



## *Policies and Procedures*

### SAFER RECRUITMENT POLICY

#### **Purpose**

Wise Origin College (WOC) is committed to safeguarding and promoting the welfare of all learners in its care. As an employer, WOC expects all staff and volunteers to share this commitment.

#### **Aims and Objectives**

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

The aims of the WOC'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 2023 (KCSIE), the Prevent Duty Guidance for England and Wales 2015 (the Prevent Duty Guidance) and any guidance or code of practice published by the Disclosure and Barring Service (DBS).
- to ensure that WOC meets its commitment to safeguarding and promoting the welfare of our learners 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.

The Management team are responsible for ensuring that WOC follows recruitment procedures that help to deter, reject, or identify people who might abuse children whether through volunteer or paid employment. All recruitment panels will have at least one member who has completed Safer Recruitment training.

WOC has 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 should ensure the identification of the person best suited to the job at the WOC 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 2023 and Prevent Duty Guidance).

## Roles and responsibilities

It is the responsibility of the Senior Leadership Team to:

- Ensure WOC has effective policies and procedures in place for recruitment of all staff and volunteers in accordance with DfE guidance and legal requirements.
- Monitor the WOC's compliance with them.
- Ensure that WOC operates safe recruitment procedures and makes sure all appropriate checks are carried out on all staff and volunteers who work at the WOC.
- Promote welfare of learners at every stage of the procedure.

## Definitions

Any position undertaken at, or on behalf of the WOC will amount to "regulated activity" if it is carried out:

- frequently, meaning once a week or more; or
- overnight, meaning between 2.00am and 6.00am; or
- satisfies the "period condition", meaning four times or more in a 30-day period; and
- provides the opportunity for contact with children.

Roles which are carried out on an unpaid/voluntary basis will only amount to regulated activity if, in addition to the above, they are carried out on an unsupervised basis.

WOC is not permitted to check the Barred List unless an individual will be engaging in "regulated activity". WOC is required to carry out an enhanced DBS check for all staff, supply staff and trustees who will be engaging in regulated activity. However, WOC can also carry out an enhanced DBS check on a person who would be carrying out regulated activity but for the fact that they do not carry out their duties frequently enough i.e. roles which would amount to regulated activity if carried out more frequently.

## Recruitment and Selection Procedure

To ensure equality of opportunity, WOC will advertise all vacant posts to encourage as wide a field of applicant as possible, normally this entails an external advertisement.

Any advertisement will make clear the WOC's commitment to safeguarding and promoting the welfare of children. All documentation relating to applicants will be treated confidentially in accordance with the Data Protection Act (DPA18).

***Application Forms:***

Wise Origin College uses its own application form and all applicants for employment will be required to complete an application form containing questions about their academic and full employment history and their suitability for the role (in addition all applicants are required to account for any gaps or discrepancies in employment history). Applicants submitting an incomplete application form will not be shortlisted.

The application form will include the applicant's declaration regarding convictions and working with children, and will make it clear that the post is exempt from the provisions of the Rehabilitation of Offenders Act 1974. CV's will not be accepted.

It is unlawful for WOC to employ anyone who is barred from working with children. It is a criminal offence for any person who is barred from working with children to apply for a position at the WOC. All applicants will be made aware that providing false information is an offence and could result in the application being rejected, or summary dismissal if the applicant has been selected, and referral to the police and/or the DBS.

***References:***

References for the successful candidate(s) will be requested after interview.

All offers of employment will be subject to the receipt of a minimum of one reference which are considered satisfactory by the WOC. One of the references must be from the applicant's current or most recent employer. If the current/most recent employment does/did not involve work with children, then a second reference should be obtained from the employer with whom the applicant most recently worked with children if applicable.

References will always be sought and obtained directly from the referee and their purpose is to provide objective and factual information to support appointment decisions.

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.

Please note that no questions will be asked about health or medical fitness prior to any offer of employment being made.

WOC does not accept open references, testimonials or references from relatives.

