



# Recruitment Policy

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## **POLICY STATEMENT**

The Staffordshire Schools Multi Academy Trust ("the Trust") is committed to providing the best possible care and education to its pupils and to safeguarding and promoting the welfare of children and young people. The Trust is also committed to providing a supportive and flexible working environment to all its members of staff. The Trust recognises that, in order to achieve these aims, it is of fundamental importance to attract, recruit and retain staff and volunteers of the highest calibre who share this commitment. The Trust aims to recruit staff that share and understand our commitment and to ensure that no job applicant is treated unfairly by reason of a protected characteristic as defined within the Equality Act 2010.

The Trust carries out all recruitment activity in line with the following guidance and regulations:

- Keeping Children Safe in Education (KCSIE) September 2020
- Working Together to Safeguard Children March 2018
- Prevent Duty Guidance: England and Wales March 2015
- GDPR and other Data Protection legislation
- Equality Act 2010
- Advice from TSSMAT's HR Consultant

All queries on the Trust's Application Form and recruitment process must be directed to the Director of Business Operations.

This policy applies to all employees and Directors responsible for and involved in the recruitment and selection of all school-based staff, including EYFS staff.

## **AIMS OF THE POLICY**

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

- to ensure that the safeguarding and welfare of children and young people occurs at each stage of the process;
- 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 equitably 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 status, disability or age; and
- to ensure compliance with all relevant recommendations and guidance including the recommendations of the DfE in "Keeping children safe in education" (September 2020) and guidance published by the Disclosure and Barring Service.

## **OTHER RELEVANT POLICIES**

In reading this policy you should also consider and consult the following:

- Safeguarding Policy
- The Employee Handbook
- Data Protection Policy
- Equal Opportunities Policy
- Remuneration Policy

## **Policy**

The Recruitment, Selection and Disclosures Policy and Procedure herewith refers and applies to staff directly recruited and employed by the Trust. Staff are defined as: Any person working at the Trust whether under a contract of employment, under a contract for services or otherwise than under a contract, but does not include supply staff or volunteers.

The above definition includes teachers, paid coaches, part-time staff, teaching assistants, administrative staff, caretakers and other ancillary staff directly employed by the Trust.

Any staff who TUPE transfer into the Trust's staff, will also fall under this category and will be required to undertake the statutory requirements with regard to safer recruitment checks.

There is a separate section in the Appendix of this policy relating to volunteers, agency or contract workers and peripatetic teachers.

All staff (including volunteers, visiting professionals and contractors if they are in regular contact with children) are included in the single central register.

## **PROCEDURES**

### **Authority To Recruit**

All recruitment activities will require the prior approval of the Chief Executive Officer (CEO), Chair of the Board of Directors and the Business Operations Manager (BOM) and the acknowledgement of other key individuals via a "Recruitment Checklist" form. This form will ensure that key managers are aware of the recruitment activity and starts an auditable process whereby key actions and pre-employment checks can be monitored.

### **Application Forms**

The Trust will only accept applications from candidates completing the relevant Application Form in full. CVs will not be accepted in substitution for completed Application Forms.

The Trust will make candidates aware that all posts in the Trust involve some degree of responsibility for safeguarding children, although the extent of that responsibility will vary according to the nature of the post.

Candidates for employed posts will receive a Job Description and Person Specification for the role applied for.

As the position for which candidates are applying involves substantial opportunity for access to children, it is expected that applicants provide the Trust with legally accurate answers. See final paragraph in this section.

Upfront disclosure of a criminal record may not debar a candidate from appointment as the Trust shall consider the nature of the offence, how long ago and at what age it was committed and any other relevant factors.

Information should be submitted in confidence enclosing details in a separate sealed envelope which will be seen and then destroyed by the CEO. If candidates would like to discuss this beforehand, they are asked to please telephone in confidence to the CEO for advice. Any unspent convictions, cautions, reprimands or warnings must be disclosed to the Trust. However, amendments to the Exceptions Order 1975 (2013) provide that certain spent convictions and cautions are 'protected' and are not subject to disclosure to employers, and cannot be taken into account.

