

## LT2 Safeguarding in Recruitment Policy

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## Learning Today Leading Tomorrow Multi-Academy Trust Vision and Values

### Vision

Vision is to build a group of outstanding schools across phases, including specialist provision, to become (a mid-size) trust that provides vibrant and inclusive learning environments in which every member of the learning community is passionate about learning. The trust is led by a CEO (Chief Executive Officer) who works closely with Headteachers who lead the two schools supported by a central team to support finance, HR (Human Resources), estates and governance.

### Mission

LT2 Trust and schools will have a relentless focus on high achievement, supported by robust organisational structures and governance. We aim to give children and young people in our care the knowledge, skills and experiences to expand their minds and world view to enable them to develop a naturally inquisitive approach to learning and life, fit for an ever-changing world.

Ultimately, we will educate and support all children attending LT2 schools to grow into capable and contributing citizens who have developed the personal attributes and characteristics that will enable them to become considerate, self-reliant and confident young people who are ready for the next stage of their lives.

### Values

**Kindness** – The quality of friendliness, generosity, and consideration

**Collaboration** – The belief that working and learning with others will lead to greater success

**Curiosity** – A strong desire to know and to learn

**Resilience** – The ability to recover quickly and learn from the difficulties we face

**Respect** – To appreciate the importance of understanding and admiration for others and self, honesty

**Endeavour** – The belief that hard work is needed to achieve something of which we can be proud

### Definitions

- Where the word 'trust' is used in this document it refers to The Learning Today Leading Tomorrow Trust.
- Where the words 'trust board' are used it refers to the LT2 Board of Trustees who set the vision for the trust and hold the executive leadership team to account for delivering the trust's strategic plan.
- Where the word 'Governors' is used, this could relate to the Parent and Carer Advisory Boards (PCABs) or the Trustees

## 1. Organisation and Responsibilities

### 1.1 Introduction

This policy is designed to support Recruiting Managers in LT2 Schools to make their recruitment practices and processes safer for children.

All LT2 Schools will adopt a consistent and thorough process of safer recruitment in order to ensure that people who are unsuitable to work with children and young people are prevented from doing so. That process will include all individuals who may not have direct contact with children but who, because of their presence and familiarity in certain settings, will still be seen as safe and trustworthy.

The principles of safer recruitment will be included in the terms of any contract drawn up between an LT2 School and contractors or agencies that provide services for children and young people for whom the school is responsible. The school will monitor compliance with the contract, which will also include a requirement that the provider will not sub-contract to any personnel who have not been recruited subject to a safer recruitment process.

This policy is entitled 'Safer Recruitment and Employment' in order to highlight the importance of continued vigilance after an employee or volunteer has been appointed. Recruitment cannot and must not be the end of the matter. Although schools are safe environments for the great majority of children and the vast majority of people who work with children have children's safety and welfare at heart, schools need to promote a culture of ongoing vigilance in order to avoid complacency.

Two fundamental principles of effective safer recruitment and employment are therefore that schools will not rely on any one process in order to safeguard children; and that effective safeguarding requires robust policies for the management and supervision of staff after the recruitment phase. A comprehensive and systematic approach must therefore include policies and practices designed to:

- Deter unsuitable people from seeking employment or opportunities to volunteer to work with children and young people
- Reject applications from unsuitable people
- Prevent abuse and neglect of children by staff and volunteers
- Identify incidents of abuse and neglect by staff and volunteers
- Respond to concerns in an open and positive way
- Manage allegations in accordance with school procedures

Safer recruitment practice will therefore be applied at all stages of the recruitment and employment process including all of the following:

- Ensuring job descriptions and person specifications reflect the importance of safeguarding and define accurately the safeguarding responsibilities of the role
- Advertising and information for applicants
- A structured application process
- Scrutinising applications
- Shortlisting
- Online searches
- References
- Other checks before interview

- Interviewing short-listed candidates
- Selection of preferred candidates
- Pre-appointment checks including barred list and criminal record (DBS) checks
- Offer of appointment to successful candidates
- Induction of newly appointed staff
- Probationary periods
- Supervision and appraisal of staff
- Staff codes of conduct
- Open and listening workplace culture
- Effective whistleblowing and management of allegations policies
- Ongoing culture of vigilance
- Effective supervision and support of staff
- Provision of references

#### 1.1.1 Context

*Working Together to Safeguard Children* (DfE 2018) states that organisations including schools will have arrangements in place that reflect the importance of safeguarding and promoting the welfare of children, including:

- safe recruitment and ongoing safe working practices for individuals whom the organisation or agency permit to work regularly with children, including policies on when to obtain a criminal record check
- appropriate supervision and support for staff, including undertaking safeguarding training
- creating a culture of safety, equality and protection within the services they provide
- clear whistleblowing procedures, which are suitably referenced in staff training and codes of conduct, and a culture that enables issues about safeguarding and promoting the welfare of children to be addressed
- clear escalation policies for staff to follow when their child safeguarding concerns are not being addressed within their organisation or by other agencies

*Working Together 2018* states that schools are also responsible for:

- ensuring that their staff are competent to carry out their responsibilities for safeguarding and promoting the welfare of children
- creating an environment where staff feel able to raise concerns and feel supported in their safeguarding role
- ensuring that staff are given a mandatory induction, which includes familiarisation with child protection responsibilities and the procedures to be followed if anyone has any concerns about a child's safety or welfare
- ensuring that all practitioners have regular reviews of their own practice to ensure they have knowledge, skills and expertise that improve over time.

Volunteers recruited to work with children will be treated in the same way.

Safer practice in recruitment means thinking about and including consideration of child protection, safeguarding and promoting the welfare of children at every stage of the recruitment process and in the induction, management, development and training of staff.

Throughout the process of recruitment and selection, it is therefore important that applicants for all positions in schools working with children are aware of the school's commitment to safer recruitment and safeguarding children in general. Ensuring that safeguarding features highly in all of the organisation's processes, policies, procedures and practice sends a clear message to applicants and existing staff and volunteers and helps to deter unsuitable individuals and inappropriate behaviour.

In addition to the requirements of *Working Together 2018*, specific guidance for schools *Keeping Children Safe in Education* (DfE 2023) highlights that it is vital that as part of whole school or college approach to safeguarding, governing bodies and proprietors create a culture that safeguards and promotes the welfare of children in the school or college. As part of this culture, it is important to adopt robust recruitment procedures that deter and prevent people who are unsuitable to work with children from applying for or securing employment, or volunteering opportunities in schools and colleges. It also states that governing bodies and proprietors must act reasonably in making decisions about the suitability of prospective employees based on checks and evidence including criminal record checks (DBS checks), Barred List checks and prohibition checks, together with references and interview information.

### 1.1.2 Safer Workforce Cycle

It is helpful to think about a safer workforce cycle, which has 6 stages that operate together to make up a safer environment within organisations

- 1) Safer Recruitment
- 2) Induction
- 3) Training
- 4) Supervision and Appraisal
- 5) Managing Allegations
- 6) Determining Future Employment

### 1.2 Guidance under this Policy

The HR Officer, CEO and Headteachers are responsible for providing advice and guidance under this policy and reviewing and updating the policy as required.

### 1.3 Board of Trustees

**The LT2 Board of Trustees, as a corporate body, has the responsibility to set the strategic direction and objectives of all matters across the trust.**

The Board of Trustees is responsible for ensuring that high standards of corporate governance are maintained

The Chair of the Trust is responsible for managing the CEO, Trustees and Governors under this policy.

#### 1.4 The Chief Executive Officer (CEO)

The CEO of Learning Today Leading Tomorrow Trust (LT2):

- Takes overall responsibility for the implementation of policies and procedures
- Must provide reports as appropriate to Trustees in relation to this policy
- Ensure that sufficient resources are allocated and authorised within the organisations budget to meet statutory procedures and standards across the trust
- Is responsible for managing the Headteachers and centrally appointed staff under this policy

#### 1.5 Headteachers

Headteachers of LT2 Schools are responsible for:

- The implementation of and compliance with this policy within their school ensuring competence in those staff who are responsible for and involved in the operation of this policy and associated guidance
- Identifying training needs
- Communicating this policy to all relevant people within the school
- Managing school-based teaching and associate staff under this policy

#### 1.6 Senior and Middle Leaders (and other Supervisory Roles)

Although the Headteacher is responsible overall for the implementation of this policy in their school, managers have some specific responsibilities:

- Applying this policy within their own department and area of work
- Resolving any issues members of staff refer to them, informing the Headteacher of any issues to which they cannot achieve a satisfactory solution with the resources available to them
- Where required, conduct formal meetings, undertake relevant training in relation to this policy and ensure effective and competent operation of this policy

#### 1.7 Other Employee Duties

All employees have a responsibility to:

- Comply with this policy and to co-operate with the schools' leadership and management on all matters relating to it
- Undertake any training recommended by their Line Manager

#### 1.8 Related Policies and Procedures

- LT2 Safeguarding Statements
- School specific Safeguarding Policies
- LT2 Staff Code of Conduct

- LT2 Data Protection Policy and Privacy Notices
- LT2 Records Management and Retention Policy

### 1.9 Review

This policy will be reviewed annually.

These procedures have been agreed by the Board of Trustees, who will approve them whenever reviewed.

