

West Midlands UTC

Safeguarding and Safer Recruiting Policy

Safer Recruiting

The safe recruitment of staff in schools is the first step to safeguarding and promoting the welfare of children in education. The UTC is committed to safeguarding and promoting the welfare of all pupils in its care. As an employer, the UTC expects all staff and volunteers to share this commitment.

In line with recent legislation including the Children Act 2004, [Safeguarding Children and Safer Recruitment in Education Guidance](#), and the Safeguarding Vulnerable Groups Act 2006 the UTC takes very seriously its duty of care for all pupils. In order to help safeguard and promote the welfare of all its pupils the UTC is committed to a thorough and consistent Safer Recruitment Policy.

Author	Tom Macdonald	Version	1.0
Governor Approved Date	30/04/2015	Last Review Date	10/10/2017
Comments	This document is an Appendix to the Safeguarding policy		
Monitoring, Evaluation and Review	The Governing Body will review this document at least once every 2 years and assess its implementation and effectiveness in consultation with key stakeholders. Monitoring and Evaluation shall be conducted by the PA to the Principal who shall record for all appointment processes that safe recruiting policy has been adhered to. A summary of findings will be presented to the Principal for reporting to the Governing Body.		

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Equality and Diversity Statement

WMUTC strives to treat all its members and visitors fairly and aims to eliminate unjustifiable discrimination on the grounds of gender, race, nationality, ethnic or national origin, political beliefs or practices, disability, marital status, family circumstances, sexual orientation, spent criminal

convictions, age or any other inappropriate grounds.

1. Purpose

- 1.1.** The aims of the Safer Recruitment policy is to help deter, reject or identify people who might abuse pupils or are otherwise unsuited to working with them by having appropriate procedures for appointing staff.
- 1.2.** The UTC 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 UTC based on the applicant's abilities, qualification, experience and merit as measured against the job description and person specification.
- 1.3.** The recruitment and selection of staff will be conducted in a professional, timely and responsive manner and in compliance with current employment legislation.
- 1.4.** If any member of staff at the UTC has a close personal or familial relationship with an applicant they must declare it to the Principal or senior member of the recruiting team as soon as they are aware of the individual's application and avoid any involvement in the recruitment and selection decision-making process.
- 1.5.** This policy objectives are to operate this procedure consistently and thoroughly while obtaining, collating, analysing and evaluating information from and about applicants applying for job vacancies at UTC

2. Roles and Responsibilities

- 2.1.** It is the responsibility of the governing body to:
 - Ensure the UTC has effective policies and procedures in place for recruitment of all staff and volunteers in accordance with DCSF guidance and legal requirements.
 - Monitor the UTC's compliance with them
- 2.2.** It is the responsibility of the Principal and other Leaders involved in recruitment to:
 - Ensure that the UTC operates safe recruitment procedures and makes sure all appropriate checks are carried out on all staff and volunteers who work at the UTC.
 - To monitor contractors' and agencies' compliance with this document.
 - Promote welfare of children and young people at every stage of the procedure.
- 2.3.** In accordance with the UTC Staffing Regulations, the governing body has delegated responsibility to the Principal to lead in all appointments. The Vice Principal may deputise for the Principal in this capacity where necessary. The Director of Operations may deputise for the Principal in relation to appointment of support staff. The final decision in staff appointments will rest with the Principal or deputising staff member above.

3. Recruitment and Selection Procedure

3.1. Advertising

- 3.1.1.** To ensure equality of opportunity, the UTC will advertise all vacant posts to encourage as wide a field of applicant as possible, normally this entails an external advertisement.
- 3.1.2.** Any advertisement will make clear the UTC's commitment to safeguarding and promoting the welfare of children.
- 3.1.3.** All documentation relating to applicants will be treated confidentially in accordance with the Data Protection Act (DPA).

3.2. Application Forms

- 3.2.1.** The UTC 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).
- 3.2.2.** 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. CVs will not be accepted.
- 3.2.3.** 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 other professional regulatory bodies.

3.3. Job Description and Person Specification

- 3.3.1.** A job description is a key document in the recruitment process, and must be finalised prior to taking any other steps in the recruitment process. It will clearly and accurately set out the duties and responsibilities of the job role.
- 3.3.2.** The person specification is of equal importance and informs the selection decision. It details the skills, experience, abilities and expertise that are required to do the job. The person specification will include a specific reference to suitability to work with children.

