out all relevant checks on existing staff as if the individual was a new member of staff. These circumstances are when:

- There are concerns about an existing member of staff's suitability to work with children, or
- An individual moves from a post that is not regulated activity to one that is, or
- There has been a break in service of 12 weeks or more.

Where concerns arise in respect of an existing staff member's suitability to work with children, appropriate checks will be undertaken without delay.

Where a member of staff moves into a role involving regulated activity, full pre-appointment checks, including an enhanced DBS check with barred list information, will be carried out before they commence the new role.

Where there has been a break in service of 12 weeks or more, a new enhanced DBS check will normally be undertaken. If the individual is subscribed to the DBS Update Service, a status check may be carried out instead.

All staff are required to complete an annual declaration of ongoing suitability, confirming that since their last DBS check they have not been subject to any cautions, convictions, investigations, or other matters that could reasonably raise concerns about their suitability to work with children or young people.

In addition, all Trust staff must disclose immediately, in writing to HR, any incident, caution, conviction, allegation, investigation, or other relevant matter that could affect their suitability to work with children or young people. Such disclosure must not wait until the next annual declaration.

Any information disclosed will be subject to a risk assessment to determine whether there are implications for ongoing employment or engagement, or for undertaking regulated activity with children

and young people. It may be necessary to invite the staff member to a formal meeting to clarify matters. A confidential written record of all disclosures, the risk assessment process, meetings, decisions, and actions will be kept securely in HR.

Where there is an allegation of abuse against an adult working with children or young people in a Trust Academy, this will be dealt with in accordance with the relevant Academy Staff Code of Conduct, Safeguarding policy, Part Four of KCSIE, and Local Authority Designated Officer (LADO) procedures.

The Trust will refer to the DBS any individual who has harmed, or poses a risk of harm, to a child or vulnerable adult where:

- It is believed the individual has engaged in relevant conduct. or
- The individual has received a caution or conviction for a relevant offence (automatic barring, with or without the right to make representations, under the Safeguarding Vulnerable Groups Act 2006), or
- The 'harm test' is satisfied (i.e. the individual may harm a child or vulnerable adult or put them at risk of harm), and
- The individual has been removed from working in regulated activity (paid or unpaid), or would have been removed had they not resigned or otherwise left.

Managing other workforce groups

The below information sets out other checks that may be necessary for other workforce groups, including the Trust's responsibilities in relation to other settings.

Casual staff

Any individuals employed under casual contracts remain subject to all of the pre appointment checks outlined above before they are authorised to undertake any work within a Trust Academy.

Agency staff and third-party staff

When any Trust Academy engages staff via a third-party agency it must obtain written confirmation from the agency or third-party organisation that all of the necessary pre appointment checks that the Trust would ordinarily complete have taken place, as outlined above. Additional identity verification will take place when the individual attends work for the first time to ensure that the individual presenting themselves for work is the same individual on whom the checks were made. In the event that an enhanced DBS check prior to the person commencing any work for the Trust includes a disclosure, the Trust must obtain a copy of the certificate from the agency.

Contractors

Trust Academies must ensure that any on site contractors are subject to the appropriate level of DBS check and must obtain written confirmation that all of the necessary safer recruitment checks, as outlined above, have taken place. This will be:

- An enhanced DBS check with barred list information for contractors engaging in regulated activity.
- An enhanced DBS check, not including barred list information, for all other contractors who are not in regulated activity but whose work provides them with an opportunity for regular contact with children.

If a self-employed contractor works within a Trust Academy and undertakes regulated activity, i.e. sports coach, music coach, counsellor, as they are unable to make an application directly to the DBS the Trust will make this on their behalf and transfer this charge to the individual at their discretion. We will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006, are not subject to a teaching prohibition order or prohibition from management direction, where relevant, and two satisfactory references will be required before they can have contact with students.

Contractors who have not had any checks will not be allowed to work unsupervised or engage in regulated activity under any circumstances.

We will check the identity of all contractors and their staff on arrival at an Academy.

Trainee/Student teachers

If individuals are part of a Trust Academy workforce and paid via the payroll then the pre appointment checks should be undertaken, as outlined above.

When another training route has instead been utilised and the individual does not form part of the Academy payroll, written confirmation from the third party provider is required to confirm that all of the necessary pre appointment checks that the Trust would ordinarily complete have taken place, as outlined above, and that the trainee has been judged by the provider to be suitable to work with children.

Additional identity verification will take place when the individual attends work for the first time.

Volunteers

The types of checks undertaken for volunteers depend on whether the role they perform is considered to be regulated activity (as set out under "pre-appointment vetting checks").

Where a volunteer role falls within the definition of regulated activity:

- An enhanced DBS check including a Children's Barred List check will be undertaken before the volunteer starts their role.

Where volunteers are not engaged in regulated activity (usually because their duties are subject to regular, day-to-day supervision by a person in regulated activity):

- A risk assessment will be completed to determine the appropriate level of check. This will normally include an enhanced DBS check without barred list information.
- The risk assessment will be documented and retained within HR records.

In addition, the Academy 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:

- Formal or informal information provided by staff, parents, or other volunteers.
- References from the volunteer's place of work or other relevant source.
- Further checks where the individual has lived or worked overseas.
- An informal safer recruitment interview.
- An online search of publicly available information.

Under no circumstances will an Academy permit an unchecked volunteer to have unsupervised contact with students or be allowed to work in regulated activity.

Requests for voluntary support are subject to agreement with the Academy's Designated Safeguarding Lead and the Principal/Head before an individual attends the workplace.

All checks undertaken will be recorded on the Academy's Single Central Record. Roles will be reviewed if duties change, to ensure the appropriate level of checks remain in place.

Visitors

Reception staff within Trust Academies are responsible for registering visitors, ensuring appropriate identity checks take place and issuing temporary visitor lanyards. Academy SLT are responsible for ensuring that all staff understand the importance of registering visitors and appropriate supervision at all times.

Trustees, members and the Academy Quality Council (AQC)

All trustees, members and AQC members will have an enhanced DBS check without barred list information. They will have an enhanced DBS check with barred list information if working in regulated activity.

The Chair of the Board will have their DBS check countersigned by the secretary of state.

All trustees, members and AQC members will also have a section 128 check (to check prohibition on participation in management under section 128 of the Education and Skills Act 2008).

They will also have all other pre appointment checks, with the exception of a medical check, as outlined above.

Staff working in alternative provision settings

Where a student is placed with an alternative provision provider, written confirmation will be obtained from the provider that they have carried out the appropriate safeguarding checks on individuals working there that the Trust would otherwise perform.

Students staying with host families

Where an Academy makes arrangements for students to be provided with care and accommodation by a host family to which they are not related (for example, during a foreign exchange visit), we will request enhanced DBS checks with barred list information on those people.

Where the Academy is organising such hosting arrangements overseas and host families cannot be checked in the same way, we will work with our partner schools abroad to ensure that similar assurances are undertaken prior to the visit.

Monitoring and Evaluation

The HR Compliance & Systems Lead is responsible for reviewing this policy at the start of each academic year.

Formal audits will also take place throughout the year to enable trustees to be appropriately reassured of compliance within Trust Academies and robust safer recruitment practices.