## 2. Safer Recruitment

The aims of the Safer Recruitment policy are to help deter, reject or identify people who might abuse students or are otherwise unsuited to working with them by having appropriate procedures for appointing staff.

### 2.1 LT2 Safer Recruitment

LT2 adopt a comprehensive and systematic approach to Safer Recruitment, our policies and practices designed to:

- **Deter** unsuitable people from seeking employment or opportunities to volunteer to work with children and young people;
- **Reject** applications from unsuitable people;
- **Prevent** abuse and neglect of children by staff and volunteers;
- **Identify** incidents of abuse and neglect by staff and volunteers;
- **Respond** to concerns in an open and positive way;
- **Manage** allegations in accordance with school/academy procedures.

### 2.2 School's Recruitment Policy

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

- to ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position;
- to ensure that all job applicants are considered equally and consistently;
- to ensure that no job applicant is treated unfairly on any grounds including race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age;
- to ensure compliance with all relevant legislation, recommendations and guidance including the statutory guidance published by the Department for Education (DfE), Keeping Children Safe in Education - September 2022 (KCSIE) and any guidance or code of practice published by the Disclosure and Barring Service (DBS); and
- to ensure that the school meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks. Employees involved in the recruitment and selection of staff are responsible for familiarising themselves with and complying with the provisions of this policy.



### 3. Recruitment and Selection Process

The Trust have a principle of open competition in its approach to recruitment and will seek to recruit the best applicant for the job. The recruitment and selection process will ensure the identification of the person best suited to the job at the school based on the applicant's abilities, qualification, experience and merit as measured against the job description and person specification. The recruitment and selection of staff will be conducted in a professional, timely and responsive manner and in compliance with current employment legislation, and relevant safeguarding legislation and statutory guidance (including KCSIE 2022 and Prevent Duty Guidance). If a member of staff involved in the recruitment process has a close personal or familial relationship with an applicant, they must declare it as soon as they are aware of the individual's application and avoid any involvement in the recruitment and selection decision-making process. The Trust aims to operate this procedure consistently and thoroughly while obtaining, collating, analysing, and evaluating information from and about applicants applying for job vacancies within Learning Today Leading Tomorrow.

Safer Recruitment covers activity from a decision to create a post or role to the successful candidate's first day working or volunteering in the position in a school.

It can be further broken down into 4 stages and activities:

- Preparation and advertisement - sending the right message to potential applicants in order to deter unsuitable applicants
- Shortlisting – rejecting unsuitable applicants
- Interview/selection process – rejecting unsuitable candidates
- Pre-employment checks – rejecting unsuitable preferred candidates

#### 3.1 Preparation and Advertisement

When a vacancy is first identified – whether a new or existing post – the first priority is to review the job description and person specification to ensure they accurately describe the role and attributes required including explicit reference to expectations in respect of safeguarding; responsibility and opportunity for contact with children in the role; attitude, motivation for working with and values towards children and young people and any specific duties in relation to the school's and Trust's safeguarding responsibilities.

Managers will clearly identify the duties of the post/role and exactly how they expect the post/role holder to perform those duties; and will ensure that the skills, abilities, experience, and behaviours required for that performance are reflected in the job description and person specification.

On the basis that safeguarding children and young people is everybody's responsibility, there can be no post or volunteer role that involves work in a school that does not contain expectations in relation to safeguarding children and young people.

Job descriptions and person specifications for specialist safeguarding roles, e.g., designated safeguarding lead, pastoral support staff, school counsellor, family support/link worker will require detailed and delineated duties and attributes that reflect the technical and vocational nature of those roles.

For other generic posts such as teachers, classroom assistants, lunchtime supervisors, administrative and support staff, appropriate wording in job descriptions would be “Contribute to the school’s responsibility to safeguard and promote the welfare of children and young people.” Appropriate wording in person specifications would be “Displays commitment to the protection and safeguarding of children and young people”.

For job descriptions and person specifications for management and leadership roles, appropriate wording would be similar but preceded by “Lead staff in fulfilling the school responsibility to ..... etc.” and “Displays understanding and leadership skills in ensuring staff maintain their commitment ..... etc.”.

Such wording not only makes explicit reference to and describes expectations but also facilitates exploration of a candidate’s suitability for the post/role in terms of their commitment to safeguarding during the selection process.

**Before the recruitment campaign for the post/role begins, schools will also ensure that:**

- there is an up-to-date recruitment and selection policy that accurately describes the process to be followed
- the school has a robust and up to date safeguarding policy and that a statement about the school commitment to safeguarding is included in all recruitment and selection materials
- the job description and person specification for the role(s) are fit for purpose as above and have been agreed with the Recruiting Manager
- an appropriate advertisement that contains all necessary information about the role, timetable for recruitment and a clear statement about the school commitment to safeguarding\* is prepared. Information including the name of the school, post title, hours of work, grade or scale, salary (actual salary for part time, permanent or fixed term (stating duration), and contact details.
- a suitable candidate information pack containing all the required information about the school, role, recruitment timetable, safeguarding and child protection policy and application form is compiled. The pack will usually include an application form, job description and person specification, information sheet about the school, the LT2 Equal Opportunities Policy, and relevant child protection policies and information about enhanced DBS checks.

When placing an advertisement for the post/role, schools will ensure that unsuitable applicants will be deterred from applying by:

- stating the school’s commitment to safeguarding \*;
- stating the need for DBS disclosures \*\*;
- sending information about the school/academy’s safeguarding policy and practices to prospective applicants.

*\* Suggested wording - “This school is committed to safeguarding and promoting the welfare of children and young people and expects all staff, volunteers and parents to share that commitment”.*

*\*\* Suggested wording - “Successful candidates will be required to undertake an enhanced DBS check with Children’s Barred List check” (see paragraphs 86 and 88 below for information about Barred List checks).*

### 3.2 Application Forms

The Trust will not accept a CV (Curriculum Vitae). Application forms will require applicants to provide all the following information:

- Personal details (current name including previous names/current address/contact details including telephone numbers, email addresses and national insurance number)
- Full history of present and past employment, salary, and reasons for leaving
- Full history since leaving school (education and employment or voluntary work)
- Explanation of any gaps in education and/or employment
- Qualifications and training (awarding body and dates)
- Details of referees (applicants are expected to nominate their current or most recent employer as their first referee)
- Personal statement to meet person specification
- Teacher status (if applicable)
- Disability and Accessibility
- Source of Vacancy
- Flexible Working
- Current DBS or registered on the Update Service
- Lived or worked outside of the UK since the age of 18
- Equality and Diversity Monitoring

Signed declaration the information given on the application and supplied with it, is correct. That the applicant is not barred from engaging in regulated activity relevant to children. and *(for relevant posts) that the candidate is not disqualified from working with children subject to the Disqualification under the Childcare Act 2006.*

Any false information given is an offence and could result in the application being rejected or in certain circumstances referred to the police, Disclosures and Barring Service or the Teaching Regulation Agency.

Applicants not shortlisted shall be advised accordingly. Applications shall be treated confidentially and in accordance with the Data Protection Act 2018.

All recruitment platforms will be re-directed to the MyNewTerm applicant tracking software. Application forms, applicant information pack and the School's/Trust's Safeguarding Policy can be downloaded from the MyNewTerm website, or the applicant can request a paper copy via the HR Officer. All advertised jobs will have a closing date.

The appointment of a new Headteacher shall be conducted by the CEO and agreed by Trustees.

### 3.3 Shortlisting

#### 3.3.1 Planning

It is essential to plan the recruitment campaign so that sufficient time is allocated for:

- Applicants to respond to the advertisement, peruse the information provided and submit an application that addresses all required areas
- Scrutinising of all applications in a systematic way by at least two members of the recruitment panel in order to agree the shortlist before sending invitations to interview
- Agreeing the selection process to include a face-to-face interview with every candidate as a minimum
- Agreeing systematic selection criteria for each aspect of the selection process, based on the person specification
- Requesting and scrutinising references for each shortlisted candidate before interview
- Planning the selection process so that all personnel, rooms and resources are available
- Ensuring that all shortlisted candidates receive the same letter of invitation to interview, supplying them with all of the necessary information.

NB wherever possible, it is useful to specify the date of interviews/selection in the advertisement to give candidates as much notice as possible to ensure their availability to attend.

#### 3.3.2 The Shortlisting Process

Schools will ensure that School Leaders and Governors who are responsible for recruiting staff and volunteers to work in the school access Safer Recruitment Training; and that at least one member of every selection panel (ideally the Recruiting Manager or chair of the panel) has accessed that training. The panel will consist of a minimum of 2 interviewers.

- At least two members of the recruitment panel will scrutinise all applications in order to draw up a shortlist. The panel will agree criteria based on the person specification against which applications will be evaluated, using an objective scoring system. Essential criteria for the post should be considered as pass/fail requirements in the shortlisting process. The overall job requirements will then be broken down into assessment criteria and then scored between 1 and 5 where 5 = excellent demonstration and 1 = no demonstration.

Shortlisting criteria must be applied consistently to all applicants.

At least one of the criteria used for shortlisting will be based on the safeguarding aspects of the person specification.

It must be emphasised that shortlisting takes time. When planning shortlisting processes, Recruiting Managers will allocate sufficient time for scrutinising a large number of applications.