Guidance and criteria on the filtering of these cautions and convictions can be found at the Disclosure and Barring Service website.

The successful applicant will be required to complete a Disclosure Form from the Disclosure and Barring Service ("DBS") for the position. Failure to declare any convictions (that are not subject to DBS filtering) may disqualify a candidate for appointment or result in summary dismissal if the discrepancy comes to light subsequently. Criminal conviction personal data will be processed, stored, retained and destroyed in line with GDPR and the Trust's Data Protection Policy, and Retention Schedule.

If the candidate is currently working with children, on either a paid or voluntary basis, the Trust will ask their current employer about disciplinary offences, including disciplinary offences relating to children or young persons (whether the disciplinary sanction is current or time expired), and whether the candidate has been the subject of any child protection allegations or concerns and if so the outcome of any enquiry or disciplinary procedure.

If the candidate is not currently working with children but has done so in the past, the Trust will ask the previous employer about those issues. Where neither the current nor previous employment has involved working with children, the Trust will still ask the current employer about the candidate's suitability to work with children.

Where the candidate has no previous employment history, the Trust may request character references which may include references from the candidate's school, college or university.

All candidates should be aware that provision of false information is an offence and could result in the application being rejected or summary dismissal by the Trust if they have been appointed, and a possible referral to the police and/or DBS.

All applicants will be sent a Privacy Notice with the application form, which details how the Trust intends to process, store, retain and destroy any personal information provided by the applicant.

### **References – academic staff**

References for academic staff will be taken up on all short listed candidates prior to interview (where time allows).

All offers of employment will be subject to the receipt of a minimum of two satisfactory references, one of which must be from the applicant's current or most recent employer.

For academic staff if the candidate has previously worked with children but their current/most recent employment does/did not involve work with children, then the second referee should be from the employer with whom the applicant most recently worked with children.

Neither referee should be a relative or someone known to the applicant solely as a friend and in the case of applicants with only one professional reference a second reference may be sought from their university or school.

### **References – support staff**

References for support staff will be taken up on all short listed candidates prior to interview (where the candidate gives permission – it is noted that sometimes candidates prefer for references to be taken up after receiving an offer as their current employer may not be aware they are looking for a new job).

All offers of employment will be subject to the receipt of a minimum of two satisfactory references, one of which must be from the applicant's current or most recent employer.

For support staff who have worked in an education setting previously but their current/most recent employment does/did not involve work with children, then the second referee should be from the employer with whom the applicant most recently worked with children.

Where this is not possible usual professional references will be sought. Neither referee should be a relative or someone known to the applicant solely as a friend and in the case of applicants with only one professional reference a second reference may be sought from their university or school.

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.

All referees will be sent a copy of the Job Description and Person Specification for the role which the applicant has applied for.

Applicant's personal data may be sent to the named referee in order to ensure the reference is for the correct individual.

If the referee is a current or previous employer, they will also be asked to confirm the following:-

- The applicant's dates of employment, salary, job title/duties, reason for leaving, performance, sickness and disciplinary record;
- Whether the applicant has ever been the subject of disciplinary procedures involving issues related to the safety and welfare of children (including any in which the disciplinary sanction has expired);
- Whether any allegations or concerns have been raised about the applicant that relate to the safety and welfare of children or young people or behaviour towards children or young people.

The Trust will only accept references obtained directly from the referee and it will not rely on references or testimonials provided by the applicant or on open references or testimonials.

References should usually be in writing (or email) unless there are exceptional circumstances when a telephone reference will be acceptable.

The Trust will compare all references with any information given on the application form. Any discrepancies or inconsistencies in the information will be taken up with the applicant before any appointment is confirmed.

In exceptional circumstances, and if time does not allow for the references to be taken up before interview then they must be taken up before an offer of employment is made or an informal offer is made subject to such references.

Under no circumstances must a contract be issued prior to such references being received, reviewed and approved.

The Trust may call back a candidate for further interview if references are not available at the time of interview. Where a candidate has a genuine reason not to have a recent work based referee (for example if they are returning to work after an extended break after looking after children) then care must be taken to ensure any personal references are thoroughly considered and questioned, and additional references may be sought including contacts in the local community.

