




# BEIS YAAKOV JEWISH HIGH SCHOOL ACADEMY

## SAFER RECRUITMENT AND DBS CHECKS POLICY AND PROCEDURES 2022 - 2023

Date of approval	September 2022
Date of next review	September 2023
Term of review	Annually
Committee Responsible	P&S
Prepared By	RNW
Signed by Chair of Committee	

Changes Made	Date

## Safer Recruitment and DBS Checks Policy and Procedures

2022-2023

School: Beis Yaakov High School Academy

Executive Principal: Rabbi N. Wilson

Named personnel with designated responsibility for safeguarding:

Designated safeguarding lead (DSL)	Rabbi N Wilson	Rabbi,Wilson@byjhs.org
Deputy designated safeguarding leads (Deputy DSLs)	Mrs E Levy Mrs T Reznick Mr B Myers	E.Levy@byjhs.org T.Reznick@byjhs.org B.Myers@byjhs.org
Designated Looked After Children Lead	Mr B Myers	B.Myers@byjhs.org
Nominated Governor for Child Protection	Mr Daniel Nissen	D,Nissen@byjhs.org
Chair of Governors	Mr A Topperman	A.Topperman@byjhs.org
Designated Mental Health Leads	Mrs E Levy Mrs A Treblow	E.Levy@byjhs.org A.Treblow@byjhs.org

## **Introduction**

Safe recruitment is central to the safeguarding of children and young people. All organisations which employ staff or volunteers to work with children and young people have a duty to safeguard and promote their welfare. This includes ensuring that the organisation adopts safe recruitment and selection procedures which prevent unsuitable persons from gaining access to children.

## **Policy Statement**

### **Safeguarding is Everyone's Responsibility**

Section 11, Children Act 2004, sets out the arrangements for safeguarding and promoting the welfare of children and applies to all key local bodies named under section 11(1) of the Act. One of the key features of these arrangements is ensuring safe recruitment procedures are in place.

Beis Yaakov Jewish High School is committed to safeguarding and promoting the welfare of children, young people and Adults at Risk, which it is expected ALL staff and volunteers will follow. Robust recruitment and selection procedures are in place to identify and deter people who might abuse children or are otherwise unsuitable for employment, and to minimise the possibility of children and young people suffering harm from those in a position of trust.

### **Recruitment and selection process**

To make sure we recruit suitable people, we will ensure that those involved in the recruitment and employment of staff to work with children have received appropriate safer recruitment training.

We have put the following steps in place during our recruitment and selection process to ensure we are committed to safeguarding and promoting the welfare of children.

### **Job Description**

Once a post becomes vacant or a new post is created the job description and person specification will be reviewed/agreed to ensure compliance with safe recruitment guidance.

This will clearly state:

- The main duties of the post;
- The extent of contact/responsibility for children and young people;

- The individual's responsibility for promoting and safeguarding the welfare of the children/ young people/Adults at Risk s/he is responsible for, or will come into contact with.

### **Person Specification**

This will include:

- The essential and desirable qualifications and experience;
- Other requirements needed to perform the role in relation to working with children and young people;
- The competencies and qualities that the successful candidate should be able to demonstrate.

### **Information Pack to Candidates**

All information given to interested applicants will highlight the importance of the rigorous selection processes and the duty to safeguard and promote the welfare of children and young people. It will be made clear that proof of identity will be required, as well as a [Disclosure and Barring Service](#) check where appropriate.

The pack will include a copy of:

- The application form, and explanatory notes about completing the form;
- The job description and person specification;
- Relevant information about the organisation and the recruitment process;
- The School's Child Protection Policy Statement;
- A statement of the terms and conditions relating to the post.

