

Tumblewood School DBS and Safer Recruitment Policy

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1 Legislative Framework and Guidelines

The recruitment and selection of staff is conducted in a professional, timely and responsive manner and in compliance with current employment legislation, and all relevant legislation, recommendations and guidance including:

- the statutory guidance published by the Department for Education (DfE)
- Keeping Children Safe in Education September 2016 (KCSIE)
- Prevent Duty Guidance for England and Wales 2015 (the Prevent Duty Guidance)
- The Intended Staffing (England) (Amendment) No 2 Regulations 2006
- All guidance or code of practice published by the Disclosure and Barring Service (DBS)

2 Aims and Objectives

“Keeping Children Safe in Education” (2016)

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

The School Safer Recruitment Policy should be read in conjunction with:

- Tumblewood Community Safer Recruitment Policy and Procedure
- Child Protection and Safeguarding Policy

The **aim** of the School Safer Recruitment policy is to help deter, reject or identify people who might abuse students or are otherwise unsuited to working with them by having appropriate procedures for appointing staff.

The **purpose** of the School Safer Recruitment policy is to set out the minimum requirements of the recruitment process.

Tumblewood has a principle of open competition in its approach to recruitment and seeks to recruit the best applicant for the job. The recruitment and selection process should ensure the identification of the person best suited based on the applicant’s abilities, qualification, experience and merit as measured against the job description and person specification. The recruitment procedures followed by Tumblewood aim to:

- recruit the best possible staff on the basis of their merits, abilities and suitability for the position
- consider all job applicants equally and consistently
- 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
- meet Tumblewood’s commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks

Safe recruitment processes are followed and led by HR, and all staff recruited to the School are

subject to appropriate identity, qualification, prohibition and health checks. References are verified, and Disclosure and Barring Service (DBS) checks are undertaken prior to commencement in post.

The Recruitment panel always includes a Safer Recruitment trained member of staff. Tumblewood undertakes Safer Recruitment consistently and thoroughly while obtaining, collating, analysing and evaluating information from and about applicants applying for job vacancies at Tumblewood.

This policy works in conjunction with the training packs listed in the Appendices.

3 Standards, Roles and Responsibilities

It is the responsibility of the Board to:

1. Ensure Tumblewood has effective policies and procedures in place for recruitment of all staff and volunteers in accordance with DfE guidance and statutory requirements.
2. Monitor Tumblewood’s compliance with statutory regulations and employment law.

It is the responsibility of the Registered Manager, Head Teacher, HR and other managers involved in recruitment to:

3. Ensure that Tumblewood operates safe recruitment procedures and makes sure all appropriate checks are carried out on all staff and volunteers who work at Tumblewood.
4. Monitor contractors’ and agencies’ compliance with this document.
5. Promote welfare of children and young people at every stage of the procedure.

The board has delegated responsibility to the Registered Manager (for Care and Therapy staff), Head Teacher (for teaching staff) and HR (for support staff) to lead in appointments, overseen by the Compliance Officer. School Board Members may be involved in school staff appointments but the final decision will rest with the Head Teacher, HR and Compliance Officer. For all other employees, the final recruitment decision rests with HR Manager, Registered Manager or Head Teacher, and Compliance Officer.

Employees involved in the recruitment and selection of staff are responsible for familiarising themselves with and complying with the provisions of this policy.

If a member of staff involved in the recruitment process has a close personal or familial relationship with an applicant they must declare it as soon as they are aware of the individual’s application and avoid any involvement in the recruitment and selection decision-making process.

4 Regulated Activity

Definition of Regulated Activity and Frequency

Any position undertaken at, or on behalf of Tumblewood will amount to "regulated activity" if it:

• is carried out frequently	- meaning once a week or more
• is carried out overnight	- meaning between 2.00 am and 6.00 am
• satisfies the "period condition"	- meaning four times or more in a 30 day period
• provides the opportunity for contact	

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

Children's Barred List

Tumblewood is not permitted to check the Children's Barred List unless an individual will be engaging in Regulated Activity.

Enhanced DBS

Tumblewood is required to carry out an enhanced DBS check for all staff, supply staff and Board Members who will be engaging in Regulated Activity.

Tumblewood may 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.

5 Safer Recruitment Overview

The School operates a strict safer recruitment procedure following the principles of Safer Recruitment Training.

This includes:

- Clear and easily understood advertisements for a role that requires enhanced DBS checks
- Detailed personnel specifications for each post together with job descriptions, with any further particulars of the post as described in an additional information document
- Application forms are assessed against the personnel specification and other application information to create a shortlist of candidates
- Interviews are conducted fairly and consistently on a structured basis
- All interviewees provide evidence of identification and relevant qualifications
- All interview panels include a member of the senior leadership team who is 'Safer Recruitment' trained
- References are always taken up for prospective new employees and details are checked against other records for consistency
- The advice provided in the DFE publication 'Keeping Children Safe in Education' September 2016, is followed
- All required pre-employment checks including prohibition checks are completed on new employees

6 Recruitment & Selection

6.1 Advertising

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

Any advertisement makes clear Tumblewood's commitment to safeguarding and promoting the welfare of children.

