

## Barking & Dagenham

# Schools Safer Recruitment & Selection Policy

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Dagenham



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|                              |                          |
|------------------------------|--------------------------|
| School /Academy Name:        | Southwood Primary School |
| Date of Adoption:            | 15/07/2025               |
| Chair of Governors Signature | Jamie Goate              |
| Signature of Head Teacher:   | Scott Halliwell          |

The Schools HR Advisory Service will automatically update this Policy/Procedure to comply with any changes to legislation or ACAS guidance, to make corrections or increase the understanding and notify School s of the amendments.

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## 1. Introduction

- 1.1 Effective recruitment is fundamental to the school's success. Finding people with the necessary skills, experience, qualifications and attributes will enable the school to deliver its objectives and make a positive contribution to its values and aims.
- 1.2 This procedure is designed to help appoint the best person for the job. It will also help to ensure that Schools recruit a diverse workforce and will help to ensure that the process is cost effective, and that safeguarding is integral to the recruitment process.
- 1.3 The School has a statutory duty to maintain the safety and welfare of children and young people, in accordance with the Government's guidance [Keeping Children Safe](#). The school will implement safeguarding procedures and arrangements throughout the recruitment process.
- 1.4 In accordance with statutory guidance, the School's Governing Body will ensure that at least one person on any appointment panel has undertaken safer recruitment training.

## 2. Legislation

- [Employment Rights Act 1996](#)
- [Employment Status & Rights Guidance](#)
- [Education Act](#) requires governing bodies of maintained Schools and colleges
- [Keeping children safe in education 2024 \(publishing.service.gov.uk\)](#)
- [Keeping children safe in education 2023 \(publishing.service.gov.uk\)](#)
- [Human Rights Act 1998](#) (legislation.gov.uk)
- [Equality Act 2010](#)
- [Equality Act 2010 Advice for Schools](#)
- [The Public Sector Equality Duty](#) is a legal requirement for Schools and colleges that are public bodies.
- [Public Sector Equality Duty \(advice for Schools\)](#)
- [Data Protection Act and the UK GDPR](#) - It is important that governing bodies and proprietors are aware that among other obligations, the Data Protection Act 2018, and the UK General Data Protection Regulation (UK GDPR) place duties on organisations and individuals to process personal information fairly and lawfully and to keep the information they hold safe and secure. See ICO guidance 'For Organisations' which includes information about your obligations and how to comply, including protecting personal information, and providing access to official information.

## 3. Using Alternative HR Providers

Community and Voluntary-Controlled Schools using Human Resource Providers other than the Local Authority recognised service provision must ensure that the Local Authority is notified in line with this Policy. Said Provider must adhere to the agreed Policy, when providing support.

**Where a School does not buy into the Schools HR Advisory Service (LBBD) charges are likely to apply.**

## **4. Scope**

- 4.1 The Council is the employer of staff based in Community and Voluntary-Controlled Schools, but the Governing Body and Head Teacher have delegated responsibility for recruiting, selecting and managing staff. In Voluntary-Aided, Foundation and Free Schools the Governing Body is the Employer, in Academies the Trust is the Employer.
- 4.2 For the appointment of Head Teachers and Deputy Heads, the full Governing Body will establish a selection panel. A representative of the Council may also be present to offer advice for Community and Voluntary-Aided Schools. Advice should be sought from either the Schools Improvement Consultant or Human Resources. The panel should consider this advice before making any decision.
- 4.3 For the appointment of other teaching staff and support staff, the Governing Body, after deciding to recruit to the vacant post, will normally delegate this responsibility to the Head Teacher. The Head Teacher may wish to include Governors in the selection process depending on the post.

## **5. Safer Recruitment**

- 5.1 The School will operate a well-planned and structured recruitment process, not only to have the best chance of recruiting the best person for the role, but also to ensure that any information that could be important in determining whether someone is safe to work with children is not missed.
- 5.2 This can be achieved through:
- Emphasising the School's safeguarding culture through the job description, person specification and advertising, to deter unsuitable applicants
  - Using a standard application form which requires a full and complete job history, accounting for any gaps in employment
  - Including questions on safeguarding at interview
  - Verifying information on any gaps within the applicant's job history
  - Ensuring that all the necessary pre-employment checks are carried out (see section 18 below)

## **6. Equality and Diversity**

- 6.1 The School recognises the need to increase the diversity of its workforce in order to reflect the community that we serve. Recruiters need to be fully aware of equal opportunities legislation and understand how discrimination can occur both directly and indirectly in the recruitment process.
- 6.2 All applications will be considered purely on merit, regardless of age, gender, race, ethnic origin, religion, disability, marital or partnership status, sexual orientation or number of dependants

- 6.3 The School should encourage all job applicants to complete an Equal Opportunities Monitoring Form. The School should monitor forms and use this information to measure compliance with the Equalities Act 2010.
- 6.4 The School should act where necessary, including positive action, to promote and support equality and diversity in relation to employment opportunities. This includes a guaranteed interview scheme for applicants with disabilities who meet the minimum criteria for the job.
- 6.5 The School will make necessary reasonable adjustments to enable applicants with disabilities to have fair access to and to participate fully in the recruitment process.
- 6.6 The School will review its advertisements, job descriptions, person specifications and assessment methods to ensure they are non-discriminatory.
- 6.7 Recruitment and selection processes will be robust and transparent, with clear audit trails for monitoring purposes.