3.4. References

- 3.4.1.** References for short listed applicants will be sent for immediately after short listing. The only exception is where an applicant has indicated on their application form that they do not wish their current employer to be contacted. In such cases, this reference will be taken up immediately after interview and prior to any formal offer of employment being made.
- 3.4.2.** Two professional/character references must be provided. These will always be sought and obtained directly from the referee and their purpose is to provide objective and factual information to support appointment decisions. Any discrepancies or anomalies will be followed up. Direct contact will be undertaken with each referee to verify the reference.
- 3.4.3.** The UTC does not accept open references, testimonials or references from relatives.

3.5. Interviews

- 3.5.1. There will be a face-to-face interview wherever possible, and the same panel will see all the applicants for the vacant position.
- 3.5.2. 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 have been identified in order to satisfy themselves that the chosen applicant can meet the safeguarding criteria (in line with the relevant Safer Recruitment Training).
- 3.5.3. 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 or as soon as they become apparent prior to appointment if references are obtained following interview.
- 3.5.4. At least one member of any interviewing panel will have undertaken safer recruitment training or refresher training as applicable.
- 3.5.5. All applicants who are invited to an interview will be required to bring evidence of their identity, address and qualifications. Original documents only will be accepted and photocopies will be taken. Unsuccessful applicant documents will be destroyed following at the end of the recruitment programme.

3.6. Offer of appointment and new employee process

- 3.6.1. The appointment of all new employees is subject to the receipt of a satisfactory DBS Certificate, references, medical checks, copies of qualification and proof of identity. A personal file checklist will be used to track and audit paperwork obtained in accordance with Safer Recruitment Training. The checklist will be retained on personal files.
- 3.6.2. **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 pupils. Therefore, any convictions and cautions that would normally be considered 'SPENT' must be declared when applying for any position at the UTC.
- 3.6.3. **DBS (Disclosure and Barring Service) Certificate** (formerly known as CRB Disclosure) - All staff at the UTC requires an enhanced DBS Certificate and therefore a DBS Certificate must be obtained for any new employee and shown to the Principal prior to working with children or young people.
- 3.6.4. **Section 128** – All members of the Senior Leadership Team and all Governors must be checked against the Section 128 register to ensure they are considered suitable to hold the position they are in with the UTC.
- 3.6.5. It is the UTC's policy to issue an Annual Self Declaration and Disclosure form to every employee - regardless of the length of service, every January, and ask employees to complete it re any convictions, proceedings or investigations

3.6.6. Members of staff at the UTC are made aware of their obligation to inform the Principal of any cautions or convictions that arise between these checks taking place.

3.6.7. 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 if their check was issued after 17 June 2013, for a fee of £13 per annum, which is payable by the applicant.

3.6.8. Dealing with convictions - The UTC 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 Principal. A decision will be made following this meeting.

3.6.9. Proof of identity, Right to Work in the UK & Verification of Qualifications and/or professional status. All applicants invited to attend an interview at the UTC 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 those set out in the Immigration, Asylum and Nationality Act 2006 and DBS Code of Practice Regulations. 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 prior to commencing employment.

3.6.10. Medical Fitness - Anyone appointed to a post involving regular contact with children must possess the appropriate level of physical and mental fitness before any appointment offer is confirmed. All applicants are requested to complete a medical questionnaire and where appropriate a doctor's medical report may be required.

3.6.11. Overseas checks - All new employees where persons have lived outside the UK are subject to additional checks in accordance with Immigration, Asylum and Nationality Act 2006. The UTC, in accordance with the UK Border Agency Code of Practice, may, if applicable, sponsor new foreign members of staff. In addition, applicants who have lived/travelled abroad for more than 3 months will need to obtain a police check from the relevant Country.

3.6.12. Induction Programme - All new employees will be given an induction programme which will clearly identify the UTC policies and procedures, including the Child Protection Policy and Safeguarding policy, and make clear the expectation and codes of conduct which will govern how staff carry out their roles and responsibilities.

3.6.13. Single Central Register (SCR) of Members of Staff - In addition to the various staff records kept in UTC and on individual personnel files, a SCR of recruitment and vetting

checks is kept in accordance with the DfE requirements. This is kept up-to-date and retained by the Director of Operations. The SCR will contain details of the following:-

- All employees who are employed to work at the UTC;
- all employees who are employed as supply staff to the UTC whether employed directly or through an agency;
- all others who have been chosen by the UTC to work in regular contact with children. This will cover volunteers, governors, peripatetic staff and people brought into the UTC to provide additional teaching or instruction for pupils but who are not staff members eg: sports coaches etc.