All documentation relating to applicants is treated confidentially in accordance with the Data Protection Act (DPA) and, from May 2018, the General Data Protection Regulations (GDPR).

6.2 Application forms

Employment History and Qualifications

Tumblewood requires its own application form to be completed by applicants for employment. This form contains questions about academic achievements, vocational training and full

employment record in order for their suitability for the role to be fully assessed, and all applicants are required to account for any gaps or discrepancies in employment history. Incomplete application forms are not shortlisted and CV's alone are not accepted.

Convictions and Rehabilitation of Offenders

The application form includes a declaration regarding convictions and working with children, and makes clear that posts at Tumblewood are exempt from the provisions of the Rehabilitation of Offenders Act 1974.

All applicants are made aware that providing false information is an offence and could result in the application being

- rejected
- summary dismissal if the applicant has been selected
- referred to the police and/or the DBS, whether or not the applicant is made an offer of employment

6.3 Job Descriptions and Person Specifications

The Job Description is a key document in the recruitment process, and is finalised before taking any other steps in the recruitment process. It clearly and accurately sets out the duties and responsibilities of the job role.

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 includes a specific reference to suitability to work with children.

6.4 References

References for short listed applicants are requested immediately after short listing so that if any issues arise, these can be explored at interview. An exception is made where an applicant has indicated that they do not wish their current employer to be contacted at that stage. In such cases, the reference is taken up immediately after interview if the applicant agrees.

All offers of employment are subject to receipt of a minimum of two references which are considered satisfactory by Tumblewood. One of the references must be from the applicant's current or most recent employer. If the current/most recent employment does not or did not involve work with children, then the second reference should be from the employer with whom the applicant most recently worked with children. References for a minimum of 2 years prior to the commencement of the new post at Tumblewood should be sought.

References are always sought and obtained directly from the referee, with the purpose of providing objective and factual information to support appointment decisions. Employment references should be sought from a business email or postal address and returned from same, ideally on headed paper.

If a Personal Reference is being obtained in lieu of employment reference, the person supplying the reference should be someone of professional standing eg. doctor, teacher, lawyer who is personally known to the applicant for some years, and who is required by the code of conduct of their profession to act truthfully and lawfully.

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

Telephone Verification

Direct contact by phone is undertaken with each referee to verify the reference. Any discrepancies or anomalies are followed up. The contact number should not be a personal telephone number but should be a business number. The only exception is if a Personal Reference is being obtained in lieu of employment reference.

Suitability to Work with Children

All referees are 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.

Prevent

Referees are asked to confirm that the applicant has not been radicalised so that they do not support terrorism or any form of extremism.

Tumblewood recognises that a referee may simply fail to provide a reference or may wrongly indicate the applicant is unsuitable; the applicant may not have been employed during the whole of the previous two years. In such circumstances it is at the discretion of the Head Teacher, HR Manager and Compliance Officer whether to make an offer of employment, and best practice would be to extend the probationary period and ensure more frequent supervision.

If employment is offered where references have not been possible to obtain in accordance with the guideline above, a risk assessment should be placed on the personal file to explain the reason for the decision.

6.5 Health & Fitness to Work

No questions are asked about health or medical fitness prior to any offer of employment being made.

6.6 Interviews

A face-to-face interview takes place wherever possible, and a minimum of two interviewers, including one who is Safer Recruitment trained, sit on the panel.

The interview process explores the applicant's ability to carry out the job description and meet the person specification.

Interview notes which have been rated and scored, and signed and dated by the interviewer, together with any accompanying notes, should be placed on the personal file.

6.7 Safer Recruitment best practice**Employment gaps**

Any anomalies or gaps that have been identified are explored with the applicant in order to satisfy the interviewers that the chosen applicant meets safeguarding criteria (in line with Safer Recruitment Training).

Disciplinary action, cautions or convictions

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.

Identity checks at Interview

All applicants who are invited to an interview are required to bring evidence of their Identity, Address, and qualifications if relevant to the Job Description and Essential Requirements of the role. Original documents must be presented and photocopies will be taken which are annotated "verified true copies of the originals and signed and dated.

Documents of unsuccessful applicants are destroyed 6 months after the recruitment programme

7 Conditional Offer of Employment and Pre-Employment Checks

When Tumblewood makes an offer of employment it will be subject to satisfactory pre-employment checks being carried out, and the start date will not be agreed until these checks have been completed. Tumblewood carries out a number of pre-employment checks, and additional checks are carried out in respect of Tumblewood School in line with "DfE Staffing and employment advice for schools" Feb 2017.

