

Trinity Specialist College

Safer Recruitment Policy



Policy reviewed	Dec 2019
Date for next review	Dec 2021
Signed by Chair of Trustees:	

1. Introduction

1.1 The Board of Trustees of Trinity Specialist College has adopted this Safer Recruitment Policy for the safe and legal employment of people to work in the college.

1.2 The Board of Trustees is committed to the welfare of young people and young adults in its care. It recognises that the legal requirements for recruiting people to work in the college include provisions specifically to protect young people and young adults from harm and that following these provisions is an essential part of its duty of care. It also recognises that the legal requirements for checking prospective employees' right to work in the United Kingdom protect those responsible for recruitment from fines for infringing the law.

1.3 The Board of Trustees has also adopted the model Safeguarding Policy for Colleges and Education Services recommended by Birmingham Safeguarding Young People Board.

1.4 The Board of Trustees will ensure that all employees are made aware of this policy.

2. Guidance on the Law

2.1 The Board of Trustees is committed to following the statutory guidance:

Keeping Children Safe in Education September 2021

2.2 The HR & Welfare Manager is required to ensure that checks on the right to work in the United Kingdom comply with the requirements of the Immigration, Asylum and Nationality Act 2006

2.3 The Board of Trustees is committed to its legal duties and responsibilities in respect of equality in employment.

3. Checks and Recording

3.1 The Board of Trustees commits the college to working in compliance with the legal requirements on colleges and colleges to undertake pre-employment checks. The HR & Welfare Manager is required to:

- Ensure that all required pre-employment checks on new employees, including casual and short-term employees, are made and completed satisfactorily before a formal offer of employment is made in accordance with the College Staffing (England) Regulations and other legislative

provisions and that these checks are recorded in the required register (known as the 'single central record').

- Ensure all teachers commencing employment from 1st April 2014 do not have a Prohibition Order that prohibits them from teaching.
- Ensure that the required register (known as the 'single central record') is kept of the checks already undertaken on existing employees as set out in the College Staffing Regulations
- Ensure that the required written confirmation of all required checks is obtained from agencies supplying staff to the College, including organizations providing specialist coaches or instructors and centrally managed teaching services providing staff to the College, and recorded in the required register ('single central record'), also that the identity of each and every person supplied by an agency is checked by the college before the person starts work for the college, as set out in the College Staffing Regulations.
- Ensure that self-employed people engaged directly by the college are subject to the same checks as would be the case if they were employed by the college.
- Ensure that the checks involve copying (or electronic scanning) each specified document as required, signing and dating the copy and placing the copy in secure storage in accordance with Data Protection legislation.
- Arrange for relevant volunteers to undertake an identity check, and clearance from the Disclosure and Barring Service as specified by the Service and in the Childcare Disqualification Regulations.

3.2 The Board of Trustees will ensure that these requirements are applied to the selection of a Director.

3.3 The Board of Trustees will ensure that it works with the local authority and complies with the requirements of the Safeguarding Vulnerable Groups Act 2006 to refer prescribed information to the Disclosure and Barring Service when required to do so. 3.4 The Board of Trustees will ensure that the Single Central Record is audited both internally and externally and the College maintains records of such audits.

4. Risk assessment – enhanced disclosure and barring certificate

4.1 The Board of Trustees permits the commencement of employment before an enhanced criminal record certificate has been obtained only in justifiable circumstances approved by the Principal following a risk assessment and provided that an application for such a certificate has been submitted. In each

case the Principal is required by the Board of Trustees to record the risk assessment and the decision, monitor the situation every fourteen days until the enhanced certificate from the Disclosure and Barring Service is received and to be accountable for the decision to allow the employee to start work.

Positive Disclosure

4.2 The Board of Trustees requires the Principal to carry out the risk assessment in connection with a positive disclosure obtained through a check with the Disclosure and Barring Service. 4.3 The Board of Trustees expects the Principal, where appropriate, to take advice from the Authority's LADO Team on a positive disclosure from the Disclosure and Barring Service, or appropriate other persons such as the Authority's Employee Relations Team as necessary and refer the matter to the relevant committee of the Board of Trustees if advised to do so.