When scrutinising applications, panel members will be vigilant in identifying:

- any inconsistencies;
- application forms that have not been completed fully;
- that information and evidence provided relates to the person specification and job description for the post/role;
- any gaps in the applicant's employment history or other information that need to be explored;

The shortlisting panel will ensure that applicants have provided all of the information as listed above.

While candidates may choose to submit CVs (Curriculum Vitae), these will not be accepted in lieu of a fully completed application form. A CV will be structured to provide only the information the applicant chooses to provide, whereas an application pro forma provided by My New Term, the HR Officer will tell the applicants to demonstrate how they are able to meet the requirements of the person specification and job description for the post/role.

If there is time, the shortlisting panel may choose to return incomplete applications to the applicant with an invitation to resubmit a fully completed application.

Once the shortlist of candidates has been agreed, the shortlisting panel will also need to make decisions and plan the interview/selection process. Panel members will agree what additional specific questions need to be asked of individual candidates arising from their application form, criminal background self-disclosure and references.

When DBS checks are undertaken in respect of preferred candidates at the end of the interview/selection process, it is important to compare information in the self-disclosure and the candidate's responses at interview about the self-disclosure with information on the DBS certificate and any additional information shared at the discretion of the Police.

### 3.3.3 Online Searches

In addition, as part of the shortlisting process LT2 will carry out an online search as part of our due diligence on shortlisted candidates. This may help identify any incidents or issues that have happened, and are publicly available online, which we might want to explore with the applicant at interview. Online searches are part of the shortlisting process in accordance with Keeping Children Safe in Education (KCSIE 2023). By signing the application form (see appendix 1), candidates are acknowledging that such searches will be conducted as part of our shortlisting process.

The relevance of any information gathered from such online searches will be assessed specifically in relation to the candidate's suitability to undertake the duties and responsibilities of the role for which they are applying. Every paid and unpaid role in a school must have a job description that references the job/role holder's responsibility for safeguarding and commitment to safeguarding children. Therefore, any material that brings into question the individual's capacity to safeguard and/or their commitment to safeguarding will be considered. Similarly, any current or recent behaviour that would be a breach of the school's staff behaviour policy (code of conduct) or any other school policy will be considered.

However, Schools will be careful not to discount prospective employees as a result of online activity unless there is evidence that the individual has engaged in conduct or holds beliefs that are incompatible with the requirement to safeguard children; or that would damage the reputation of the School. For example, it is unlikely to be necessary to discount candidates due to one-off comments posted or behaviour reported or depicted in the past, particularly from when the candidate was a child, or isolated 'likes' for organisations or views which could be considered extreme or curious in some way, unless there is other evidence of wider involvement in extreme or harmful activity or views which would be likely to place children at risk or bring the reputation of the school into disrepute.

It is very important that online checks are never carried out prior to shortlisting. ICO (Information Commissioner's Office) guidance on vetting prospective employees is that it will take place at as late a stage as possible in the recruitment process. If the employer considers it proportionate to undertake such checks on shortlisted candidates then no assumptions will be made or conclusions reached before interview about any information found as a result of those checks; and candidates will be given a full opportunity at interview to make representations and answer any questions about how any information of concern that may have arisen from online checks might impact upon their suitability for the role and ability to fulfil the job description and person specification.

The checks will be done by HR prior to interview, if any information is found about the candidate, HR will notify the interview panel who will explore this during the interview.

3.4 If the school decides to undertake online checks only in respect of preferred candidates after interview and in the event of an online search giving rise to a concern at that stage, the candidate would need to be invited back for a follow-up interview before a decision is made on whether to offer the role (or withdraw the offer if it has been made on a conditional basis). As above, the follow-up interview will provide the candidate with an opportunity to make representations and answer any questions about how any information of concern that may have arisen from online checks might impact upon their suitability for the role and ability to fulfil the job description and person specification.

#### Criminal Background Self-Disclosures

Schools will be aware that information about criminal records, even where volunteered, is personal data and must be processed lawfully and with regard to the candidate's right to privacy. It is likely to be unlawful to use self-disclosed information to inform shortlisting decisions.

Therefore, application forms will not contain an open disclosure section asking applicants to provide information about any criminal record. Any information provided will never be made available to members of the shortlisting panel prior to completion of shortlisting or used to inform shortlisting decisions.

Schools will therefore ensure that applicants are provided with a mechanism for submitting criminal background self-disclosures in respect of any unprotected\* criminal records in a format separate from the application form in order to ensure that the self-disclosure remains confidential until the shortlisting panel has identified the short list of candidates.

That mechanism could be a section of the application form that can be detached from the rest of the form before it is seen by the shortlisting panel; OR the applicant could be invited to submit the information in a separate sealed envelope marked '*Confidential – Disclosure*' and addressed to the chair of the recruitment panel. The detached sections of the form or sealed envelopes must then be withheld from the shortlisting panel until shortlisting decisions have been made.

The School's privacy notice for applicants will confirm the stage in the recruitment process at which the employer proposes to consider the information disclosed by the applicant, who will see it, and how that information may be used to inform recruitment decisions. *NB the Safer Recruitment Consortium (SRC) recommends consideration of criminal record self-disclosures for all shortlisted candidates before interview. ICO guidance on vetting prospective employees is that it should take place at as late a stage as possible in the recruitment process. However, it is understood that*

*consultation between stakeholders including the SRC, DfE and ICO has led to agreement that criminal record self-disclosures should be considered for all shortlisted candidates and explored at interview.*

Self-disclosure by applicants about any criminal background can play an important role in the recruitment process as it gives candidates an opportunity to share relevant information at an early stage, which can then be discussed at interview and/or considered before the DBS certificate comes back.

The purpose of criminal background self-disclosures is to:

- deter unsuitable people from applying for the post
- ensure applicants understand the information that may be revealed in a DBS check and are thus aware that the prospective employer is entitled to see that information
- give applicants an opportunity to be open, honest and demonstrate their integrity by bringing any relevant information to the prospective employer's attention in a confidential way at an early stage so that, if necessary, it can be discussed with the candidate at interview or beforehand

Schools may also choose to ask candidates the following questions as part of the self-disclosure:

- whether they have ever been the subject of a police investigation that did not lead to a criminal conviction
- whether they have ever had any allegation made against them, which has been reported to and investigated by a Children's Social Care department
- whether there has ever been any cause for concern regarding their conduct with children, young people and/or vulnerable adults

All applicants will be asked to sign a statement at the end of their application form and any self-disclosure, declaring that the information they have provided is complete and accurate. In the event that the DBS certificate subsequently reveals previously undeclared offences, this may mean that the successful candidate has been dishonest about his or her criminal background, in which case the employer, the police and/or the regulatory agency may take action against the applicant.

It must also be emphasised that a DBS certificate will still be sought even where a self-disclosure is made. Applicants may not tell the truth or the whole truth in a self-disclosure so information in the criminal record self-disclosure will be compared with information on the DBS certificate when that is received later in the process.

As a result of an amendment to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, certain old and minor convictions and cautions are no longer subject of DBS disclosures and applicants will not be asked to disclose any such convictions or cautions in their criminal record self-disclosure. This process is known as 'Filtering'.

Home Office and DfE policy requires employers to explain the effect of the exceptions to the Rehabilitation of Offenders Act and filtered or protected offences to applicants, to give them an opportunity to declare any relevant criminal record they have and to provide a signed statement that their declaration is accurate and complete.

Schools must therefore ensure that their mechanism for enabling applicants to provide criminal background self-disclosures makes it clear that applicants are not required to disclose information about offences subject to filtering. Schools will therefore include the following statement on application forms:

*The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, as amended, provides 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 Disclosure and Barring Service website.*

NB all convictions and cautions for serious violent and sexual offences remain subject of disclosure and where an individual has more than one conviction or caution, all convictions and cautions will be disclosed.

In order to assist candidates in deciding which convictions are subject of filtering, it is helpful to ask the following questions:

- Have you received more than one conviction?  
If yes, none of your convictions will be filtered.  
If no, move to 2.
- If you have only received one conviction, did you receive a custodial sentence (including a suspended sentence) for it?  
If yes, your conviction will not be filtered.  
If no, move to 3.
- Is the conviction that you received on the list of exempt offences - Check list of offences that will never be filtered [on GOV.UK website](#)  
If yes, your conviction will not be filtered.  
If no, your conviction will be filtered, subject to 4; move to 4.
- Did you receive the conviction when you were under 18 years of age?  
If yes, your conviction will be filtered after 5 and a half years of the date of conviction.  
If no, your conviction will be filtered after 11 years of the date of conviction.

In order to assist candidates in deciding which cautions are subject of filtering, it is helpful to ask the following questions:

- Is the caution that you received on the list of exempt offences? Check list of offences that will never be filtered on [GOV.UK website](#)  
If yes, your caution will not be filtered.  
If no your caution will be filtered subject to 2; move to 2.
- Did you receive the caution when you were under 18 years of age?  
If yes, your caution will be filtered after 2 years of the date of the caution  
If no your caution will be filtered 6 years after the date of the caution



### 3.5 Employment History and References

*Keeping Children safe in Education 2023* specifies that employers will always ask for written information about previous employment history and check that information is not contradictory or incomplete. It states that the purpose of seeking references is to allow the school to obtain objective and factual information to support appointment decisions.

Ideally, two professional references must be provided. References will be sought on all shortlisted candidates, **before interview**, so that any issues of concern they raise can be explored further with the referee and taken up with the candidate at interview.