Statutory requirements and guidelines

Tumblewood follows the statutory requirements and guidance set out in

Keeping Children Safe in Education Part 4 September 2016
Education (Independent School Standards) Regulations 2014
Boarding schools: National Minimum Standards
Staffing and employment advice for schools Feb 2017 – DfE
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/594126/Staffing_and_employment_advice_for_schools_Feb_2017.pdf
ID Checking guidelines for DBS applications – Government guidelines [**APPENDIX C**]
Guidance for safer working practice for those working with children and young people in education settings Oct 2015 – Safer Recruitment Consortium
<https://www.safeguardingschools.co.uk/guidance-for-safer-working-practice-for-adults-who-work-with-children-and-young-people-in-education-2015/>

An offer or employment is conditional on:

- verification of the applicant's identity
- receipt of a minimum of two satisfactory references
- all required disbarring checks being positive in respect of DBS, prohibition from teaching and working with children
- health and fitness to work checks
- right to work in the UK check
- sight of original qualifications essential to the role

and, subject to the above being satisfactory,

- agreement of a mutually acceptable start date
- signing of a contract incorporating Tumblewood's standard terms and conditions of employment

Regulated activity

Tumblewood carries out an Enhanced DBS check for all staff, supply staff and Board Members who engage in regulated activity. [Appendix A – Regulated Activity]

Tumblewood may 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. Whether a position amounts to "regulated activity" must therefore be considered by Tumblewood in order to decide which checks are appropriate.

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 children. Therefore, any convictions and cautions that would normally be considered 'spent' must be declared when applying for a position at Tumblewood.

7.1 Verification of ID

All applicants are required to supply documents to verify:

- A. identity in accordance with government DBS identity checking guidelines
<https://www.gov.uk/government/publications/dbs-identity-checking-guidelines/id-checking-guidelines-for-dbs-check-applications>
- B. eligibility to work in the UK in accordance with Immigration, Asylum and Nationality Act 2006
<http://www.legislation.gov.uk/ukpga/2006/13/contents>
and
Right to Work in the UK checklist [**APPENDIX D**]
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/378926/employers_right_to_work_checklist_november_2014.pdf

Tumblewood requires 3 independent pieces of identification, one of which must be dated within the last 3 months showing the applicants current address.

Name change

Where an applicant claims to have changed their name since birth by deed poll or any other means (eg. marriage, adoption, statutory declaration), they are required to provide documentary evidence of the change – marriage certificate, divorce decree, deed poll.

7.2 Disclosure and Disbarring Service check (DBS)

Tumblewood applies for an enhanced disclosure from the DBS and a check of the Children's Barred List (Enhanced Check for Regulated Activity) in respect of all positions at Tumblewood 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 Tumblewood's policy that the DBS disclosure must be obtained before the commencement of employment of any new employee.

DBS Certificate

The DBS no longer issues a Disclosure Certificate to employers – this is sent directly to the employee/ applicant. New employees/applicants should bring the original Certificate to HR department before commencing work or any project involving regulated activity.

Previous DBS Certificates Checks

Staff may have a current DBS certificate from previous employment. It is Tumblewood's policy to obtain a new DBS certificate unless the person has subscribed to the DBS Update Service.

Overseas residency

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

Dealing with convictions

Tumblewood 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:

- 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 HR Manager. 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 HR Manager 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, Tumblewood 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.

Disbarring checks

Tumblewood will make the following enquiries and only appoint and allow the person to undertake any work or have any contact with children at Tumblewood if the following conditions are met:

- a) The applicant is not, and has never been, the subject of a sanction, restriction or prohibition issued by the 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 Tumblewood or which, in Tumblewood's opinion, renders the applicant unsuitable to work at Tumblewood.
- b) 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 Tumblewood or which, in Tumblewood's opinion, renders the applicant unsuitable to work at Tumblewood.
- c) where the position amounts to "regulated activity", the applicant is in receipt of an Enhanced Disclosure from the DBS.
- d) where the position amounts to "regulated activity", the applicant is not named on the Children's Barred List*.
- e) 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 school,

taking part in the management of an independent school or working in a position which involves regular contact with children.

- f) 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 school.
- g) any further checks which are necessary as a result of the applicant having lived or worked outside of the UK.

Children's Barred List

Tumblewood is not permitted to check the Children's Barred List unless an individual will be engaging in "regulated activity".

Notification of undisclosed barring information

Tumblewood will make an immediate referral to the DBS in circumstances where an individual has applied for a position at Tumblewood despite being barred from working with children.

7.3 Health & Fitness to Work check

Tumblewood is legally required to verify the medical fitness of anyone to be appointed to a post at Tumblewood, 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 obtain a doctor's letter confirming there is no known reason why the person would not be fit to undertake the role. The doctor is sent a copy of the Job Description and any fee for providing this letter is paid by Tumblewood. Where appropriate a doctor's medical report may additionally be required.