A designated Governor will be responsible for auditing the SCR and reporting his/her findings to the full Governing Body during the final meeting of each academic year. This governor may request to audit the SCR at any reasonable time and will raise concerns immediately with the Chair of Governors and Principal

3.6.14. Record Retention / Data Protection - The UTC will retain all interview notes on all applicants for a period of 6 months, after which time the notes will be destroyed (ie: shredded). The 6 month retention period is in accordance with the Data Protection Act 1998 and will also allow the UTC to deal with any data access requests, recruitment complaints or to respond to any complaints made to a Employment Tribunal. All information retained on employees is kept centrally in the Director of Operations office in a locked and secure cabinet.

3.6.15. Ongoing Employment - The UTC recognises that safer recruitment and selection is not just about the start of employment, but should be part of a larger policy framework for all staff. The UTC will therefore provide ongoing training and support for all staff, as identified through the Annual Review/appraisal procedure.

3.6.16. Leaving Employment at The UTC - Despite the best efforts to recruit safely there will be occasions when allegations of abuse against children and young people are raised. In cases relating to the behaviour of an employee (these behaviours are within the context of four categories of abuse – i.e.: physical, sexual and emotional and neglect) the UTC's Disciplinary Policy will apply.

In cases of dismissal (or resignation) due to the above behaviour, the UTC will inform the DfE and the Children's Safeguarding Unit of the circumstances why the employee is leaving the UTC's employment.

4. DfE Guidance and other documentation has been used to create this document. The specific guidance documents include:

- [Children Act 2004](#)
- [Safeguarding Children and Safer Recruitment in Education Guidance](#)
- [Safeguarding Vulnerable Groups Act 2006](#)
- [NSPCC Safer Recruitment Training](#)

Additional Safer Recruiting Statements:

West Midlands UTC : Policy Statement on the Secure Storage, Handling, Use, Retention & Disposal of Disclosures and Disclosure information

General principles

As an organisation using the Disclosure & Barring Service (DBS) Disclosure service to help assess the suitability of applicants for positions of trust, **West Midlands UTC** complies fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information. It also complies fully with its obligations under the Data Protection Act 1998 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information and has a written policy on these matters, which is available to those who wish to see it on request.

Storage and access

Disclosure information should be kept securely, in lockable, non-portable, storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties.

Handling

In accordance with section 124 of the Police Act 1997, Disclosure information is only passed to those who are authorised to receive it in the course of their duties. We maintain a record of all those to whom Disclosures or Disclosure information has been revealed and it is a criminal offence to pass this information to anyone who is not entitled to receive it.

Usage

Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

Retention

Once a recruitment (or other relevant) decision has been made, we do not keep Disclosure information for any longer than is necessary. This is generally for a period of up to six months, to allow for the consideration and resolution of any disputes or complaints. If, in very exceptional circumstances, it is considered necessary to keep Disclosure information for longer than six months, we will consult the DBS about this and will give full consideration to the data protection and human rights of the individual before doing so. Throughout this time, the usual conditions regarding the safe storage and strictly controlled access will prevail.

Disposal

Once the retention period has elapsed, we will ensure that any Disclosure information is immediately destroyed by secure means, i.e. by shredding, pulping or burning. While awaiting destruction, Disclosure information will not be kept in any insecure receptacle (e.g. waste bin or confidential waste sack).

We will not keep any photocopy or other image of the Disclosure or any copy or representation of the contents of a Disclosure.

However, notwithstanding the above, we may keep a record of the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the position for which the Disclosure was requested, the unique reference number of the Disclosure and the details of the recruitment decision taken.

West Midlands UTC: Policy Statement relating to the Recruitment of Ex-offenders

As an organisation using the Disclosure & Barring Service (DBS) Disclosure service to assess applicants' suitability for positions of trust, **West Midlands UTC** complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of a conviction or other information revealed.

West Midlands UTC is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.

We have a written policy on the recruitment of ex-offenders, which is made available to all Disclosure applicants at the outset of the recruitment process.

We actively promote equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records. We select all candidates for interview based on their skills, qualifications and experience.

A Disclosure is only requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a Disclosure is required, all application forms, job adverts and recruitment briefs will contain a statement that a Disclosure will be requested in the event of the individual being offered the position.

Recruitment, Employment and Disclosure Information

Where a Disclosure is to form part of the recruitment process, we encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process. We request that this information is sent under separate, confidential cover, to a designated person within **West Midlands UTC** and we guarantee that this information will only be seen by those who need to as part of the recruitment process.

Unless the nature of the position allows **West Midlands UTC** to ask questions about your entire criminal record, we only ask about 'unspent' convictions as defined in the Rehabilitation of Offenders Act 1974.

We ensure that all those in **West Midlands UTC** who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

At interview, or in a separate discussion, we ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.