## **Interview**

The Trust will short list applicants according to the relevance and applicability of their professional attributes and personal qualities to the role. Short-listed applicants will then be invited to attend a formal interview at which his/her relevant skills and experience will be discussed in more detail.

Academic staff interviews will consist of two formal interviews with at least 2 people on each panel chaired by the CEO, Headteacher or a member of the SLT or another designated senior member of staff alongside a lesson observation.

Support staff interviews will consist of at least one panel interview with two or more people on the panel. It is at the discretion of the senior lead as to whether a task is required as part of the interview process.

The Chair of Directors should chair the panel for the CEO's appointment. The interviewers involved will be required to state any prior personal relationship or knowledge of any of the candidates and a judgement will be made by the Chair as to whether or not an interviewer should withdraw from the panel.

Should the Chair have a conflict of interest, the Vice Chair shall decide whether the Chair should withdraw from the panel.

One of the formal panel interviews may be a Values Based Interview.

It is essential that at least one person on any recruitment panel must have undertaken safer recruitment training or refresher training within the last 5 years.

Whenever possible the interview will be conducted in person and the areas which it will explore will include suitability to work with children, safeguarding and child protection.

All candidates invited to interview must bring documents confirming any educational and professional qualifications that are necessary or relevant for the post (e.g. the original or certified copy of certificates, diplomas etc.).

Where originals or certified copies are not available for the successful candidate, written confirmation of the relevant qualifications must be obtained by the candidate from the awarding body.

The Trust requests that all candidates invited to interview also bring with them:

- 3 forms of ID (i.e. Passport, current photo driving licence, full birth certificate, marriage certificate, recent utility bill, financial statement);
- Documentary evidence of any change of name by, for example, deed poll, marriage, adoption or statutory declaration
- Relevant qualification certificates

Please note that originals of the above are necessary. Photocopies or certified copies are not sufficient. The Trust will take a copy of the original documents and mark them as checked and dated at the time of inspection. Those copy documents taken for subsequently unsuccessful applicants will be destroyed 6 months after the interview date.

Candidates with a disability who are invited to interview should inform the Trust of any necessary reasonable adjustments or arrangements to assist them in attending the interview.

### **Conditional Offer of Appointment – Pre Appointment Checks**

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

- Where possible, the receipt of two references (one of which must be from the applicant's most recent employer and one from the applicant's employer with whom he/she most recently worked with children (if applicable)) which the Trust considers satisfactory (see above);
- Verification of the candidate's identity, qualifications and professional status (see above);
- The receipt of an Enhanced Disclosure from the Disclosure and Barring Service with which the Trust is satisfied (see below);
- If applicable, a check that a candidate to be employed at the Trust is not subject to a prohibition order issued by the Secretary of State, using the Employer Access Online service (for the purposes of this "teaching" is defined using The Teachers' Disciplinary (England) Regulations 2012 and does not include teaching assistants);
- If the candidate will be working in either a EYFS setting or involved in the care of children before or after school who are under the age of 8 a "Disqualification Declaration" will also be required under The Childcare (Disqualification) Regulations 2009.
- Verification of the candidate's medical fitness for the role (through a questionnaire, or with an occupational health provider);
- The agreement of a mutually acceptable start date

If the candidate has not previously lived in the UK, the Trust must obtain confirmation of their right to work in the UK, confirmation of their qualifications. Where a candidate has lived/worked abroad for 12 months or more within the last 5 years, the Trust may carry out additional checks with the country(ies) of residence.

Nearly all European Economic Area and Swiss nationals are free to live and work in the UK without restriction.

A check will be carried out through the NCTL on teachers sanctioned in other EEA member states. All checks should be documented and retained on the employee's personnel file and SCR (subject to certain restrictions under the Data Protection Act and DBS regulations) and followed up where they are unsatisfactory or contain discrepancies.

The Trust must notify the Disclosure and Barring Service where:

- An applicant has provided false information in, or in support of, his/her application; or
- There are serious concerns that an applicant poses a risk of harm to children.

If the offer is accepted and the above conditions are satisfied, the applicant will be issued with a contract of employment as confirmation of employment.