***Interviews:***

There will be a face-to-face interview wherever possible, and a minimum of two interviewers will see the applicants for the vacant position. The interview process will explore the applicant's ability to carry out the job

description and meet the person specification. It will enable the panel to explore any anomalies or gaps which have been identified in order to satisfy themselves that the chosen applicant can meet the safeguarding criteria (in line with Safer Recruitment Training).

Any information in regard to past disciplinary action or allegations, cautions or convictions will be discussed and considered in the circumstance of the individual case during the interview process, if it has been disclosed on the application form.

At least one member of any interviewing panel will have undertaken safer recruitment training or refresher training as applicable.

All applicants who are invited to an interview will be required to bring evidence of their identity, address and qualifications. Original documents will only be accepted and photocopies will be taken. Unsuccessful applicant documents will be destroyed 6 months after the recruitment programme.

***Offer of appointment and New Employee Process:***

In accordance with the recommendations set out in KCSIE 2023 the WOC carries out a number of pre-employment checks in respect of all prospective employees.

If it is decided to make an offer of employment following the formal interview, any such offer will be conditional on the following:

- the agreement of a mutually acceptable start date and the signing of a contract incorporating WOC's standard terms and conditions of employment
- verification of the applicant's identity (if not previously been verified)
- the receipt of minimum one reference (one of which must be from the applicant's most recent employer) which considers to be satisfactory for positions which involve "teaching work":
  - i. WOC being satisfied that the applicant is not, and has never been, the subject of a sanction, restriction or prohibition issued by the Teaching Regulation Agency (formerly National College for Teaching and Leadership), or any predecessor or successor body, or by a regulator of the teaching profession in any other European Economic Area country which prevents the applicant working at WOC or which, in WOC's opinion, renders the applicant unsuitable to work at WOC;
  - ii. the WOC being satisfied that the applicant is not, and has never been, the subject of any proceedings before a professional conduct panel or equivalent body in the UK or any other country for any reason which prevents the applicant working at WOC or which, in the WOC's opinion, renders the applicant unsuitable to work at the WOC.
- where the position amounts to "regulated activity" the receipt of an enhanced disclosure from the DBS which the WOC considers to be satisfactory.
- where the position amounts to "regulated activity" confirmation that the applicant is not named on the Children's Barred List

- confirmation that the applicant is not subject to a direction under section 142 of the Education Act 2002 which prohibits, disqualifies or restricts them from providing education at a college, taking part in the management of an independent College or working in a position which involves regular contact with children
- confirmation that the applicant is not subject to a direction under section 128 of the Education and Skills Act 2008 which prohibits, disqualifies or restricts them from being involved in the management of an independent College
- verification of the applicant's medical fitness for the role
- verification of the applicant's right to work in the UK
- any further checks which are necessary as a result of the applicant having lived or worked outside of the UK; and
- verification of professional qualifications which the College deems a requirement for the post, or which the applicant otherwise cites in support of their application (where not previously verified).

Whether a position amounts to "regulated activity" must therefore be considered by WOC in order to decide which checks are appropriate. It is however likely that in nearly all cases the College will be able to carry out an enhanced DBS check.

### **The rehabilitation of Offenders Act 1974**

The Rehabilitation of Offenders Act 1974 does not apply to positions which involve working with or having access to learners. Therefore, any convictions and cautions that would normally be considered 'SPENT' must be declared when applying for any position at Wise Origin College.

### **DBS (Disclosure and Barring Service) Check**

The College applies for an enhanced disclosure from the DBS in respect of all positions at WOC which amount to "regulated activity" as defined in the Safeguarding Vulnerable Groups Act 2006 (as amended). The purpose of carrying out an Enhanced Check for Regulated Activity is to identify whether an applicant is barred from working with children by inclusion on the Children's Barred List and to obtain other relevant suitability information. It is WOC's policy that the DBS disclosure must be obtained within 3 months of the commencement of employment of any new employee.