References will always be obtained, scrutinised and any concerns resolved satisfactorily, before an appointment is confirmed. Requests for references will always be addressed directly to the referee.

Candidates will be expected to nominate their current employer as their first referee in order to secure the most recent information about the candidate's employment history, work performance and suitability for the post that is being recruited to.

Recruiting Managers will carefully explore with the candidate reasons for not nominating their current or most recent employer as a referee, making it very clear that it may not be possible to proceed with an appointment without an opportunity to check the candidate's suitability for the role with their most recent employer.

Candidates may request that the Recruiting Manager delays requesting a reference from a current employer until a decision about making a conditional offer of employment has been made, in order to avoid any prospective repercussions of seeking alternative employment in the event that the candidate is unsuccessful in their application. Recruiting Managers will be sensitive to such requests but will make it clear to candidates that references will be sought in due course and that it may be necessary to call them back for a further discussion about any issues arising from references prior to any formal offer of employment being made.

If a candidate for a post requiring a specific qualification (e.g., teacher) is not currently employed in that vocational role, the Recruiting Manager will check with the school or organisation at which the candidate was most recently employed in a similar role to confirm details of their employment and their reasons for leaving.

If a candidate is not currently working with children, the Recruiting Manager will seek references from previous employers where the role involved working with children.

This must be from the head of the organisation not just a supervisor, department head etc. Where an applicant is working (or worked) in a school the reference must be provided, and signed by, the Headteacher.

The recruiting School will use a standard reference pro forma that asks the same questions for all candidates with reference to the job description and person specification, which will also be provided for the perusal of referees. In addition to other information, reference pro forma will specifically ask referees whether there have been concerns about:

- any behaviour that might give rise to concern about the candidate's suitability to work with children or to fulfil the criteria of the person specification;
- any substantiated allegations about the candidate's behaviour towards children;
- any disciplinary action taken in respect of the candidate.

Upon receipt of all references, the Recruiting Manager will:

- scrutinise the reference carefully, giving active consideration to the significance of all information provided;
- check that the information provided is not contradictory or incomplete;
- check to ensure that all specific questions on the reference pro forma have been answered satisfactorily. NB. Referees will be contacted to provide further clarification as appropriate;
- compare the information provided to ensure it is consistent with the information provided by the candidate on the application form;
- confirm the specific details and responsibilities of the candidate's previous post as provided by the applicant;
- take up any discrepancies with the candidate at interview;
- if there are any anomalies or doubts about the candidate's suitability to fulfil the requirements of the role, contact the referee and explore the issues, asking the referee whether there are any reasons that would prevent them from re-employing the candidate. The Recruiting Manager will make and retain a detailed written record of all such discussions and sign the record

The school's recruitment and selection policy will make it explicit that Recruiting Managers reserve the right to contact referees directly to discuss information provided in references and clarify a candidate's suitability to fulfil the requirements of the role.

Best practice is for Recruiting Managers to contact by telephone or email to confirm that they have provided the written reference and that they have provided all available information to support a safe decision about the recruitment of the candidate. The telephone number for the referee will be obtained independently e.g., using the internet or directory enquiries and not rely on the details supplied by the candidate. All referees will be asked whether they believe the applicant is suitable for the job for which they have applied and whether they have any reason to believe that the applicant is unsuitable to work with children.

Referees will also be asked to confirm that the applicant has not been radicalised so that they do not support terrorism or any form of "extremism". In doing so the school will always have regard to the Prevent Duty Policy and the definition of "extremism" set out in KCSIE which states: *"Extremism" is vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas. Terrorist groups very often draw on extremist ideas developed by extremist organisations."*

The Trust/School has the right to ask for an additional reference. Sometimes, a reference might be unavailable or not respond in time.

All reference requests, including online requests through websites must be forwarded to the Headteacher. The reference provided will contain only factual information and will not state personal opinions about the employee's performance or conduct.

#### 3.5.1 Dangers of open references

Open references could be written by the applicant or could be the outcome of a settlement agreement with a previous employer. The Trust/Schools do not accept open references, testimonials or references from relatives.

Alternatively, an open reference may have been provided in circumstances of a workplace closing and redundancy. If a candidate provides an open reference, the Recruiting Manager will therefore ask the candidate to confirm the name and contact details of the referee so that a standard reference request with the pro forma, job description and person specification for the role can be sent to the referee as above and seek a third reference

#### 3.5.2 Internal Positions

Two references will be obtained for members of staff applying for internal positions (where an existing member of staff applies for a role or position within the school) including for:

- Internal promotions
- Position moves
- New, but not renewed, responsibility allowances

Typically, one reference will be sought from the current employer completed by a senior person with appropriate authority (e.g., Headteacher) and another with the relevant employer from the last time the applicant worked with children (if not currently working with children).

### 3.6 Interview/Selection Process

When short listing, the panel will also agree the structure of the interview and selection process. As a minimum, all candidates for posts subject to this policy will undertake a face-to-face interview with a panel consisting of at least two members. As above in the Shortlisting Process, Schools will ensure that School Leaders and Governors who are responsible for recruiting staff and volunteers to work in the school access Safer Recruitment Training; and that at least one member of every selection panel (ideally the Recruiting Manager or chair of the panel) has accessed that training.

All applicants will be interviewed by the same person or panel.

The interview will consist of an agreed framework of structured questions to be put to all candidates based upon criteria in the person specification.

As well as exploring candidates' skills, attributes to perform the role and relevant experience, every interview will include at least two value-based questions designed to explore the candidate's suitability for the role in relation to the

safeguarding criteria in the person specification. Value-based questions will be an integral part of the interview and will not merely be added after the other interview questions in a tokenistic manner. They will be used to enable panel members to explore and probe candidates' motives, attitudes and behaviours in relation to safeguarding and working with children, including how they manage challenging situations and how they establish and maintain appropriate professional boundaries when working with children.

In addition to the agreed framework of questions, the panel will ask to follow up questions to address any vagueness or areas of concern and to check its understanding in relation to candidates' attitudes towards children, child protection issues and motives for working with children

Furthermore, as highlighted above, the panel will agree and ask additional specific questions to address concerns or lack of clarity arising from individual candidates' application forms, gaps in employment history, frequent changes in employment, references, self-disclosure of any criminal history and any concerns or issues arising from any online searches that the school has decided to undertake.

The shortlisting panel will also consider whether or not any selection tools in addition to a face-to-face interview will be used. These may include meeting service users, group interview/exercise, lesson observations, written test etc.

Opportunities to observe candidates' interactions with pupils/students can be very informative in assessing their suitability for the role but the shortlisting panel will need to agree how other parts of the process in addition to the face to face interview will be assessed and scored, what weighting will be given to those scores and how the panel will receive feedback from pupils/students and other staff involved in the process.

The shortlisting panel will also give consideration to how pupils/students will be safeguarded and supported while in contact with candidates during the recruitment process.

The greater the number of candidates and the more complex the selection process, the more time, planning and organisation will be required to ensure the process runs efficiently, is safe for pupils/students and is fair to all candidates.

If it is possible to appoint an administrator to ensure the interview and selection process runs smoothly, that can be very helpful in ensuring that all candidates are greeted appropriately, appropriate instructions are provided to all candidates and candidates are escorted from one part of the process to the next at requisite times and documentation is checked and copies taken as necessary:

- The person's identity - this should be photographic (passport, driving licence)
- Utility/Phone Bill (no more than 3 months old)
- Checking the applicants name from the birth certificate (original) and/or marriage certificate, original deed poll certificate (if changed birth name)
- The person's right to work in the UK
- The person's qualifications - these should be relevant to role the applicant has applied for
- Documentation confirming their NI number
- Original qualification certificates referred to in their application form

- Most recent DBS certificate (if they have one)

The Trust/Schools will make reasonable adjustments to accommodate the particular needs of any person who has notified the Recruiting Manager of their disability within the meaning of the Equality Act 2010.

Any information in regard to past disciplinary action or allegations, convictions or cautions needs to be discussed during interview and circumstances of the individual taken into account.

Verbal job offers shall not be made during or at the end of an interview but subject to all relevant checks.

All notes taken at the interview and part of the decision-making process will be retained by the Operations Manager. These will be added to the successful candidate's personnel file. Feedback for all shortlisted candidates can be given where requested.

All information considered and decisions made will be recorded. The Trust will retain all interview notes and identification for all unsuccessful candidates for a period of 6 months, after which time the notes will be confidentially destroyed (i.e., shredded). The 6-month retention period is in accordance with the General Data Protection Regulations (GDPR)

### 3.6.1 Interviewing

The following are useful guidelines for selection panels when drawing up interview questions and conducting interviews:

- Questions and expected responses will be based on the person specification.
- Draw up a list of positive indicators, i.e., what the panel would expect a good candidate to say, and responses that would raise potential concerns. These cannot be exhaustive, will be a guide only, will be bespoke to the role and used to underpin selection decisions and as evidence of why a candidate is suitable or unsuitable for appointment.
- Use the Trust scoring system for assessing candidates' responses to all structured questions and agree the score for the candidate amongst the panel. The scoring system is between 1 and 5 where 5 = excellent demonstration and 1 = no demonstration.
- Clearly document candidates' responses and all panel decisions.
- Seek to enable every candidate to perform to the best of their ability by making them welcome, addressing comfort issues, providing clear instructions and explanations, providing typed copies of questions at the start of the interview etc.
- Ask open questions which invite longer responses, e.g., 'Tell me about...', 'Can you give me an example of...', 'How do you go about...'
- Ask to follow up questions and probe to check understanding.
- Past behaviour is a good predictor of future performance.