We make every subject of a CRB Disclosure aware of the existence of the DBS Code of Practice and make a copy available on request.

We undertake to discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment.

Having a criminal record will not necessarily bar you from working with us.

This will depend on the nature of the position and the circumstances and background of your offences.

WMUTC DBS PROCEDURE DOCUMENT

The UTC is committed to safeguarding and promoting the welfare of children and young people and expects all staff, volunteers and governors to share this commitment. Therefore it is mandatory for all employees, volunteers and relevant governors of the UTC to undertake a DBS enhanced clearance check.

At the first opportunity you will be provided with a DBS form which must be completed in **BLACK** ink. Forms must be completed and returned within 2 days to the designated person to check, along with suitable **original** documentation to prove identity, Date of Birth and address(s). Please note photo copies and printed statements/invoices from the internet are not acceptable, all documents must be original from the supplier ie: bank or utility company.

You must provide a range of ID documents, one document must be able to confirm your current name, one document must be able to confirm your date of birth (if you are married and have changed your name, if you supply your birth certificate you will also need to produce your marriage certificate to prove your change of name) and one document must confirm your current address.

There are a variety of suitable documents – please see list below:

Group 1: Primary identity documents

Document	Notes
Passport	Any current and valid passport
Biometric residence permit	UK
Current driving licence – photo card with counterpart where one is issued	UK/Isle of Man/Channel Islands and EU (full or provisional) (Please note some European countries do not issue counterparts) All licences must be valid in line with current DVLA requirements
Birth certificate – issued at time of birth	UK and Channel Islands – including those issued by UK authorities overseas, eg embassies, High Commissions and HM Forces
Adoption certificate	UK and Channel Islands

Group 2a: Trusted government documents

Document	Notes
Current driving licence – photo card (where a counterpart has been issued but no counterpart is presented)	All countries (full or provisional) All licences must be valid in line with current DVLA requirements
Current driving licence – paper version	UK/Isle of Man/Channel Islands and EU (full or provisional).

	All licences must be valid in line with current DVLA requirements
Birth certificate – issued after time of birth	UK and Channel Islands
Marriage/civil partnership certificate	UK and Channel Islands
HM Forces ID card	UK
Firearms licence	UK, Channel Islands and Isle of Man

Group 2b: Financial and social history documents

Document	Notes	Issue date and validity
Mortgage statement	UK or EEA	Issued in last 12 months
Bank or building society statement	UK and Channel Islands or EEA	Issued in last 3 months
Bank or building society account opening confirmation letter	UK	Issued in last 3 months
Credit card statement	UK or EEA	Issued in last 3 months
Financial statement, e.g. pension or endowment	UK	Issued in last 12 months
P45 or P60 statement	UK and Channel Islands	Issued in last 12 months
Council Tax statement	UK and Channel Islands	Issued in last 12 months
Work permit or visa	UK	Valid up to expiry date
Letter of sponsorship from future employment provider	Non-UK or non-EEA only – valid only for employee/volunteer/governors residing outside of the UK at time of application	Must still be valid
Utility bill	UK – not mobile telephone bill	Issued in last 3 months
Benefit statement, e.g. Child Benefit, Pension	UK	Issued in last 3 months
Central or local government, government agency, or local council document giving entitlement, e.g. from the Department for Work and Pensions, the Employment Service, HMRC	UK and Channel Islands	Issued in last 3 months
EU National ID card		Must still be valid
Cards carrying the PASS accreditation logo	UK and Channel Islands	Must still be valid
Letter from head teacher or college principal		UK – for 16 to 19 year olds in full time education Only used in exceptional circumstances if other documents cannot be provided

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The documents provided will be copied and certified as true copies as they will be sent off with the completed form. The charge for the enhanced DBS check will be covered by the UTC.

As the DBS is a personal check the UTC will not receive a copy of the certificate, it will be posted directly to the employee/volunteer/governors home address. The employee/volunteer/ governor must produce the original hard copy of the certificate as soon as it is received so that it can be checked and noted in the personal records and also acknowledged on the Single Central Register. Employee/volunteer/governors must understand that failure to do this may result in the offer of employment being withdrawn or restrictions being placed on the job role or occupation.

Enhanced Disclosures and DBS Childrens Barred Lists checks (previously 'List 99') are provided by 'Safer Recruitment Ltd'

Lead contact:
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Safer Recruitment Ltd is an Umbrella Body for the Criminal Records Bureau, provides e-Bulk software solutions plus recruitment training and consultancy services in support of Safeguarding and the Vetting & Barring Scheme

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