### **Medical Fitness**

As part of the recruitment process the Trust will take up medical information to confirm that the candidate is medically fit to carry out the role. A self-declaration form is used which



requires the individual to confirm that they are not aware of any reasons – mental or physical – which would prevent them from discharging the responsibilities associated with the post in question.

Any individuals who have medical conditions that place potential barriers to enabling them to carry out the intended role will be referred to an occupational health provider and, where possible, reasonable adjustments will be put in place to enable individuals to carry out their duties effectively.

The Trust is committed to its obligations under the Equality Act 2010 to make any such reasonable adjustments as required and viable.

### **Disclosure and Barring Service**

The Trust applies for a Disclosure and Barring Service (DBS) check in respect of all prospective staff members, Directors and volunteers. This is an enhanced check with barred list information.

An Enhanced Disclosure will contain details of all convictions on record including current and spent convictions (including those which are defined as "spent" under the Rehabilitation of Offenders Act 1974) together with details of any cautions, reprimands or warnings held on the Police National Computer. If the individual is applying for a position working with children or young adults, the Disclosure will also reveal whether he/she is barred from working with children or vulnerable adults by virtue of his/her inclusion on the lists of those considered unsuitable to work with children or vulnerable adults maintained by the Disclosure and Barring Service. It may also contain non-conviction information from local police records which a chief police officer thinks may be relevant in connection with the matter in question.

Applicants with recent periods of overseas residence and those with little or no previous UK residence will also be asked to apply for the equivalent of a Disclosure, if one is available in the relevant jurisdiction(s) or confirmation from overseas authorities/police forces.

The Trust expects supply/temporary worker agencies/contractors that are used by the Trust to register with the DBS on their own account (DBS updates service) and to follow their policy or their own comparable policy.

Proof of registration will be required before the Trust will commission services from any such organisation. A separate Barred List check will also be taken up against such categories of workers.

The Trust will independently verify the identity of staff supplied by such an agency by requiring such staff to bring their passport or (if not available) a photo driving licence into the Trust before beginning work.

For intermittent workers employed directly by the Trust, e.g, supply staff, the Trust requires them to register with the DBS Update Service so that checks can be made quickly and at limited cost. Barred List checks would also be taken up against these intermittent workers.

The DBS has operated a single certificate service whereby only the individual and not the employer is sent a disclosure certificate. The job applicant is therefore required to provide an original copy of the disclosure certificate to the Trust as part of the pre-employment checks.

If a new member of staff is due to start work and the Trust has not yet received their enhanced DBS disclosure a separate barred list check (formerly list 99) will be taken up together with a risk assessment in any such instance.

In such cases the individual would be fully supervised at all times until a satisfactory DBS disclosure is received and the additional safeguarding measures would be explained to the individual. There is an outline of recruitment checks taken up against all categories of workers in the appendices to this policy. Prohibition Order Checks will be carried out on anyone employed to carry out “teaching work” (as defined in The Teachers’ Disciplinary (England) Regulations 2012) to verify that the individual is not subject to a prohibition order issued by the Secretary of State. These checks are done for all staff, volunteers etc. through NCTL on Teachers and Others prohibited from the profession.

Prohibition on participation in management section 128 checks are carried out for all persons appointed to a management role, this includes SLT and senior support team.

### **“Disqualification by Association”**

The Trust is committed to ensuring that all members of staff are suitable to work with children and not disqualified from working in childcare.

Under The Childcare Act 2006 and The Childcare (Disqualification) Regulations 2009 the Trust has an obligation to check (in addition to the DBS and Prohibition Checks) that adults working with EYFS children or children under the age of 8 in before/after school clubs are not disqualified from working in such settings due to living in a household with a disqualified person.

All new members of teaching and non-teaching staff (including part-time staff, temporary and supply staff, and visiting staff, such as musicians and sports coaches) responsible for children in the EYFS or responsible for children under the age of 8 attending before/after school clubs will also be asked to complete a “Disqualification Declaration” self-disclosure form prior to their appointment. This is carried out under The Childcare (Disqualification) Regulations 2009 and requires individuals in settings with young children to disclose details of any offences committed by any other person living in their household (for example; son, daughter, partner, lodger).