- Avoid questions based on hypothetical situations but questions based on real scenarios can be very useful in exploring candidates' capacity to identify issues, challenges, complexities, priorities and their own values as well as what they would actually do. If using such questions, candidates will be asked specifically to identify and discuss those issues, challenges, complexities, priorities and values in relation to how they might respond to a scenario. They will never simply be asked 'What would you do if...?'
- When asking about practice experience, ask candidates what they have actually done, what was the situation, what was the action they took, was the result an effective or ineffective outcome?
- Beware of prejudices and discrimination. Panel members will challenge each other as necessary when discussing candidates' responses after the interview.

### 3.6.2 Areas of Potential Concern

When assessing candidates' suitability to work with children based on their responses in interview, panel members will be alert to the following areas of concern about a candidate:

- No understanding or appreciation of children's needs;
- Unrealistic/unreasonable expectations of children in relation to their age and stage of development;
- Candidate wanting the role to meet their own needs at the expense of the needs of children;
- Inappropriate language when talking about children;
- Unclear boundaries with children;
- Vagueness about their experiences and gaps in employment/ information;
- Unable to provide any examples to support what they say in interview;
- Reluctance/unwillingness to work as part of a team, comply with guidelines and/or within agreed frameworks/systems.

### 3.7 Offers of Appointment

Following the interview process, a decision will be made regarding employment. This will be dependent on the required pre-employment checks (see below 3.8). A conditional offer letter will be sent to the successful candidate and unsuccessful candidates informed accordingly. All appointments are made subject to a satisfactory probationary period. Specific details shall be provided in individual terms and conditions. In the case of internal recruitment, the employee shall be sent a letter confirming the variation to their terms and conditions.

### 3.8 Pre-Employment Checks

Candidates will be asked to bring evidence of their identity on the invite to interview email and any other documents that will be required in order to process a DBS check, right to work in the UK and professional qualifications to interview.

*Keeping Children Safe in Education (DfE 2023)* requires schools to do all of the following when appointing new staff:

- Verify a candidate's identity, preferably from current photographic ID and proof of address. Identification checking guidelines can be found [here](#)
- The receipt of two references (one of which must be from the applicant's most recent employer) which the Trust considers to be satisfactory.
- Criminal Declaration Form
- Driver Declaration and Authorisation Form
- Declaration of Pecuniary Interest
- Obtain (via the applicant) an enhanced DBS certificate (including barred list information, for those who will be engaging in Regulated Activity) \*\*\*; All School/Trust employees are required to have an enhanced DBS certificate. If the applicant has registered with the DBS Update service, HR can check this rather than carrying out a new DBS check. The Trust cannot accept a DBS certificate from another provider if it is neither part of the Update Service nor an enhanced check.
- Obtain a separate Barred List check if an individual will start work in Regulated Activity before the DBS certificate is available, and complete a safeguarding risk assessment;
- Verify the candidate's mental and physical fitness to carry out their work responsibilities. A job applicant can be asked relevant questions about disability and health in order to establish whether they have the physical and mental capacity for the specific role;
- Verify the person's right to work in the UK. If there is uncertainty about whether an individual needs permission to work in the UK, then prospective employers, or volunteer managers, should follow advice [here](#)
- If the person has lived or worked outside the UK, are subject to additional criminal record checks for overseas applicants; and
- Verify professional qualifications, as appropriate. The Teacher Services' system will be used to verify any award of qualified teacher status (QTS), and the completion of teacher induction or probation.

In addition:

- Schools must ensure that a candidate to be employed to carry out teaching work\* is not subject to a prohibition order issued by the Secretary of State, or any sanction or restriction imposed (that remains current) by the GTCE before its abolition in March 2012; and
- Independent schools, including academies and free schools, must check that a person taking up a management position as described at paragraph 129 of *Keeping Children Safe in Education (DfE 2020)* is not subject to a section 128 direction\*\* made by the Secretary of State.
- Headteachers, Governors, Line Managers and staff on the Senior Leadership Team are also subject to Section 128 check through Teachers Regulations Agency.

\*\* *Keeping Children Safe in Education 2023, paragraph 260* also specifies that a section 128 direction disqualifies a person from holding or continuing to hold office as a governor of a maintained school.

\* The Teachers' Disciplinary (England) Regulations 2012 define teaching work as: planning and preparing lessons and courses for pupils; delivering lessons to pupils; assessing the development, progress and attainment of pupils; and reporting on the development, progress and attainment of pupils. These activities are not teaching work for the purposes of the regulations if the person carrying out the activity does so (other than for the purposes of induction) subject to the direction and supervision of a qualified teacher or other person nominated by the Headteacher to provide such direction and supervision.

Verification of candidates' mental and physical fitness to do the job will not take place until after the job offer has been made. Schools will need to decide how this will be undertaken, e.g., completion of a health questionnaire to be considered by the occupational health medical adviser, letter from medical practitioner. However, the key principle is that only candidates selected as suitable for employment subject to pre-employment checks will be asked to participate in this process.

Staff in roles that constitute Regulated Activity are eligible for Enhanced Disclosure and Barring Service (DBS) checks in order to establish any previous criminal convictions plus other information held by the Police that is considered relevant by the Police; along with checks of the DBS Children's Barred List to establish that an individual is not barred from working with children.

N.B. The DBS determines whether an adult will be barred from working with children or vulnerable adults. It maintains 'Barred Lists' of people barred from working with children and vulnerable adults. The two lists are not identical, but some people are on both. The DBS lists replace the lists maintained by the former Independent Safeguarding Authority. In the event that the post/role also involves work with vulnerable adults, a request for a Vulnerable Adults Barred List check would also be necessary.

The DBS also undertakes enhanced checks **without** checks of the Barred List and Standard checks, which are checks of the Police National Computer (PNC) records of convictions, cautions, reprimands and warnings only.

More information is available on the [DBS website](#).

When the DBS has completed its check of an applicant's PNC record and, if appropriate, whether or not they are on the Barred List, the relevant information will be recorded on a certificate (the DBS certificate) that is sent to the applicant. The applicant must show the DBS certificate to their potential employer before they take up post or as soon as practicable afterwards.

If a school allows an individual to start work in Regulated Activity before the DBS certificate is available, then they will ensure that the following procedures will be put in place:

- A barred list check will have taken place.
- All other checks must be complete.
- Risk assessment carried out.
- A member of the support staff will be assigned to shadow them for safeguarding purposes.
- A review will take place each week with the relevant SLT (Senior Leadership Team) staff to check the status



\*\*\* NB *Keeping Children Safe in Education* specifies that there is no requirement for a school to obtain an enhanced DBS certificate if, during a period which ended not more than three months before the applicant's appointment, the applicant has worked in a school in England in a post which brought them regularly into contact with children or young persons. However, if a decision is made not to obtain an enhanced DBS certificate, the school must still obtain a separate Barred List check.

**If an employer knows or has reason to believe that an individual is on the Children's Barred List, it commits an offence if it allows the individual to carry out any form of Regulated Activity. There are penalties of up to five years in prison if a barred individual is convicted of attempting to engage or engaging in such work.**

### 3.8.1 Regulated Activity

The full legal definition of regulated activity is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012. HM Government have produced a [\*factual note on Regulated Activity in relation to Children\*](#).

Regulated Activity includes:

- (a) teaching, training, instructing, caring for (see (c) below) or supervising children if the person is unsupervised, or providing advice or guidance on well-being, or driving a vehicle only for children,
- (b) work for a limited range of establishments (known as 'specified places', which include childcare settings, schools and colleges), with the opportunity for contact with children, but not including work done by supervised volunteers
- Work under (a) or (b) is a regulated activity only if done regularly, i.e., once per week or four times in a 30-day period. In addition, work under (a) is always regulated activity if it is ever undertaken between 2.00 a.m. and 6.00a.m. Some activities are always regulated activities, regardless of their frequency or whether they are supervised or not. These include:
  - (c) relevant personal care, or health care provided by or provided under the supervision of a health care professional

*personal care* includes helping a child - for reasons of age, illness or disability - with eating or drinking; or in connection with toileting, washing, bathing and dressing

*health care* means care for children provided by, or under the direction or supervision of, a regulated health care professional.

### 3.8.2 Volunteers, Visitors, Governors and Trustees

Any volunteer role in a school that gives the individual undertaking the role unsupervised contact with children is deemed to be Regulated Activity and will therefore be subject to the same level of pre-employment checks including DBS checks with a Barred List check as an employed role.

: All Governors, Trustees and visitors will complete:

- An Enhanced DBS check;
- Right to work in the UK check

- Photographic ID check
- Prohibition from management check
- Overseas check (if applicable)
- Barred list if they are going to work in regulated activity
- Prohibition from teaching if they are going to carry out a teaching role

The school often has visiting speakers or guests in school who enhance the teaching programme. The school office keeps a list of those who have visited school for these purposes. Prior to the visit to the school, we check that the person is suitable to work with the children. Upon arrival, an ID check will be done and if the visitor has a DBS for the company, they are representing this will also be checked. Visitors will be signed in under normal procedures and will be advised of safeguarding protocols and fire evacuation procedures. All visitors who are not part of the school staff will be escorted by a teaching support member of staff during their visit.