It is the WOC's policy to re-check employees' DBS Certificates every three years unless they are on the DBS update service and in addition any employee who takes leave for more than three months (ie maternity leave, career break etc) must be re-checked before they return back to work.

Members of staff at WOC are aware of their obligation to inform the HR Manager of any cautions or convictions that arise between these checks taking place.

DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence.

### ***Portability of DBS Certificates Checks***

Staff may wish to join the DBS Update Service if they are likely to require another check in the future. Applicants may sign up to the Service for a fee of £13 per annum, which is payable by the applicant.

This allows for portability of a Certificate across employers. WOC will:

- Obtain consent from the applicant to carry out an update search.
- Confirm the Certificate matches the individual's identity.
- Examine the original certificate to ensure that it is for the appropriate workforce and level of check, ie enhanced certificate/enhanced including barred list information.

The update check would identify and advise whether there has been any change to the information recorded, since the initial Certificate was issued. Applicants will be able to see a full list of those organisations that have carried out a status check on their account.

### ***DBS Certificate***

The DBS no longer issue Disclosure Certificates to employers, therefore employees/applicants should bring their original Certificate to Wise Origin College whilst a 'snapshot' from the DBS provider will be kept on file.

### ***Dealing with convictions***

WOC operates a formal procedure if a DBS Certificate is returned with details of convictions.

Consideration will be given to the Rehabilitation of Offenders Act 1974 and also:

- the nature, seriousness and relevance of the offence
- how long ago the offence occurred
- one-off or history of offences
- changes in circumstances,
- decriminalisation and remorse.

A formal meeting will take place face-to-face to establish the facts with the Senior Management Team. A decision will be made following this meeting. In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the Senior Management Team will evaluate all of the risk factors above before a position is offered or confirmed.

If an applicant wishes to dispute any information contained in a disclosure, they may do so by contacting the DBS. In cases where the applicant would otherwise be offered a position were it not for the disputed information, the WOC may, where practicable and at its discretion, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

As part of our duty to safeguard and promote the welfare of our learners and staff, and in particular children and vulnerable adults, all staff are required to complete an Annual Self Declaration form in August. It is the employee's responsibility as an employee to notify the HR Manager of any convictions that occur as soon as they arise.

## **Proof of identity, Right of Work in the UK & verification of Qualifications and/or professional status**

All applicants invited to attend an interview at WOC will be required to bring their identification documentation such as passport, birth certificate, driving licence etc. with them as proof of identity/eligibility to work in UK in accordance with the Immigration, Asylum and Nationality Act 2006 and DBS identity checking guidelines. The College does not discriminate on the grounds of age.

Where an applicant claims to have changed their name by deed poll or any other means (eg marriage, adoption, statutory declaration) they will be required to provide documentary evidence of the change.

In addition, applicants must be able to demonstrate that they have actually obtained any academic or vocational qualification legally required for the position and claimed in their application form.

## **Medical Fitness**

WOC is legally required to verify the medical fitness of anyone to be appointed to a post at WOC, after an offer of employment has been made but before the appointment can be confirmed.

All applicants are requested to complete a medical questionnaire and where appropriate a doctor's medical report may be required. This information will be reviewed against the Job Description and the Person Specification for the particular role, together with details of any other physical or mental requirements of the role.

WOC is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, obtaining medical evidence and considering reasonable adjustments.

## **Overseas Checks**

WOC, in accordance with the UK Visas and Immigration (UKVI) will, if applicable, sponsor new foreign nationals (see Certificate of Sponsorship section).

In addition, applicants who have lived/travelled abroad for more than 3 months will need to obtain a criminal records check from the relevant country. The applicant will not be permitted to commence work until the overseas information has been received and is considered satisfactory by WOC.

## Induction Programme

All new employees will be given an induction programme which will clearly identify WOC policies and procedures, including the Safeguarding Policy and KCSIE, and make clear the expectations which will govern how staff carry out their roles and responsibilities.