The Trust will ask new employees to complete a self-disclosure form at the point of their appointment. Existing employees may be asked at any point, should a self-disclosure form

not be on file. Should the Trust be made aware at any point of any potential DBA of any existing employees then it will investigate such concerns.

Examples of reasons for disqualification are (this list is not exhaustive):

- Inclusion on the Children's Barred List
- Being cautioned for or convicted of certain violent and sexual criminal offences against children and adults
- Grounds relating to the care of children (including where an order is made in respect of a child under the person's care);
- Having registration refused or cancelled in relation to childcare or children's homes or being disqualified from private fostering. Any applicants who are affected by this restriction must apply to ISI for a waiver of the disqualification. This application must be made by the individual rather than the Trust and employment cannot be confirmed until this disqualification is formally waived. In the event of the disqualification being formally waived the Trust will then make a decision about the suitability of the applicant on a case by case basis. If no formal waiver is received from ISI then the offer of employment will be automatically withdrawn.

The Trust obtains assurances from third party organisations who employ staff who work with the Trust's pupils on another site that appropriate child protection checks and procedures apply to such staff.

### **Post Appointment Induction**

All staff, Directors, Members, Local Advisory Group members, and other volunteers newly appointed in the Trust will be offered and expected to undergo an induction programme, regardless of previous experience.

Further information is contained in the Induction in Child Protection Policy.

### **Retention and Security of Disclosure Information**

The Trust's policy is to observe best practice as regards use of disclosed information. In particular, the Trust will

- Store disclosed information and other confidential documents in locked storage, or electronically, and access to which will be restricted to staff with HR responsibility, and the Trust's senior management team;
- 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 disclosed information is destroyed by suitably secure means such as shredding at the end of the retention period;
- Ensure the electronic copies of any information are stored as securely as the physical copies.

### **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, in accordance with the requirements of the Data Protection Act 2018, and the General Data Protection Regulations 2018.

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.

For general personnel file information these records will be retained (under DPA Guidelines) for 7 years following the exit of an employee.

### **Single Central Register of Appointments (SCR)**

In line with KCSIE, the TSSMAT maintains a live SCR which includes all individuals who work in regular contact with pupils – including volunteers and those employed by third parties.

Please note that the SCR is a live document so does not contain the details of past staff. All staff leavers remain on Integris and so their information can be drawn down at anytime.

The following information is contained on the SCR:

- Name
- Address
- Date of birth
- Employment start date
- Continuous service date
- Job title
- Qualifications
- DBS certificate no
- Barred List (if appropriate)
- Overseas check (if appropriate)
- EEA Check
- Prohibition order (if appropriate)
- Prohibition of participation in management
- Disqualification declaration (if appropriate)
- Right to work
- References x 2
- L1 Safeguarding Training date

Please note that for longer serving employees some of the information may not be available but this is noted on the register.

For the Board of Directors the following information should be contained on the SCR:

- Name
- Address
- Date of birth
- Start date
- DBS

- Barred List
- Prohibition order
- Prohibition of participation in management
- L1 Safeguarding Training date

## **Appendix 1**

### **Policy on Recruitment of Ex-offenders**

#### **Background**

The Trust will not unfairly discriminate against any applicant for employment on the basis of conviction or other details revealed. The Trust makes appointment decisions on the basis of merit and ability.

If an applicant has a criminal record this will not automatically debar him/her from employment within the Trust. Instead, each case will be decided on its merits in accordance with the objective assessment criteria set.

In view of the fact that all positions within the Trust will amount to "regulated positions" within the meaning of the Protection of Children Act 1999 (as amended by the Criminal Justice and Courts Services Act 2000), all applicants for employment must declare all previous convictions (including those which would normally be considered "spent" under the Rehabilitation of Offenders Act 1974).

A failure to disclose a previous conviction may lead to an application being rejected or, if the failure is discovered after employment has started, may lead to summary dismissal on the grounds of gross misconduct.