### 3.8.3 Agency and Third-Party Staff

Schools that allow staff from third-party organisations (e.g. health professionals, peripatetic specialist teachers) to have regular direct contact with children on their premises and/or use the services of staff who are employed by external agencies (e.g. bank staff, supply teacher agencies) to care for or teach children must obtain **written notification** from the third-party organisation or agency that it:

- operates a safer recruitment policy and
- has carried out the checks on the individual who will be working at the setting/school/college that the setting/school/college would otherwise perform. Those checks must include a Barred List check prior to the individual commencing work at the setting/school/college.

Schools must also check that the person presenting themselves for work is the same person on whom the checks have been made.

### 3.8.4 Contractors

Schools who commission contractors to undertake work on site when children are present must ensure that any contractor, or any employee of the contractor, has been subject to the appropriate level of DBS check.

Schools will first need to determine whether the contractor and/or the contractor's employees will be engaging in Regulated Activity in order to decide what checks are required. Contractors engaging in Regulated Activity will require an enhanced DBS certificate (including Barred List information).

For all other contractors who are not engaging in Regulated Activity, but whose work provides them with an opportunity for regular contact with children, an enhanced DBS check (not including Barred List information) will be required.

In considering whether the contact is regular, it is irrelevant whether the contractor works on a single site or across a number of sites.

The key questions to ask in order to ascertain whether or not checks are required are:

- Does the activity give the opportunity for contact with children?
- Is the activity carried out regularly or frequently (i.e., once per week or more or on more than three days in a 30-day period)?

Schools must obtain written notification from the contractor that they have carried out DBS checks at the appropriate level and also that the contractor has seen their employees' DBS certificates. It is not necessary for the school to see the DBS certificate of an individual that the school does not employ.

Schools will ensure that contractors and their employees for whom appropriate DBS checks have not been undertaken are supervised at all times if they are going to have contact with children.

If a self-employed contractor has contact with children, the school will consider obtaining the DBS check because self-employed people are not able to make an application directly to the DBS on their own account.

Schools will always check the identity of contractors and their employees on arrival at the school.

### 3.8.5 Staff Transferred under TUPE

The school will check that where staff are transferred under TUPE, information will be passed to the new employer and a note made on the register that details have been accepted under TUPE

### 3.8.6 Relevance of criminal records

When assessing applicants' criminal records both in self-disclosures and DBS certificates, Recruiting Managers will consider any offences in terms of:

- nature, seriousness and relevance to the role applied for;
- how long ago the offence occurred;
- if it was a one-off or part of a history;
- circumstances of the offence being committed;
- changes in the applicant's personal circumstances since the conviction;
- country of conviction;
- subsequent decriminalisation of the offence;
- remorse and the applicant's sense of responsibility.

*Keeping Children Safe in Education 2022* specifies that schools must maintain a single central record (SCR) of pre-appointment checks. The checks are specified in regulations which are set out in *KCSiE (Keeping Children Safe in Education)*. The single central record must cover:

- all staff, including teacher trainees on salaried routes, agency and third-party supply staff who work at the school; and
- for independent schools, all members of the proprietor body. In the case of academies and free schools, this means the Members and Trustees of the Academy Trust.

*KCSiE* specifies the **minimum information** that must be recorded. The templates depicted in Appendices 1 and 2 cover all of the minimum information and are readily available from Warwickshire County Council. There are a number of available SCR templates for schools to use and *KCSiE* is not prescriptive about the format of the SCR. It can be kept in paper or electronic form. Whilst there is no statutory duty to include on the SCR details of any other checks, schools and colleges are free to record any other information they deem relevant. For example, checks for childcare disqualification, volunteers, and safeguarding and safer recruitment training dates. *KCSiE* also states that schools and colleges may also wish to record the name of the person who carried out each check.

It is important to emphasise that *KCSiE* states that for agency and third-party supply staff, schools and colleges must also include in the SCR whether written confirmation has been received that the employment business supplying the member of supply staff has carried out the relevant checks and obtained the appropriate certificates, and the date that confirmation was received and whether any enhanced DBS certificate check has been provided in respect of the member of staff. **This does not mean that schools will ask or expect to see the DBS certificate of an individual that the school does not employ.** The written confirmation is sufficient, along with checking that the individual presenting themselves for work at the school is the same person on whom the checks have been made.

In addition to the various staff records kept in Trust and on individual personnel files, each School within the Trust and the Central Trust office, will maintain a Single Central Record, containing details of the following

- all employees who are employed to work at the individual school or central Trust office;
  - all employees who are employed as supply staff whether employed directly or through an agency;
  - all others who have been chosen by the School/Trust to work in regular contact with children. This will cover volunteers, Governors, peripatetic staff and people brought into the school to provide additional teaching or instruction for pupils but who are not staff members e.g., sports coaches, etc.
  - Contractors who work on school site (for whom the school must hold a Letter of Assurance relating to safeguarding).
- The school will undertake ID checks on all individuals who visit school and record details on the Single Central Record for individuals who visit regularly.

A designated Governor / Trustee/ CEO will be responsible for auditing the Single Central Records of schools within the Trust and will report his/her findings to the full Trust Board on an annual basis.

#### 4. Induction

Keeping Children Safe in Education (DfE 2023), highlights that:

- **All** staff should be aware of systems within their school or college which support safeguarding, and these will be explained to them as part of staff induction. This will include the:
  - child protection policy;
  - behaviour policy;

- staff behaviour policy (sometimes called a code of conduct);
  - safeguarding response to children who go missing from education;
  - role of the designated safeguarding lead (including the identity of the designated safeguarding lead and any deputies).
- Copies of the requisite policies as above and a copy of part one of *Keeping Children Safe in Education* will be provided to staff at induction
  - All school staff have a responsibility to provide a safe environment in which children can learn
  - Staff working with children are advised to maintain an attitude of **'it could happen here'** where safeguarding is concerned. When concerned about the welfare of a child, staff should always act in the **best** interests of the child
  - If staff have **any concerns** about a child's welfare, they should act on them immediately
  - Headteachers should ensure that the policies and procedures adopted by governing bodies and proprietors, particularly concerning referrals of cases of suspected abuse and neglect, are followed by **all** staff
  - Staff in schools are particularly important in safeguarding children as they are in a position to identify concerns early, provide help for children and prevent concerns from escalating
  - Governing bodies and proprietors should ensure an appropriate **senior member** of staff, from the **School Leadership Team**, is appointed to the role of designated safeguarding lead. The designated safeguarding lead will take **lead responsibility** for safeguarding and child protection. This will be explicit in the role holder's job description
  - Governing bodies and proprietors should ensure that all staff undergo safeguarding and child protection training (including online safety) at induction. The training should be regularly updated. Induction and training should be in line with advice from the local safeguarding partnership
  - In addition, all staff will receive regular safeguarding and child protection
  - updates (for example, via Email, E-bulletins, staff meetings) as required, and at least annually, to provide them with relevant skills and knowledge to safeguard children effectively
  - **All** staff should be aware of their local early help process and understand their role in it
  - **All** staff should be aware of the process for making referrals to children's social care and for statutory assessments under the Children Act 1989, especially section 17 (children in need) and section 47 (a child suffering, or likely to suffer, significant harm) that may follow a referral, along with the role they might be expected to play in such assessments
  - **All** staff should know what to do if a child tells them he/she is being abused or neglected. Staff should know how to manage the requirement to maintain an appropriate level of confidentiality. This means only involving those who need to be involved, such as the Headteacher (in the case of allegations against a member of staff or volunteer), designated safeguarding lead (or a deputy) and children's social care. Staff should never promise a child that they will not tell anyone about a report of abuse, as this may ultimately not be in the best interests of the child

- **All** staff should be aware of indicators of abuse, neglect and specific safeguarding issues as set out in paragraphs 21-34 of *Keeping Children Safe in Education 2022* so that they are able to identify cases of children who may be in need of help or protection. If staff are unsure, they should **always** speak to the designated safeguarding lead (or deputy)
- **All** staff should be clear as to the school policy and procedures with regards to peer-on-peer abuse
- The *Teacher Standards 2012* state that teachers, including Headteachers, will safeguard children's wellbeing and maintain public trust in the teaching profession as part of their professional duties.

Furthermore, in accordance with *Working Together 2018*, all schools will have in place arrangements that reflect the importance of safeguarding and promoting the welfare of children, including:

- A culture of listening to children and taking account of their wishes and feelings, both in individual decisions and the development of services
- Clear whistleblowing procedures, which reflect the principles in Sir Robert Francis' Freedom to Speak Up Review and are suitably referenced in staff training and codes of conduct, and a culture that enables issues about safeguarding and promoting the welfare of children to be addressed
- Clear escalation policies for staff to follow when their child safeguarding concerns are not being addressed within their organisation or by other agencies
- Safe recruitment practices and ongoing safe working practices for individuals whom the organisation or agency permit to work regularly with children, including policies on when to obtain a criminal record check
- Appropriate supervision and support for staff, including undertaking safeguarding training
- Creating a culture of safety, equality and protection within the services they provide.