## **7. Record Keeping and Data Protection**

- 7.1 Recruiters must comply with the **General Data Protection Regulation (GDPR) 2018** for job applicants. Therefore, appropriate security measures should be taken to prevent unauthorised or unlawful processing, disclosure, destruction, loss or alteration of information.
- 7.2 If a letter of acknowledgment is sent to applicants, it should advise them that their application will be kept on file for a certain period of time and will not be disclosed to any third parties without their consent.
- 7.3 Recruitment records, whether kept in hard copy or electronic format, should be retained for no longer than 6 months after the recruitment exercise where possible. The statutory period during which an unsuccessful applicant may bring a discrimination claim arising from the recruitment process is 3 months, but it is possible for this period to be extended by the Tribunal in exceptional circumstances.
- 7.4 Information about successful applicants' criminal convictions collected during the recruitment process should be deleted once this has been verified by the DBS. The School need only keep a record of whether a DBS check had a satisfactory or unsatisfactory result.
- 7.5 Whilst notes should be kept during the recruitment process (e.g., during interviews) these notes may constitute personal data and would be disclosable to an applicant as part of a subject access request.

## **8. What to do when a Vacancy first arises**

- 8.1 The arrangements made for recruitment and selection must be appropriate to the needs of the job, the nature of the vacancy and the job market. They must be lawful and follow good practice. Before preparing to fill a post the Head Teacher/Governing Body should:
- Consider whether the post still required or needed in its present form.
  - Decide what type of contract is appropriate.
  - Revise or prepare the Job Description and Person Specification.

- Consider who will be involved in the recruitment process.
- Draw up a clear and realistic timetable for recruitment, taking account of advertising media.
- Decide how to attract candidates.

## 9. Deciding on the Contract required

### 'Contracts' of Employment and 'Written Statements'

- 9.1 A **'contract' of employment** exists when an employer and employee agree the terms and conditions of employment. This is often shown by the employee starting work on the terms offered by the Employer. Both are bound by the agreed terms.
- 9.2 A contract need not be in writing, but employees are entitled to a **'written statement of the main particulars'** of their employment, more commonly called the 'written statement'.

### *Permanent Contracts*

- 9.3 The most common type of contract is a permanent, open-ended one (i.e., with no end date). The assumption is made that the contract will continue indefinitely, although provision is made for termination by notice by either party.

### *Temporary and Fixed Term Contracts*

- 9.4 Temporary Contracts are those which cover a temporary appointment where the termination of the appointment is decided by an event, the actual date of which cannot be predetermined. Usually, a temporary contract does not have a specified end date.

Temporary Contracts should be used:

- To cover sickness absence
  - To cover paid/unpaid leave where the end date is not known
  - To cover maternity leave
  - To cover a temporary reduction in the hours of a member of staff
  - To cover a short-term temporary increase in workload
- 9.5 An employee on a Temporary Contract has a right to receive a minimum period of notice before the contract ends. The minimum statutory notice period is one week for each complete year of continuous service or the period specified in the contract.
- 9.6 Fixed Term Contracts are those which cover a temporary appointment, or particular funding arrangements where the actual date of termination is known. An end date must be specified.

Fixed Term Contracts should be used:

- Where specific funding arrangements mean, there is a finite date
- To cover a period of paid / unpaid leave where the end date is known
- To cover a secondment when an end date is known
- To cover a vacancy where an appointment has been made but the appointee has not been able to take up the post immediately

- 9.7 Fixed Term Contracts normally end automatically when they reach their agreed end date. There is no need to give notice to the employee of the contract reaching its end date. However, if a fixed-term contract is not renewed, this is considered to be a dismissal and the employee may have accrued employment rights. It is therefore advisable to discuss the end of the contract with the employee in advance.
- 9.8 If a Fixed-Term Contract lasts two years or more and it is not renewed, by reason of redundancy, the employee has a right to a redundancy payment.
- 9.9 Fixed-Term or Temporary Contracts should only be used:
- Where there is a need for work for a specific task or project **and/or**
  - To cover absence for a limited time only **and/or**
  - Where there is time-limited funding for a post
- 9.10 The Head Teacher should regularly monitor and review all current fixed term and temporary contracts to determine:
- The business case for engaging each employee on a fixed-term or temporary contract
  - The length of continuous employment for each employee
  - The number of extensions, renewals or continuous contracts given to each employee
  - Whether there is a need for the work to continue beyond the current contract period
- 9.11 Fixed Term and Temporary Contracts should not normally be of more than 12 months duration and should be terminated with the appropriate notice.
- 9.12 If there is a need for employment to be extended beyond 24 months, the post should be advertised and recruited to on a permanent basis. Any employee on fixed-term contracts for 4 or more years will automatically become a permanent employee, unless the employer can show there is a good business reason not to do so. Head Teachers may seek advice from an HR Employment Relations Adviser regarding the renewal of fixed term contracts.