This information is 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.

Tumblewood 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.

7.4 Right to Work in the UK check

All applicants are required to provide evidence of their eligibility to work in UK in accordance with the "Immigration, Asylum and Nationality Act 2006 Right to Work in the UK" and provide documents from the Right to Work in the UK checklist [**APPENDIX D**]

UK citizens

In most instances proof will be obtained from the same documents supplied for the DBS application.

EU citizens

In most instances proof will be obtained from the same documents supplied for the DBS application. The UK is leaving the EU and the right to work in UK may alter; the rules allowing EU citizens free movement and freedom to work in any EU country have not yet been decided. HR staff are aware of this and existing staff and applicants to whom this applies should consult the Home Office if there is any change in the law.

UK residents of non-EU origin

Applicants from countries outside the UK & EU require a visa to work in the UK. There are different categories of visa and in all cases, it is the responsibility of Tumblewood to ensure that the applicant has the right to work in the UK.

Except in the case of "Indefinite Leave to Remain", the date of expiry and special conditions of any visa should be noted, and appropriate steps taken 3 months in advance of the expiry date to advise the member of staff to renew the visa as otherwise Tumblewood will be obliged to terminate the employment.

The Immigration Office – "UK Visas and Immigration" (UKVI - Part of the Home Office) is changing visas from a stamp in passports to a card system (like driving licences).

Please refer to:

- A. full guidance in the Immigration, Asylum and Nationality Act 2006
<http://www.legislation.gov.uk/ukpga/2006/13/contents>
- B. Right to Work checklist [**APPENDIX D**]
<https://www.gov.uk/government/publications/dbs-identity-checking-guidelines/id-checking-guidelines-for-dbs-check-applications>

Applicants from Overseas on Sponsorship (in Tier 2 and Tier 5)

Some categories of applicant being a national of a non-EU country may require a Certificate of Sponsorship (CoS). Before any offer of employment is made, the HR Department will establish whether Tumblewood has any unallocated Sponsorship Certificates.

**** Only the HR Department may issue a CoS ****

Criteria for issuing a CoS are:

- the job is in a "designated shortage" occupation
- it passes the Resident Labour Market Test (RLMT)
- the job is at NQF6 Level or above
- minimum salary level as stated by UK Visas and Immigration (UKVI) is met

In addition to the CoS the applicant must apply for entry clearance/leave to remain through the UKVI and comply with UKVI requirements.

The process can take up to three months and staff cannot, under any circumstances, be employed until permission is given.

Detailed advice on the above is available from the HR Department.

7.5 Qualifications

If they are an essential or legal requirement for the position, applicants are required to demonstrate that they have obtained the academic or vocational qualifications claimed in their application form. In the event that the original certificate is no longer available, a letter from the educational establishment or certifying authority confirming the qualification gained will be acceptable.

In addition to teaching qualifications and subject qualifications, Tumblewood requires all staff to provide evidence that they have achieved Maths and English qualifications to at least CSE Grade 1 pass (GCSE).

8 Induction and Safeguarding Training

New employees receive training during induction that includes Key Policies and safe working practices and training on updates continues throughout employment.

Continuing Compliance with Safer Recruitment during Employment

It is Tumblewood's policy to re-check employees' DBS Certificates every three years. Staff may wish to join the DBS Update Service when their certificate is issued (for a fee of £13 per annum which is payable by the applicant) as this updates the check annually and permits Tumblewood to obtain up-to-date criminal records information without delay.

Career Breaks

Any employee that takes leave for more than three months (eg. maternity leave, career break) is re-checked before they return back to work.

Members of staff at Tumblewood are obliged to inform the Head Teacher and HR Manager of any cautions or convictions that arise between checks taking place.

Certificate

Employees should bring the original certificate to HR department within 7 days of issue.

9 DBS checks and Single Central Register

Single Central Register - This is the record of safeguarding checks and is maintained by the HR Manager.

DBS checks returned with a disclosure - Tumblewood School recognises that in some cases DBS checks will include disclosures of past criminal activity. This is not of itself a bar to inclusion on the Single Central Record. In all such cases, the Headteacher will complete a risk assessment, taking advice as necessary, and decide if the individual is considered appropriate to include on the Single Central Register (SCR). It is the schools' understanding that other Authorised Bodies completing DBS checks that are recognised by the school will complete similar risk assessments in the event of a DBS Check disclosure.

Starting Employment without a DBS check - In exceptional circumstances, a member of staff is authorised by the Head Teacher to start work before the return of their Tumblewood School DBS check. This will require a personal declaration signed by the individual stating that they have no criminal convictions, bind-over orders, cautions, reprimands or warnings recorded against them and a Risk Assessment completed by the Head Teacher.