5. General Recruitment Procedures

5.1 The college does not use the Portability process for undertaking DBS Status checks. The college will use the DBS Update Service for registered people requiring a status check, once consent has been gained.

5.2 Where the Board of Trustees has delegated its power of recruitment and selection to the Principal, it requires them to ensure, as far as reasonably practicable, that:

- All vacancies, whether permanent or temporary, are advertised externally, unless this would result in displacement of existing staff or there is an urgent need to recruit temporary cover for absent staff, in which cases the Principal is required to invite applications or expressions of interest from all staff in the college, including existing temporary employees and agency workers. The Board of Trustees notes that there is a legal requirement to make all such vacancies known to employees on maternity leave and parental leave and to agency workers. It expects details supplied to applicants to include a job description and person specification.
- All advertisements include a statement to the effect that the college "is committed to safeguarding and promoting the welfare of young people and young adults and expects all employees and volunteers to share this commitment" and a statement that the successful applicant will require an enhanced disclosure from the Disclosure and Barring Service
- Every job description includes a statement that the employee is responsible for promoting and safeguarding the welfare of young people or children for whom he or she is responsible or comes into contact
- Every person specification includes a clear statement about the requirements for any applicants to demonstrate their suitability to work with vulnerable young adults and that this will include motivation, ability to maintain appropriate relationships with young people, emotional resilience to challenging behaviour, and attitudes to the use of authority and maintenance of discipline

- The college uses the current standard application form prepared by Trinity Specialist College
- Any gaps in education or employment, or discrepancies between information on the application form and references are explored
- At least one job-related written reference, from either the current or most recent employer (or training establishment in the case of a newly qualified teacher or college for a young person with no previous employment experience) or most recent employer in respect of employment with children, is obtained before interviews take place, that relevant questions are asked of the referee and employee in accordance with statutory guidance and any discrepancies are investigated (having regard to the statutory guidance that it is up to the person conducting the recruitment to decide whether to accede to a candidate's request his or her current employer only if he/she is the preferred candidate after the interview but that this is not recommended as good practice)
- That the assessment of candidates during selection process is made against the person specification and criteria set for the assessment
- A job is never offered subject to references and that if written references are not available at the time of interview, any job offer is deferred pending the receipt of satisfactory references
- All persons invited for interview are informed in writing of the required pre-employment checks and asked to bring relevant documentation with them on the day of the interview
- Choose suitable people, one of which should have completed the required training in safer recruitment, to interview candidates and ensure that the interviews are supplemented by other tasks and assessment as appropriate
- All documentation about the recruitment and selection is retained securely for six months in accordance with data protection legislation, after which papers are destroyed, except for the items relating to the successful applicant
- All necessary relevant documentation for the successful applicant is held within a person's personal file, including two written references, evidence of right to work, evidence of qualifications, written confirmation from agencies supplying staff and risk assessments pending the outcome of a DBS check

5.3 The Board of Trustees will also require selection panels for Operations Director, Principal and Curriculum & Behaviour Manager appointments (and any interviewing panel including Trustees), to follow these requirements.

6. Safer Recruitment Training

6.1 The Board of Trustees will arrange as necessary for some or all Trustees to undertake the training in safer recruitment specified in the College Staffing Regulations.

6.2 The Board of Trustees will follow the that at least one member of selection panels for Operations Director and Principal, HR & Welfare Manager and Curriculum & Behaviour Manager appointments (and any other interviewing panel including Trustees) has completed the required training in safer recruitment. This training is to be refreshed every 5 years.

7. Induction

7.1 The Principal is required to ensure that arrangements are made for induction to include in the first week all relevant aspects of the Safeguarding Policy for Colleges and Education Services, including the identity of the Designated Safeguarding Lead.

7.2 This is in addition to statutory induction for newly qualified teachers and probation for new support staff.

7.3 The Principal is expected to ensure that arrangements are made for suitable induction and training for all other employees new to the college.