## Single Centralised Register of Members of Staff

In addition to the various staff records kept at WOC and on individual personnel files, a single centralised record of recruitment and vetting checks is kept in accordance with the Education (Independent College Standards) Regulations 2014 requirements. This is kept up-to-date and retained by Human Resources. The Single Centralised Register will contain details of the following:-

- All employees who are employed to work at the College.
- An identity check
- Enhanced DBS check/certificate
- Professional qualifications check
- Right to work check
- Mandatory Training

A designated trustee will be responsible for auditing the Single Centralised Register and reporting his/her findings to the Director.

## Record Retention / Data Protection

WOC is legally required to undertake the above pre-employment checks. Therefore, if an applicant is successful in their application, WOC will retain on their personnel file any relevant information provided as part of the application process. This will include copies of documents used to verify identity, right to work in the UK, medical fitness and qualifications. Medical information may be used to help WOC to discharge its obligations as an employer, eg so that WOC may consider reasonable adjustments if an employee suffers from a disability or to assist with any other workplace issue.

This documentation will be retained by WOC for the duration of the successful applicant's employment with WOC. All information retained on employees is kept centrally by the HR Manager in a locked and secure cabinet.

The same policy applies to any suitability information obtained about volunteers involved with WOC activities. WOC will retain all interview notes on all unsuccessful applicants for a period of 6 months, after which time the notes will be confidentially destroyed (ie shredded). The 6-month retention period is in accordance with the General Data Protection Regulations (GDPR) [DPA18].



## Contractors and Agency Staff

Contractors engaged by WOC must complete the same checks for their employees that WOC is required to complete for its staff. WOC requires confirmation that these checks have been completed before employees of the Contractor can commence work at WOC.

WOC will independently verify the identity of staff supplied by contractors or an agency in and will require the provision of the original DBS certificate before contractors or agency staff can commence work at WOC.

## Visiting Speakers (and Prevent Duty)

The Prevent Duty Guidance requires WOC to have clear protocols for ensuring that any visiting speakers, whether invited by staff or by learners, are suitable and appropriately supervised.

WOC is not permitted to obtain a DBS disclosure or Children's Barred List information on any visiting speaker who does not engage in regulated activity at WOC or perform any other regular duties for or on behalf of the WOC.

All visiting speakers will be subject to WOC's usual visitors signing in protocol. This will include signing in and out at Reception, the wearing of a visitor's badge at all times and being escorted by a fully vetted member of staff between appointments.

WOC will also obtain such formal or informal background information about a visiting speaker as is reasonable in the circumstances to decide whether to invite and/or permit a speaker to attend WOC. In doing so WOC will always have regard to the Prevent Duty Guidance 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."*

In fulfilling its Prevent Duty obligations WOC does not discriminate on the grounds of race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age.

## Volunteers

WOC will request an enhanced DBS disclosure and Children's Barred List information on all volunteers undertaking regulated activity with learners at or on behalf of WOC (the definition of regulated activity set out above will be applied to all volunteers).

Under no circumstances will WOC permit an unchecked volunteer to have unsupervised contact with learners.

It is WOC’s policy that a new DBS certificate is required for volunteers who will engage in regulated activity but who have not been involved in any activities with WOC for three consecutive months or more. Those volunteers who are likely to be involved in activities with WOC on a regular basis may be required to sign up to the DBS update service as this permits WOC to obtain up to date criminal records information without delay prior to each new activity in which a volunteer participates.

In addition, WOC will seek to obtain such further suitability information about a volunteer as it considers appropriate in the circumstances. This may include (but is not limited to the following):

- formal or informal information provided by staff, parents and other volunteers;
- character references from the volunteer's place of work or any other relevant source; and
- an informal safer recruitment interview.

### Review of the Policy

The Safer Recruitment Policy will be revised annually by the Senior Management Team and Director.

Policy Review	Review Date	Next Review Date	Approved by
Annually	26 July 2023	25 July 2024	Asif Khan