Exceptional circumstances arise where a key role in school is vacant and the time taken to process a DBS check is extensive. In such cases, members of staff are only allowed to work alongside other members of staff who have been DBS checked and never alone.

Accepting DBS certificates from other organisations - Tumblewood School completes new

DBS checks for all new employees on appointment.

For teachers, therapists, professionals and volunteers working for shorter or infrequent times, we recognise DBS checks completed by other organisations in the following circumstances:

- DBS completed by other Educational Providers for teachers working at their site with Tumblewood School Students
- DBS completed by those who are working for charities, who are themselves working for or with the school
- DBS completed by Therapists and other professionals who are self-employed

Copies of certificates (for the maximum permitted time) and DBS approval reference numbers are kept on file for all who work with the children.

10 Disqualification Declaration Process

Schools and other educational settings which provide care for pupils under the age of 8, are required by the **Keeping Children Safe in Education 2016** Code of Practice to ensure that staff and volunteers are not disqualified from working in these settings under the

Childcare (Disqualification) Regulations 2009

<http://www.legislation.gov.uk/ukxi/2009/1547/contents/made>

A person may be disqualified through:

1. Having certain orders or other restrictions placed upon them.
2. Having committed certain offences.
3. Living in the same household as someone who is disqualified by virtue of 1 or 2 above (this is known as disqualification by association).

A disqualified person is not permitted to continue to work in a setting providing care for children under age 8, unless they apply for and are granted a waiver from OFSTED:

<http://www.ofsted.gov.uk/resources/applying-waive-disqualification-early-years-and-childcareproviders>

11 DBS and Access to the School

**During the school day, which for this purpose is 8:00 am to 4:00 pm,
the School DBS Policy is operational.**

Definition of a Visitor - Anyone not in possession of a Tumblewood Staff identity card is a 'Visitor'.

All Visitors that do not hold a staff identity card must sign in the visitors book at Reception.

Regular Visitors (more than 4 times each year or four times in any one month) or peripatetic teachers must not work in the school without being included on the SCR. Until they are included on the SCR they may only work when accompanied.

Occasional Visitors - do not need a DBS check when visiting, provided they are permanently in the presence of a member of the school's staff who themselves is DBS approved.

Volunteers

Tumblewood obtains an Enhanced DBS disclosure and Children's Barred List information on all volunteers **undertaking regulated activity** with students at or on behalf of Tumblewood.

Under no circumstances does Tumblewood permit an unchecked volunteer to have unsupervised contact with students.

Tumblewood's policy is to obtain a new DBS certificate for volunteers who will be engaging in regulated activity but who have not been involved in any activities with Tumblewood for three consecutive months or more. Volunteers who are likely to be involved in activities with Tumblewood on a regular basis are recommended to sign up to the DBS update service as this permits Tumblewood to obtain up-to-date criminal records information without delay prior to each new activity in which a volunteer participates.

Tumblewood seeks to obtain further additional suitability information about a volunteer if it considers it appropriate to do so, and this may include but is not limited to:

- 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
- informal safer recruitment interview

Regular Volunteers - Regular is defined as more than 4 times each year or four times in any one month. Regular voluntary helpers are required to have a DBS check in the same way as permanent employees.

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

Agencies who supply staff to Tumblewood must complete the same pre-employment checks for their agency workers that Tumblewood would otherwise be required to complete if the agency worker was directly employed by Tumblewood. Confirmation that these checks have been completed is required before an agency worker can commence work at Tumblewood.

Before contractors or agency staff can commence work, Tumblewood independently:

- a. Verifies the identity of staff supplied by contractors or an agency
- b. Requires sight of the original DBS certificate

Occasional and Emergency Building or Maintenance Contractors - Tumblewood School and Community works exclusively with specific approved contractors. In the absence of DBS checks they are accompanied on site, and any emergency repairs which are carried out during the school day are done under the supervision of the maintenance person who is themselves DBS approved.

No contractor is left to work alone in areas of the site to which students have access.

Interview Candidates for whom Tumblewood has not received verification of DBS clearance

may be shown around the school by a member of the school's staff who themselves is DBS approved or a minimum of two students. No candidate is ever left on his or her own with one student or without an adult employee.

Prospective Parents and Pupils - Tours of the school are usually conducted by members of the senior leadership team who are themselves DBS approved or, if the students are conducting tours, a minimum of two students.

Visiting Speakers - The Prevent Duty Guidance requires Tumblewood to have clear protocols for ensuring that any visiting speakers, whether invited by staff or by students, are suitable and appropriately supervised.

Tumblewood 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 Tumblewood or perform any other regular duties for or on behalf of Tumblewood.