### **Advertising**

When advertising roles, we will make clear:

- Our school's commitment to safeguarding and promoting the welfare of children
- That safeguarding checks will be undertaken
- The safeguarding requirements and responsibilities of the role, such as the extent to which the role will involve contact with children

- Whether or not the role is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020. If the role is exempt, certain spent convictions and cautions are 'protected', so they do not need to be disclosed, and if they are disclosed, we cannot take them into account

### **Application forms**

Our application forms will:

- Include a statement saying that it is an offence to apply for the role if an applicant is barred from engaging in regulated activity relevant to children (where the role involves this type of regulated activity)
- Include a copy of, or link to, our child protection and safeguarding policy and our policy on the employment of ex-offenders

### **Shortlisting**

Our shortlisting process will involve at least 2 people and will:

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

Once we have shortlisted candidates, we will ask shortlisted candidates to:

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

We will also consider carrying out an online search on shortlisted candidates to help identify any incidents or issues that are publicly available online.

### **Seeking references and checking employment history**

We will obtain references before interview. Any concerns raised will be explored further with referees and taken up with the candidate at interview.

When seeking references, we will:

- Not accept open references
- Liaise directly with referees and verify any information contained within references with the referees
- Ensure any references are from the candidate's current employer and completed by a senior person. Where the referee is school based, we will ask for the reference to be confirmed by the headteacher/principal as accurate in respect to disciplinary investigations
- Obtain verification of the candidate's most recent relevant period of employment if they are not currently employed
- Secure a reference from the relevant employer from the last time the candidate worked with children if they are not currently working with children
- Compare the information on the application form with that in the reference and take up any inconsistencies with the candidate
- Resolve any concerns before any appointment is confirmed

### **Interview and selection**

When interviewing candidates, we will:

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

### **Pre-appointment vetting checks**

We will record all information on the checks carried out in the school's single central record (SCR). Copies of these checks, where appropriate, will be held in individuals' personnel files. We follow requirements and best practice in retaining copies of these checks, as set out below.

### **New staff**

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

- Verify their identity

- Obtain (via the applicant) an enhanced DBS certificate, including barred list information for those who will be engaging in regulated activity (see definition below). We will obtain the certificate before, or as soon as practicable after, appointment, including when using the DBS update service. We will not keep a copy of the certificate for longer than 6 months, but when the copy is destroyed we may still keep a record of the fact that vetting took place, the result of the check and recruitment decision taken
- Obtain a separate barred list check if they will start work in regulated activity before the DBS certificate is available
- Verify their mental and physical fitness to carry out their work responsibilities
- Verify their right to work in the UK. We will keep a copy of this verification for the duration of the member of staff's employment and for 2 years afterwards
- Verify their professional qualifications, as appropriate
- Ensure they are not subject to a prohibition order if they are employed to be a teacher
- Carry out further additional checks, as appropriate, on candidates who have lived or worked outside of the UK. These could include, where available:
  - o For all staff, including teaching positions: criminal records checks for overseas applicants
  - o For teaching positions: obtaining a letter from the professional regulating authority in the country where the applicant has worked, confirming that they have not imposed any sanctions or restrictions on that person, and/or are aware of any reason why that person may be unsuitable to teach

Regulated activity means a person who will be:

- Responsible, on a regular basis in a school or college, for teaching, training, instructing, caring for or supervising children; or
- Carrying out paid, or unsupervised unpaid, work regularly in a school or college where that work provides an opportunity for contact with children; or
- Engaging in intimate or personal care or overnight activity, even if this happens only once and regardless of whether they are supervised or not

## **Existing staff**

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

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

We will refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult where:

- We believe the individual has engaged in relevant conduct; or
- We believe the individual has received a caution or conviction for a relevant (automatic barring either with or without the right to make representations) offence, under the Safeguarding Vulnerable Groups Act 2006 (Prescribed Criteria and Miscellaneous Provisions) Regulations 2009; or
- We believe the 'harm test' is satisfied in respect of the individual (i.e. they may harm a child or vulnerable adult or put them at risk of harm); and
- The individual has been removed from working in regulated activity (paid or unpaid) or would have been removed if they had not left

## **Agency and third-party staff**

We will obtain written notification from any agency or third-party organisation that it has carried out the necessary safer recruitment checks that we would otherwise perform. We will also check that the person presenting themselves for work is the same person on whom the checks have been made.

## **Contractors**

We will ensure that any contractor, or any employee of the contractor, who is to work at the school has had the appropriate level of DBS check (this includes contractors who are provided through a PFI or similar contract). This will be:

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



We will obtain the DBS check for self-employed contractors.