In addition, *Working Together* states that:

- employers are responsible for ensuring that their staff are competent to carry out their responsibilities for safeguarding and promoting the welfare of children and creating an environment where staff feel able to raise concerns and feel supported in their safeguarding role;
- staff will be given a mandatory induction, which includes familiarisation with child protection responsibilities and the procedures to be followed if anyone has any concerns about a child's safety or welfare;
- all practitioners will have regular reviews of their own practice to ensure they have knowledge, skills and expertise that improve over time.

The application of robust processes for induction, probationary periods, supervision, training and appraisal is therefore essential. The importance of safeguarding will continue to be highlighted throughout the cycle of an individual's employment.

Empowering and encouraging members of staff and volunteers to report concerns or allegations about the behaviour of others is essential in order to tackle inappropriate or abusive behaviour. Schools will therefore develop policies and

practices that minimise opportunities for abuse and ensure its prompt reporting by promoting and maintaining an ongoing culture of vigilance and openness within the organisation.

#### 4.1 Feature of a Safer Culture

- Open, no secrets
- Belief that 'it could happen here'
- Clear procedures for reporting concerns
- Support in raising concerns and commitment to take action
- Setting acceptable standards of behaviour
- Policies and procedures put into practice
- Induction and probationary periods
- Commitment to safeguarding and an ongoing culture of vigilance

The familiarisation with safeguarding and child protection responsibilities before any individual commences unsupervised work with children that all staff and volunteers will be given as part of their mandatory induction will specifically include:

- recognition of signs and symptoms of abuse and neglect (highlighting that children are abused and neglected by their parents/carers and by adults who are employed and volunteer to work with them);
- appropriate responses to disclosure of abuse or neglect by a child;
- procedures to be followed if anyone has any concerns about a child's safety or welfare, including the identity of the designated child protection officer within the agency or setting and the agency's whistle blowing procedure;
- the school staff behaviour policy or code of conduct, which makes explicit the standards of behaviour required of staff in order to safeguard children.

Best practice would be for schools to provide a copy of the safeguarding and child protection policy as part of the information pack sent to all potential applicants prior to application. All new starters will certainly receive a copy of both the safeguarding and child protection policy and the staff behaviour (code of conduct) policy with their offer of employment or volunteering opportunity, with a clearly stated expectation that the new starter will have read both policies before commencing work.

New starters will then be given an opportunity to discuss and clarify any issues arising from the safeguarding and child protection and staff behaviour policies on their first day before they have any contact with children; and will be asked to sign a pro forma to confirm they have read, understood and agree to work in accordance with both policies.

Schools also need to ensure that all staff working with children – regardless of role – are informed about and provided with copies of other relevant policies and procedures in relation to safeguarding and promoting the welfare of children, such as:

- Behaviour management policy (which will include guidelines in respect of physical intervention and the use of force)
- Online safety
- Staff use of social media
- Whistleblowing (i.e., how to raise concerns about abuse or neglect of children by other staff/volunteers or conduct of staff/volunteers that places children at risk or undermines the organisation's safeguarding practice)
- Tackling bullying
- Intimate care
- Health and safety

Schools will ensure that their staff training strategies include the provision of safeguarding training for staff as part of their induction and regular refresher training thereafter.

## 5. Training

*Keeping Children Safe in Education 2023* states that the Designated Safeguarding Lead (and any deputies) will undergo training to provide them with the knowledge and skills required to carry out the role; and that this training will be updated at least every two years. In addition to formal training, the DSLs' knowledge and skills will be refreshed via e-bulletins, meeting other designated safeguarding leads or via reading about safeguarding developments at regular intervals, as required, and at least annually, to allow them to understand and keep up with any developments relevant to their role.

Schools are also advised that all staff appointed to Designated Safeguarding Lead roles access initial and refresher training provided by the TES. TES also provides training for whole school staff groups and designated safeguarding governors.

Schools are encouraged to facilitate staff and volunteers accessing inter-agency training provided by the county council, Warwickshire Safeguarding and other reputable organisations in addition to single agency training.

### 5.1 Establishing and Maintaining an Ongoing Culture of Vigilance

Staff training will include regular reminders of the principles highlighted in *Keeping Children Safe in Education* that '**It could happen here**' and 'All staff and volunteers will feel able to raise concerns about poor or unsafe practice and **potential failures** in the school safeguarding regime, and know that such concerns will be taken seriously by the Senior Leadership Team'. Those regular reminders will help to establish an ongoing culture of vigilance and promote the importance of staff reporting any breaches of the school staff behaviour policy (code of conduct) to the Headteacher in order to maintain the school as a safe environment in which children can learn.

Training will address both how staff should record and report any such concerns; and to whom those reports should be addressed. *Keeping Children Safe in Education* indicates that the Headteacher should be the recipient of such concerns.



However, if a decision is made to devolve that responsibility to another school leader, that arrangement must be made explicit in induction, training and in the school safeguarding and child protection and staff behaviour policies.

Schools will also identify by name the individual to whom staff and volunteers should report any concerns in the absence of the Headteacher or in the event that their concerns are about the Headteacher. That named individual would ordinarily be the Chair of Governors/Trustees but it could also be the safeguarding governor.

Furthermore, Keeping Children Safe in Education states that 'Where a staff member feels unable to raise an issue with their employer or feels that their genuine concerns are not being addressed, other whistleblowing channels may be open to them'.

For staff who do not feel able to raise concerns regarding child protection failures internally or who have concerns about the way a concern is being handled by their school, the staff member should contact the CEO of the Trust. If escalation is required outside of the Trust, then the employee should contact the Warwickshire LADO (Local Authority Designated Office) either by email on [lado@warwickshire.gov.uk](mailto:lado@warwickshire.gov.uk) or by phone on 01926 745376. Please refer to 'Managing allegations' below for further information about whistleblowing.

## 5.2 Safer Recruitment Training

Safer recruitment training teaches safeguarding skills that help schools to better protect children while recruiting staff and volunteers. Schools will continue to be required to ensure that at least one member of any recruitment panel has received appropriate training in line with safeguarding guidance.

School leaders will use their professional judgment to determine appropriate training for the needs of their staff and their school. Schools must ensure that at least one member of every interview panel has undertaken safer recruitment training, and this is evidenced in your interview notes by including the initials of the trained individual.

All interview questions must include two safeguarding questions appropriate to the post being recruited.

All staff must attend a Safeguarding refresher training session every year and a register must be taken to evidence their attendance, the certificate will be placed in the employee's personnel file. In order to highlight the importance of safeguarding to all staff and volunteers in all roles, an online course is not sufficient training, it requires an intensive course approved by an LT2 Trust provider.

## 6. Supervision and Appraisal

In order to fulfil the requirements of *Working Together to Safeguard Children 2018* and *Keeping Children Safe in Education 2020*, schools will develop a policy for the supervision and appraisal of staff with specific reference to their safeguarding responsibilities.

*Keeping Children Safe in Education 2023* requires governing bodies and proprietors to appoint a designated safeguarding lead, who will be '*an appropriate **senior member** of staff from the school or college **leadership team***'; and states that the DSL (Designated Safeguarding Lead) will take **lead responsibility** for safeguarding and child protection (including online safety), that this will be explicit in the role holder's job description, that the DSL will have the appropriate **status and**

**authority** within the school to carry out the duties of the post and that they will be given the **time, funding, training, resources and support** to provide **advice and support** to other staff on child welfare and child protection matters.

KCSIE further specifies that, during term time, the designated safeguarding lead or a deputy will always be available (during school or college hours) for staff in the school or college to discuss any safeguarding concerns.

It is a matter for individual schools and the designated safeguarding lead to arrange adequate and appropriate cover arrangements for any out of hours/out of term activities.

The *Ofsted guidance Inspecting safeguarding in early years, education and skills settings (2020)* states that *'In settings that have effective safeguarding arrangements, there will be evidence of clear and effective arrangements for staff development and training in respect of the protection and care of children and learners.* The guidance goes on to specify that such evidence will include that *'Staff and other adults receive regular **supervision and support** if they are working directly and regularly with children and learners whose safety and welfare are at risk'.*

Warwickshire County Council seeks to support schools to meet these requirements by providing training for DSLs (Designated Safeguarding Lead) in reflective supervision.

It is recognised that education professionals and DSLs in particular are managing more complex, challenging and emotionally demanding situations in order to fulfil their statutory duty to safeguard and promote the welfare of children, making it increasingly challenging for DSLs to provide staff with appropriate professional advice, direction and robust professional challenge in order to ensure that children are safeguarded effectively by schools.

### 6.1 Key Function of Reflective Supervision in Safeguarding

Reflective supervision is widely considered to have three inter-related functions:

- Line management
  - To ensure that safeguarding practice is competent, accountable and safe;
  - To ensure that safeguarding policies and procedures are followed appropriately;
  - To ensure that staff fully understand their roles, responsibilities and the scope of their professional duties in safeguarding children;
  - To provide reflective space for the purposes of analyzing ongoing concerns and specific incidents, assessing risk & need and providing a check and balance on decision making and planning in relation to safeguarding children.
- Professional development
  - To ensure that staff professional development needs with respect to safeguarding are considered and supported.
- Personal Support
  - To provide reflective space for the supervisee to discuss and work through the personal impact of the safeguarding role and responsibilities. This includes support to address the emotional impact of the work where required.