All visiting speakers are subject to Tumblewood's usual visitors signing in protocol [Security on Site Policy]. This includes:

- signing in and out at Reception
- wearing of a visitors badge at all times
- being escorted by a fully vetted member of staff between appointments

Tumblewood also obtains 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 Tumblewood. In doing so Tumblewood always has regard to the Visitors and Security Policy, Prevent Duty Guidance and the definition of "extremism" set out in KCSiE Sept2016.

Doubts or Concerns

Safeguarding is the School's highest priority.

Any concerns relating to the interpretation of this policy or its day-to-day practice should be raised immediately with the Head Teacher or Registered Manager, or the Responsible Individual.

12 Leaving Employment

Despite best efforts to recruit safely there may be occasions when allegations of serious misconduct or abuse against children and young people, or other adults are raised. The HR Manager together with Registered Manager or Head Teacher will follow all legal procedures and the Child Protection and Safeguarding Policy.

In the event of dismissal where there are safeguarding concerns, Tumblewood in addition to following all legal requirements, will make a referral to the DBS in circumstances where an individual has:

1. been removed by Tumblewood from working in regulated activity, whether paid or unpaid.
2. resigned prior to being removed, because they have harmed or pose a risk of harm to a child.

If the individual referred to the DBS is a teacher, Tumblewood may also decide to make a referral to the National College for Teaching and Leadership.

13 Implementation, Monitoring and Evaluation

The HR Manager is responsible for ensuring that the Safer Recruitment policy is implemented and evaluated throughout Tumblewood, and providing a yearly Safer Recruitment Evaluation Report to the Head Teacher, Registered Manager and Board of Directors.

The Compliance Officer is responsible for undertaking audits of recruitment of new staff and safer recruitment activities, and approving the annual Safer Recruitment Evaluation Report prior to submission to the Board.

The Safer Recruitment policy and its associated policies and procedures are reviewed annually by HR Manager and Compliance Officer and approved by the board of directors.

A log of policies and review dates is maintained by the Compliance Team.

Immediate updates are made as required.

Audit of Practice

In order to audit the policy, Tumblewood keep and maintain:

1. Checklist for Interviews (recording identity and qualification checks) of applicants
2. a Single Central Record of Statutory employment checks, which includes a DBS summary record for regular visitors and contractors, agencies etc.
3. Personnel files hold all personal records including references and application forms, proof of ID and Right to Work in the UK.

APPENDIX A: Definition of Regulated Activity**Regulated activity**

The full legal definition of regulated activity is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012. HM Government has produced a [Factual note on regulated activity in relation to children: scope](#)

Regulated activity includes:

- a) teaching, training, instructing, caring for (see (c) below) or supervising children if the person is unsupervised, or providing advice or guidance on well-being, or driving a vehicle only for children,
- b) work for a limited range of establishments (known as 'specified places', which include schools and colleges), with the opportunity for contact with children, but not including work done by supervised volunteers;

Work under (a) or (b) is regulated activity only if done regularly.³² Some activities are always regulated activities, regardless of their frequency or whether they are supervised or not. This includes:

- c) relevant personal care, or health care provided by or provided under the supervision of a health care professional:
 - personal care includes helping a child, for reasons of age, illness or disability, with eating or drinking, or in connection with toileting, washing, bathing and dressing;³³
 - health care means care for children provided by, or under the direction or supervision of, a regulated health care professional.

APPENDIX B:

Proof of identity checklist for individuals

You cannot use one form of identification for both name and address.

For example, if you provide your driving licence as proof of your name you must provide another form of identification for your address, such as a utility bill.

Proof of name	Proof of address
Current signed passport	Utility bill (gas, electric, satellite television, landline phone bill) issued within the last three months
Original birth certificate (UK birth certificate issued within 12 months of the date of birth in full form including those issued by UK authorities overseas such as Embassies High Commissions and HM Forces)	Local authority council tax bill for the current council tax year
EEA member state identity card (which can also be used as evidence of address if it carries this)	Current UK driving licence (but only if not used for the name evidence)
Current UK or EEA photocard driving licence	Bank, Building Society or Credit Union statement or passbook dated within the last three months
Full old-style driving licence	Original mortgage statement from a recognised lender issued for the last full year
Photographic registration cards for self-employed individuals in the construction industry -CIS4	Solicitors letter within the last three months confirming recent house purchase or land registry confirmation of address
Benefit book or original notification letter from Benefits Agency	Council or housing association rent card or tenancy agreement for the current year
Firearms or shotgun certificate	Benefit book or original notification letter from Benefits Agency (but not

	if used as proof of name)
Residence permit issued by the Home Office to EEA nationals on sight of own country passport	HMRC self-assessment letters or tax demand dated within the current financial year
National identity card bearing a photograph of the applicant	Electoral Register entry
	NHS Medical card or letter of confirmation from GP's practice of registration with the surgery