We will not keep copies of such checks for longer than 6 months.

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

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

Trainee/student teachers

Where applicants for initial teacher training are salaried by us, we will ensure that all necessary checks are carried out.

Where trainee teachers are fee-funded, we will obtain written confirmation from the training provider that necessary checks have been carried out and that the trainee has been judged by the provider to be suitable to work with children.

### **Volunteers**

We will:

- Never leave an unchecked volunteer unsupervised or allow them to work in regulated activity
- Obtain an enhanced DBS check with barred list information for all volunteers who are new to working in regulated activity
- Carry out a risk assessment when deciding whether to seek an enhanced DBS check without barred list information for any volunteers not engaging in regulated activity. We will retain a record of this risk assessment

### **Governors**

All governors will have an enhanced DBS check without barred list information.

They will have an enhanced DBS check with barred list information if working in regulated activity.

All governors will also have a section 128 check (as a section 128 direction disqualifies an individual from being a maintained school governor).

All governors will also have the following checks:

- Identity
- Right to work in the UK

- Other checks deemed necessary if they have lived or worked outside the UK

### **Staff working in alternative provision settings**

Where we place a pupil with an alternative provision provider, we obtain written confirmation from the provider that they have carried out the appropriate safeguarding checks on individuals working there that we would otherwise perform.

### **Adults who supervise pupils on work experience**

When organising work experience, we will ensure that policies and procedures are in place to protect children from harm.

We will also consider whether it is necessary for barred list checks to be carried out on the individuals who supervise a pupil under 16 on work experience. This will depend on the specific circumstances of the work experience, including the nature of the supervision, the frequency of the activity being supervised, and whether the work is regulated activity.

### **Pupils staying with host families**

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

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

### **Staff Records**

In relation to each member of staff appointed a record will be kept to show:

- Written references obtained and confirmed by telephone;
- Gaps in employment history checked;
- A satisfactory Disclosure and Barring Service / Enhanced Disclosure and Barring Service certificate obtained, with unique reference number and date;
- Reasons/decision to appoint despite criminal convictions (i.e. a Risk Assessment);
- Evidence of proof of identity (this will have been provided for the Disclosure and Barring Service check);
- Evidence of qualifications;
- Details of registration with appropriate professional body;

- Confirmation of right to work in UK (for more information, please see [GOV.UK website](https://www.gov.uk));
- Record of interview questions and answers.

Records should be signed and dated by appointing manager/chair of the interview panel.

### **Post Appointment Induction**

There will be an induction programme for **all** staff and volunteers. The purpose of the induction is to:

- Provide training and information about the organisation's safeguarding and child protection policies and procedures. This training will be at a level appropriate to the member of staff role and responsibilities with regard to children;
- Support individuals in a way that is appropriate for their role;
- Confirm the conduct expected of staff (Code of Conduct Policy);
- Provide opportunities for a new member of staff or volunteer to discuss any issues or concerns about their role or responsibilities;
- Enable the line manager or mentor to recognise any concerns or issues about the person's ability or suitability at the outset and address them immediately;
- Ensure that the person receives written statements of:
  - Policies and procedures in relation to safeguarding;
  - The identity and responsibilities of staff with designated safeguarding responsibilities;
  - Safe practice and the standards of conduct and behaviour expected;
  - Other relevant personnel procedures e.g. whistle blowing, disciplinary procedures.

### **Maintaining a Safer Culture**

BYHS is committed to maintaining an ethos of safeguarding and promoting the welfare of children/young people and this can be achieved by:

- A clear written statement of the standards of behaviour and the boundaries of appropriate behaviour expected of staff and volunteers – Code of Conduct Policy;
- Appropriate induction and safeguarding training;
- Regular briefing and discussion of relevant issues;
- Effective supervision and staff appraisal processes;
- Clear reporting system if a user, member of staff or other person has concerns about the safety of children using CPOMS.

### **Monitoring**

BYJHS will monitor both the recruitment process and induction arrangements and this will allow for future recruitment practices to be better informed. It will cover:

- Staff turnover and reasons for leaving;
- Exit interviews;
- Attendance of new personnel at safeguarding training.