A failure to disclose a previous conviction may also amount to a criminal offence. Under the relevant legislation, it is unlawful for the Trust to employ anyone who is included on the lists maintained by the Disclosure and Barring Service of individuals who are considered unsuitable to work with children.

In addition, it will also be unlawful for the Trust to employ anyone who is the subject of a disqualifying order made on being convicted or charged with the following offences against children: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence.

It is a criminal offence for any person who is disqualified from working with children to attempt to apply for a position within the Trust. If:

- The Trust receives an application from a disqualified person;
- Is provided with false information in, or in support of an applicant's application; or
- The Trust has serious concerns about an applicant's suitability to work with children,

it will report the matter to the Police, and the Disclosure and Barring Service.

#### **Assessment Criteria**

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 Trust will consider the following factors before reaching a recruitment decision:

- Whether the conviction or other matter revealed is relevant to the position in question;
- The seriousness of any offence or other matter revealed;
- The length of time since the offence or other matter occurred;
- Whether the applicant has a pattern of offending behaviour or other relevant matters; Whether the applicant's circumstances have changed since the offending behaviour or other relevant matters; and
- The circumstances surrounding the offence and the explanation(s) offered by the convicted person.

If the post involves regular contact with children, it is the Trust's normal policy to consider it a high risk to employ anyone who has been convicted at any time of any the following offences:

- Against adults: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence;
- Against children or adults: serious class A drug related offences, robbery, burglary, theft, deception or fraud.

If the post involves access to money or budget responsibility, it is the Trust's normal policy to consider it a high risk to employ anyone who has been convicted at any time of robbery, burglary, theft, deception or fraud.

If the post involves some driving responsibilities, it is the Trust's normal policy to consider it a high risk to employ anyone who has been convicted of drink driving within the last 10 years.

### **Assessment Procedure**

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 Trust will carry out a risk assessment by reference to the criteria set out above.

The assessment form must be signed by the CEO of the Trust before a position is offered. If an applicant wishes to dispute any information contained in a Disclosure, he/she can do so by contacting the DBS direct.

In cases where the applicant would otherwise be offered a position were it not for the disputed information, the Trust will, where practicable, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosed information.

## **Appendix 2**

### **Policy on the Recruitment of Volunteers**

Volunteers fall outside the definition of staff. As a result the same extensive range of recruitment checks which must be undertaken when recruiting paid staff do not need to be completed for volunteers.

This has been the case since 1 September 2010. The extent of the checks the Trust is required to undertake on a volunteer, or that it is permitted to undertake, are set out in the DfE statutory guidance "Keeping Children Safe in Education" (KCSIE), and also depend on whether a particular volunteer will be carrying out regulated activity for the Trust.

Regulated activity is defined by the Safeguarding Vulnerable Groups Act 2006 (SVGA). The SVGA states that a person will be carrying out regulated activity if:

- The work is fully unsupervised and undertaken at a school;
- On a partly unsupervised basis at a school;
- The work is carried out "frequently" by the same person or the "period condition" is satisfied;
- The role is carried out in connection with the purposes of the Trust; and
- Gives that person the opportunity to have face to face contact with children.
- The work involves personal/health/intimate care (for example helping an EYFS child to use the toilet)
- Driving a vehicle only for children

For these purposes "frequently" amounts to once a week. The "period condition" covers activity carried out four times or more in a 30 day period, or overnight i.e. between 2am and 6am.

Most positions within TSSMAT, whether paid or unpaid, carried out on a regular basis will fall within this definition. The Trust will undertake an Enhanced DBS check and a Children's Barred List check on all individuals undertaking regulated activity with children.

The Trust will carry out an Enhanced DBS check and Children's Barred List check for all newly appointed volunteers who will be undertaking regulated activity. The Trust will not undertake these checks for non-regulated volunteers (where the individual is fully supervised by a DBS enhanced checked individual).

In respect of volunteers who will not be engaging in regulated activity (which will most likely be due to the frequency of their volunteering, because they are fully supervised or because there is no opportunity for contact with children) the Trust will conduct an internal risk assessment and use professional judgement and experience to determine whether it would be appropriate to carry out the non-statutory enhanced DBS check.