APPENDIX C: ID checking guidelines for DBS applications

Please refer to full guidance in the government document:

<https://www.gov.uk/government/publications/dbs-identity-checking-guidelines/id-checking-guidelines-for-dbs-check-applications>

The following is a partial extract

<p>Introduction</p> <p>The applicant must provide a range of ID documents as part of the DBS check application process. As an employer you must:</p> <ul style="list-style-type: none"> follow the three route ID checking process as outlined in our guidance using the list of groups 1, 2a and 2b documents check and validate the information provided by the applicant on the application form/ continuation sheet establish the true identity of the applicant through the examination of a range of documents as set out in this guidance make sure the applicant provides details of all names by which they have been known make sure the applicant provides details of all addresses where they have lived in the last five years check that the application form is fully completed and the information it contains is accurate. Failing to do this can result in delays <p>If there are any discrepancies in the information provided by the applicant and/or the identity documents supplied, and fraud is not suspected, please ask the applicant to clarify. If you don't do this it may compromise the integrity of the DBS service and introduce risk to your recruitment or licensing arrangements.</p> <p>As an employer you must not attempt to amend the application form without the applicant's knowledge and agreement. Doing this will invalidate the declaration by the applicant and may breach data protection legislation.</p> <p>What you must do as part of the ID checking process</p> <ul style="list-style-type: none"> you must only accept valid, current and original documentation you must not accept photocopies you must not accept documentation printed from the internet e.g. internet bank statements identity information for the applicant's name, date of birth and address recorded in section A and section B on the DBS application form must be validated you should in the first instance, seek documents with photographic identity (e.g. passport, new style driving licence, etc.) and for this to be compared against the applicant's likeness all documents must be in the applicant's current name as recorded in section A one document must confirm the applicant's date of birth as recorded in section A you must ensure that the applicant declares all previous name changes, and provides documentary proof to support the change of name. If the applicant is unable to provide proof to support the change of name, you should hold a probing discussion with the applicant about the reasons why before considering to validate their identity you must see at least one document to confirm the applicant's current address as recorded in section B, in accordance with the guidance you must provide a full and continuous address history covering the last five years. Where possible you should seek documentation to confirm this address history you should cross-match the applicant's address history with any other information you have been provided with as part of the recruitment, such as their Curriculum Vitae (CV). This can highlight if an address has not been given e.g. if the applicant's CV shows that they have worked in Liverpool in the last five years, but the application form only shows London addresses, you may wish to question the applicant further about this a document from each of the groups should be included only once in the document count e.g. don't accept two bank statements as two of the required documents, if they are from the same bank you should not accept the foreign equivalent of an identity document if that document is listed as '(UK)' on the list of valid identity documents 	<p>It's important to note that a DBS check does not provide evidence of a person's right to work in the UK. You may also need to complete a right to work check on the person to make sure they can work in the UK.</p> <p>Documents the applicant must provide for the ID checking process</p> <p>Read our list of group 1, group 2a and 2b documents that need to be provided for the ID checking process.</p> <ul style="list-style-type: none"> from 8 June 2015, the paper counterpart to the photocard driving licence will not be valid and will no longer be issued by DVLA. The list of group 1 documents will be updated to reflect this change <p>Paper driving licences issued before the photocard was introduced in 1998 will remain valid and should not be destroyed. These can be used as part of group 2a documents.</p> <p>Three routes of ID checking</p> <p>Route one</p> <p>All applicants must initially be considered for route one.</p> <p>Can the applicant produce a group 1 document? If yes, then the applicant must produce 3 documents:</p> <ul style="list-style-type: none"> 1 document from group 1 (refer to list of valid identity documents); and 2 further documents from group 1, 2a or 2b <p>At least 1 of the 3 documents above must show the applicant's current address.</p> <p>If the applicant has satisfied this route, then the document check is complete. If the applicant cannot produce a group 1 document then go to route two.</p> <p>European Economic Area (EEA) Nationals (Non-UK):</p> <p>Where an EEA National has been resident in the UK for five years or less, the registered body should validate identity via route one through the checking of a current passport or current Group 1 Driving Licence (photo card) plus 2 further documents.</p> <p>In the absence of a group 1 document the registered body must satisfy themselves of a valid reason for using route two.</p> <p>Non-EEA Nationals:</p> <p>All Non-EEA Nationals should be validated via route one only.</p> <p>Route 2</p> <p>The applicant must produce:</p> <ul style="list-style-type: none"> 3 documents from group 2 consisting of; 1 document from group 2a; and 2 further documents from group 2a or 2b; one of which must verify their current address, and the organisation conducting the ID check will then need to ensure an appropriate external ID validation service is used to check the applicant against their records to establish the applicant's name and living history footprint. <p>Route 3 should only be used in circumstances once you have fully explored with the applicant why their identity has not been successfully validated via routes 1 or 2.</p>
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To do this, you should hold a probing discussion with the applicant about the likely reasons why their identity has not been validated before considering using route three. You should keep a record of this discussion for internal purposes, it is the employers responsibility to establish the true identity of the applicant through the examination a range of documents set out in this guidance.