Effective reflective supervision involves a balance between all three elements, not always within one session, but certainly over the entire supervision process. It will support and strengthen the school's safeguarding culture, promoting and modelling the following indicators of a safe school:

- Children are listened to;
- Leaders model safe and respectful behaviour;
- Staff are open about discussing good and poor practice;
- Staff are empowered to challenge poor practice;
- Staff are aware and acknowledge that adults who may abuse or mistreat children may be in the employment of the school;
- Staff know about, understand and feel empowered to use whistleblowing procedures as and when appropriate;
- Blame only occurs in extreme circumstances;
- Staff are knowledgeable about the vulnerability of the children that they look after.

It is a matter for individual schools to decide how best to develop and embed the practice of reflective supervision, but the following are some of the possible options:

- Structured DSL team (i.e., the DSL and all deputy DSLs) supervision meetings, providing opportunities for mutual support and safe professional challenge;
- Local consortia or multi-academy trust-based group supervision for DSLs;
- DSLs and Headteachers accessing reflective supervision skills training in order to be better equipped to provide reflective supervision for other staff;
- External providers of individual supervision;
- External facilitators of school-based, consortia or trust-based group supervision;
- Creating opportunities for individual reflective supervision to explore very complex/stressful/challenging cases;
- Consideration of shared funding across local consortia or multi-academy trusts to provide individual and/or group supervision opportunities.

All reflective supervision meetings will be recorded by the supervisor; and signed and dated by both supervisor and supervisee.

All records of supervision are confidential and will be stored securely by the supervisor. They may be subject to inspection and audit.

Case decisions from supervision made in respect of individual children will be recorded on the individual child's child protection file and referenced in the chronology.

## 7. Managing Allegations

In accordance with *Working Together 2018* and *Keeping Children Safe in Education 2023*, all schools should have in place arrangements that include clear procedures for dealing with allegations against members of staff and volunteers.

The school procedure must state that it relates to members of staff and volunteers who are currently working in the school regardless of whether the school is where the alleged abuse took place. Allegations against a teacher who is no longer teaching or another member of staff no longer in employment should be referred to the Designated Officer, subject to the same procedure in relation to allegations against a current member of staff, as set out below.

Schools must ensure that their procedures for dealing with allegations against members of staff and volunteers are consistent with Part Four of *Keeping Children Safe in Education 2023* and Warwickshire Safeguarding's procedure [Allegations Against Staff or Persons in Positions of Trust](#).

Schools are encouraged to adopt the use of 'yellow forms' as a mechanism to support staff and volunteers to bring any breaches of the staff behaviour policy to the attention of the Headteacher in order to ensure the Headteacher is informed about any issues at the earliest opportunity and to give them the opportunity to intervene quickly to maintain the school as a safe environment for children and staff alike.

If used properly, yellow forms will facilitate early conversations by the Headteacher with staff to prevent any issues developing to the point where serious misconduct occurs and children suffer abuse at school. As such, many yellow forms will not reach the threshold for referral to the Designated Officer. However, the Headteacher should always seek advice from the Designated Officer and/or the Education Safeguarding Service if it is unclear whether a referral should be made to the Designated Officer.

As stated above, all early conversations in relation to alleged breaches of the school staff behaviour policy must be recorded and placed securely on the individual's personnel file.

*Working Together* states that a clear distinction will be made between an allegation, a concern about the quality of care or practice or a complaint. An allegation may relate to a person who works with children who has:

- Behaved in a way that has harmed a child, or may have harmed a child;
- Possibly committed a criminal offence against or related to a child; or
- Behaved towards a child or children in a way that indicates they may pose a risk of harm to children.

Any allegation will be reported immediately to the Headteacher of the school unless the allegation relates to the Headteacher, in which case staff should report the allegation to the Chair of Governors/Chair of the Management Committee/Proprietor or otherwise named governor or Trustee (e.g., the Safeguarding Governor). The School must ensure that all staff have ready access to contact details for the Chair of Governors/Chair of the Management Committee/Proprietor or otherwise named Governor/Trustee.

As stated in the 'Training' section above, the Headteacher must ensure that all staff are informed and reminded regularly about these reporting arrangements and responsibilities.

The Local Authority is required to appoint a Designated Officer (DO - formerly known as the LADO (Local Authority Designated Officer)) to be involved in the management and oversight of individual cases. The DO provides advice and

guidance to employers and voluntary organisations, liaising with the Police and other agencies and monitoring the progress of cases to ensure that they are dealt with as quickly as possible, consistent with a thorough and fair process.

The DO will be informed within one working day of all allegations that come to the attention of the Headteacher or Chair of Governors/Chair of the Management Committee/Proprietor/ otherwise named Governor/Trustee (known as the 'Case Manager') or that are made directly to the Police.

Schools will ensure they have effective policies for whistleblowing and the management of allegations that are consistent with part 4 of *Keeping Children safe in Education 2022 - 'Allegations of abuse made against teachers and other staff'*.

As highlighted above, Schools will ensure that all staff recognise the principle of 'It could happen here' and their responsibilities to report any concerns about the conduct of any adult that works with children that may constitute a risk to children. Any impediments/disincentives to appropriate reporting in order to safeguard children will be discussed openly and addressed as part of a safe and open culture.

### 7.1 Leaving Employment of Learning Today Leading Tomorrow

If a school removes an individual (paid worker or unpaid volunteer) from work in a school (or would have, had the person not left first) because the person poses a risk of harm to children, the school's Case Manager must make a referral to the Disclosure and Barring Service. It is an offence to fail to make a referral without good reason.

## 8. Determining Future Employment

In order to complete the cycle of effective protection of children from potential abuse and neglect by staff and volunteers, it is essential that schools ensure that when their managers are asked to provide references, they are written with the following 4 objectives in mind:

- Deter unsuitable people from seeking employment or opportunities to volunteer to work with children and young people
- Reject applications from unsuitable people
- Prevent abuse and neglect of children by staff and volunteers;
- Identify incidents of abuse and neglect by staff and volunteers and respond appropriately

In particular, School Leaders/Managers will provide honest, objective and factual information in respect of any substantiated concerns about the applicant's practice with children and any disciplinary action taken in relation to those substantiated concerns including outcomes and any sanctions imposed.

This requirement highlights the importance of managers addressing concerns with employees and volunteers as early as possible and maintaining a clear record of all such discussions. The use of 'yellow forms will assist this practice. It is essential that School Leaders/Managers create and retain securely clear records of discussions undertaken in the context of day-to-day management and supervision, as well as formal investigation and disciplinary processes.

School Leaders/Managers will refer to their supervision, whistleblowing and management of allegations policies and ensure these are consistent with *Working Together 2018* and other relevant government guidance.

Schools will make it clear to all members of staff - including other members of the School Leadership Team, designated safeguarding leads and Heads of Department - that no references will be provided in the name of the school without being approved and signed off by the Headteacher. This will ensure that information about substantiated concerns and disciplinary action, which other s=School Leaders/DSLs/Heads of Department may not be aware of, is included in references as appropriate.

## 9. Retention of Records

If an applicant is appointed, the Trust will retain any relevant information provided on their application form (together with any attachments) on their personnel file. The file will be live and updated as required. The contents will remain in storage in line with the timescales set out in the LT2 Records Management and Retention Policy.

If the application is unsuccessful, all documentation relating to the application will normally be confidentially destroyed after 6 months, unless the applicant specifically requests the Trust to keep their details on file.

The Trust's policy is to observe the guidance issued or supported by the DBS on the use of Disclosure information. In particular, the Trust (or School) will: -

- Store Disclosure information and other confidential documents issued by the DBS in locked, non-portable storage containers, access to which will be restricted to members of the School's Senior Leadership Team and the Headteacher's Personal Assistant;
- Not retain Disclosure information or any associated correspondence for longer than is necessary. The Trust will not retain such information for longer than 6 months although the Trust will keep a record of the date of a Disclosure, the name of the subject, the type of Disclosure, the position in question, the unique number issued by the DBS and the recruitment decision taken;
- Ensure that any Disclosure information is destroyed by suitably secure means such as shredding; and
- Prohibit the photocopying or scanning of any Disclosure information.

The Trust complies with the provisions of [the DBS Code of Practice](#).

Appendix 1: Screen shot from our Application Form – including candidates consenting to our online search:

## 11. DECLARATION

### ***Right to work in the UK***

*Learning Today Leading Tomorrow will require you to provide evidence of your right to work in the UK in accordance with the Immigration, Asylum and Nationality Act 2006. By signing this application, you acknowledge that such evidence will need to be provided should an offer of employment be made.*

### ***Mental and Physical Fitness***

*Learning Today Leading Tomorrow will require you to confirm you have the mental and physical fitness to carry out your work responsibilities in accordance with the Education (Health Standards) (England) Regulations 2003. By signing this application, you acknowledge that such confirmation will be required should an offer of appointment be made.*

### ***Verification of Identity***

*Learning Today Leading Tomorrow will require you to provide proof of your identity in accordance with Keeping Children Safe in Education guidance. This will include obtaining a copy of your birth certificate, where this is available. By signing this application, you acknowledge that such verification will be required should an offer of employment be made.*

### ***Online Searches***

*Learning Today Leading Tomorrow are required to conduct online searches about you as part of their shortlisting process in accordance with Keeping Children Safe in Education guidance in order to identify any incidents or concerns which are publicly available online. By signing this application, you acknowledge that such searches will be conducted as part of the shortlisting process.*