The risk assessment process will consider:

- The nature of the work with children;
- What the Trust knows about the volunteer, including formal or informal information offered by staff, parents and other volunteers



- Whether the volunteer has other employment, or undertakes voluntary work elsewhere, from where referees can advise on suitability; and
- Whether the role is eligible for a DBS check (which it will be if it involves work with children).

In addition to the above risk assessment the Trust will carry out the following checks on all volunteers:

- References;
- An informal interview; and
- Checking with the Trust community for any concerns about the proposed volunteer.

Where no DBS or Barring List Checks have been carried out a volunteer will not be left unsupervised with children or be allowed to work in regulated activity. This is in line with both KCSIE regulations and the Prevent Duty – England and Wales.

Risk assessments will be carried out by the DBO prior to any volunteer carrying out work.

The risk assessment will consider the type of volunteering planned and identify the checks deemed necessary. See Appendix 1 of this guidance note.

### **Supervision of volunteers**

Whether a volunteer is supervised will be key in determining whether or not they are carrying out regulated activity. The Trust automatically asks all volunteers to subscribe to the DBS Update Service to cover for any breaks of service of more than three months.

The KCSIE guidance states that there are three main strands to appropriate supervision, which are:

- the supervision must be by a fully vetted person who is undertaking regulated activity;
- the supervision must be regular and day to day; and
- the supervision must be "reasonable in all the circumstances to ensure the protection of children".

Within this definition there is some discretion for the Trust to decide what amounts to appropriate supervision (considering the following factors):

- the ages of the children, including whether they differ widely;
- the number of children that the individual is working with;
- whether other individuals are helping to look after children;
- the opportunity for contact with children presented by the work or volunteering;
- how vulnerable the children are; and
- how many individuals will be supervised by the person carrying out the supervision.

**PTA**

In respect of parents who volunteer at functions or who are members of a PTA at one of the Trust schools, we will assess how often they are volunteering and whether there is the potential for unsupervised access to children.

If they satisfy the above definition of regulated activity then an Enhanced DBS check and Children's Barred List check will be completed.

If they do not then the Trust will adopt the risk assessment approach. It is unlikely that those parents, who volunteer at functions on a one off basis, and who the Trust are confident will be supervised for the most part, will be undertaking regulated activity.

Therefore, the Trust will exercise its discretion in such cases.

For those on a PTA where the volunteering is more likely to be regular enough to satisfy the definition of regulated activity, the Trust will consider whether they are supervised and the opportunity for contact with pupils each individual is afforded by their role on the PTA (by carrying out the relevant risk assessment).

Supervision will be required of those volunteers who are not undertaking regulated activity but for whom the Trust has carried out an Enhanced DBS check.

However, if we have received a satisfactory disclosure the level of supervision may be more relaxed than if we had undertaken no checks at all.

The decision rests with the Trust in these circumstances.

### **Appendix 3**

#### **Policy on the Engagement of Third Party Workers/Agency Workers/Contractors/Peripatetic Teachers**

Third Party workers are those individuals who work at the Trust from time to time but who are employed by another company/professional body.

The Trust will check with the relevant agency/company to confirm that the required checks have been carried out to the extent relevant to that person.

These checks will be confirmed in writing by the employing agency/company and will be recorded on the SCR. They will include:

- Name
- Address
- Date of birth
- Position
- Start Date
- Qualifications
- DBS certificate number and date
- Barred List (if appropriate)
- Right to work
- Overseas checks (if appropriate)
- Prohibition order (if appropriate)
- EEA check
- References x 2
- Disqualification by association (if appropriate)

The Trust will take up an independent identity check upon the third party arriving at a Trust school.

## **Appendix 4**

### **Policy on Visiting Contractors (i.e. refuse collection, sanitary operatives)**

There are contractors that visit the Trust for regular and adhoc service maintenance purposes.

Only following the verification of the following information will contractors be permitted to be unaccompanied on site.

- Name
- Date of birth
- Service provision
- Allocation of responsible staff member
- DBS
- Explanation of need to wear visitor badge

The employing agency/company will be required to send the disclosure certificate number and date of issue to the Trust pre-engagement, and the Trust will take up an independent identity check upon arrival.