If you are still unable to validate the applicant's identity using routes 1, 2 or 3, then you should indicate this on the application form at Box W59 and return the form to us.

DBS applications
PO Box 3961
Royal Wootton Bassett
SN4 4HF

The applicant will then need to be sent for fingerprinting by the police. This can cause delays to the DBS application process and your recruitment campaign.

If you have tried to use route two, but have been unable to validate the applicant's identity successfully, you may consider proceeding to route three.

Route 3

All employers must have tried to take route one and route two before you consider processing through route three.

If the applicant cannot meet the requirements of route one and two, you should have had a probing discussion with them to establish why they could not meet these requirements and whether there has been a recent or previous change of name that has not been declared.

For route three, the applicant must produce:

- birth certificate (UK and Channel Islands) – (issued after the time of birth by the General Register Office/relevant authority i.e. Registrars – Photocopies are not acceptable) and
- 4 further documents from group 2 consisting of:
 - 1 document from group 2a; and
 - 3 further documents from group 2a or 2b; one of which must verify their current address.

If the applicant fails to produce the required document set at route three, they will need to be sent for fingerprinting by the police. This can cause delays to the DBS application process and your recruitment campaign.

What if the applicant's identity cannot be established using one of the three routes?

If you or your ID checker cannot establish an applicant's identity in accordance with DBS ID guidelines then you should mark W59 on the application form with a NO.

Applicants who are unable to provide the required documents will then be asked to give their consent to have their fingerprints taken in line with the current procedure. Employers should note this will require attendance by the applicant at a police station at an appointed time, and may add delay to the overall application process.

External validation service

An external ID validation check is an alternative way of verifying the identity of an applicant.

More details can be found on the government website

APPENDIX D: Right to Work in the UK checklist**Right to Work Checklist**

Name of person:	
Date of check:	
Type of check:	Initial check before employment <input type="checkbox"/> Follow-up check on an employee <input type="checkbox"/>

Step 1 Obtain

- You must **obtain original** documents from either **List A** or **List B** of acceptable documents.

List A

- A passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK.
- A passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or Document Certifying Permanent Residence issued by the Home Office, to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office, to the family member of a national of a European Economic Area country or Switzerland.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A full birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

List B Group 1

- A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to do the type of work in question.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to do the work in question.
- A current Residence Card (including an Accession Residence Card or a Derivative Residence Card) issued by the Home Office to a non-European Economic Area national who is a family member of a national of a European Economic Area country or Switzerland or who has a derivative right of residence.
- A current Immigration Status Document containing a photograph issued by the Home Office to the holder with a valid endorsement indicating that the named person may stay in the UK, and is allowed to do the type of work in question, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

List B Group 2

- A Certificate of Application issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a family member of a national of a European Economic Area country or Switzerland stating that the holder is permitted to take employment which is less than 6 months old together with a Positive Verification Notice from the Home Office Employer Checking Service.
- An Application Registration Card issued by the Home Office stating that the holder is permitted to take the employment in question, together with a Positive Verification Notice from the Home Office Employer Checking Service.
- A Positive Verification Notice issued by the Home Office Employer Checking Service to the employer or prospective employer, which indicates that the named person may stay in the UK and is permitted to do the work in question.

APPENDIX E:

Training Packs:

Child Sexual Exploitation Awareness
Domestic Violence and its impact on the Child
Safeguarding Disabilities Level 1,2,3
Vulnerable Adult Safeguarding
Impact of Child Neglect
Mental Health
Forced Marriage (online)
Female Genital Mutilation [FGM]

APPENDIX F**Guidance – Link to websites**

Safeguarding Children and Safer Recruitment in Education	https://www.education.gov.uk/consultations/downloadableDocs/Safeguarding%20Children%20Guidance.pdf
Keeping Children Safe in Education (September 2016)	https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/550511/Keeping_children_safe_in_education.pdf
Working Together to Safeguard Children March 2015	https://www.gov.uk/government/publications/working-together-to-safeguard-children--2
DBS Update Service	https://www.gov.uk/dbs-update-service
The Prevent Duty : Departmental advice for schools and childcare providers June 2015	https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/439598/prevent-duty-departmental-advice-v6.pdf
Young Persons Guide to Working together to Safeguard Children	https://www.childrenscommissioner.gov.uk/wp-content/uploads/2017/07/GUIDE_Young_Persons_Guide_to_Keeping_Children_Safe.pdf
Every Child Matters 2003	https://www.education.gov.uk/consultations/downloadableDocs/EveryChildMatters.pdf