### *Agency Workers*

- 9.13 Agency workers (e.g., supply teachers) are not employees of the School. The primary responsibility for carrying out identity checks, Disclosure and Barring Service (DBS checks), where required, and any other security checking, rests with the agency concerned. However, the School should request evidence from the agency that the necessary checks have been completed and verified.
- 9.14 In accordance with the Agency Workers Directive, the Head Teacher should ensure that appropriate entitlements under the Directive are made available to agency workers and may refer to the Council's Agency Workers Checklist.

### *Casual workers*

- 9.15 Casual workers are not employees of the School; they are workers who are engaged on an 'as and when' basis. They should not have regularised work patterns or hours and should not be engaged on a continual basis.

- 9.16 The School will only engage casual workers when appropriate, for example where the work is variable / seasonal or where it is impossible to predict demand due to external factors.
- 9.17 There will be no mutuality of obligation between the School and casual workers, i.e., once work is offered by the School; the casual worker will have the option of accepting the offered work but will be under no obligation to do so. Equally, there will be no obligation on the School to offer any work and certainly no guarantee that any work will be provided.
- 9.18 Casual employees can accrue employment rights in certain circumstances, so the Head Teacher should ensure that casual contracts are only used when the requirement is truly casual i.e., short term, intermittent and with no mutual obligation to offer or accept work.
- 9.19 The Head Teacher is responsible for monitoring casual workers' hours and working arrangements to ensure that their status does not inadvertently change to that of employee.

Further advice is available from Schools HR Advisory Service.

## **10. Job Description and Person Specification**

- 10.1 The Head Teacher/Governing Body should ensure that they are clear about the content of the job and the attributes the job holder needs to undertake it. The Job Description and Person Specification are therefore an essential part of the preparation for recruitment.
- 10.2 The job description should clearly state:
- The main duties and responsibilities of the post
  - The individual's responsibility for promoting and safeguarding the welfare of children and young persons that they are responsible for or come into contact with.
- 10.3 The person specification should set out:
- The minimum education/qualifications for the post
  - The minimum experience/knowledge/skills requirements
  - Special conditions (e.g., the holder of a driving licence)
  - Any other requirements needed to perform the role in relation to working with children and young people.

Note: the person specification is the basis for short listing and choosing the successful candidate. All the requirements in the person specification should have a demonstrable link to the job description.

## **11. The Selection Panel**

- 11.1 The Head Teacher should establish who will be involved in the shortlisting and who will be on the selection of panel. To ensure consistency, it is recommended that panel members are involved throughout the selection process.
- 11.2 There is a statutory requirement for at least one panel member to have had Safer Recruitment training. However, LBBDD require two panel members to have received Safer Recruitment training.



- 11.3 For the appointment of a Head Teacher, Deputy and Assistant Heads (if applicable), the full Governing Body will establish a selection panel. A representative of the Council may also be present to offer advice to Community and Voluntary-Aided Schools. The panel will consider this advice before making any decision.

## **12. Redeployment**

- 12.1 The School is committed to minimising compulsory redundancies and redeploying employees who are at risk of redundancy. One way of achieving this is to redeploy employees at risk to other jobs within the School or other Schools (with the agreement of that School's GB).
- 12.2 In these circumstances employees are given priority consideration and would not compete in the normal way with external candidates. However, they would still have to demonstrate that they meet all of the essential requirements of the Job Description and Person Specification through the School's selection process.
- 12.3 When considering redeployment opportunities, the Head Teacher should follow the advice set out in the School's Organisational Change Policy.

## **13. Advertising the Post and attracting Candidates**

- 13.1 The purpose of the advertising method is to:
- Attract a pool of suitably qualified applicants.
  - Dissuade those who are not qualified from applying.
  - Present the School as a good potential employer.
  - Make clear the requirements of the post.
  - Meet the legal requirements of good recruitment practice.
- 13.2 The normal practice should be for all posts to be advertised externally and internally. However, there may be some exceptions according to the circumstances e.g., appointments of less than 6 months, where practical, may be advertised internally only. Appointments over 6 months should be advertised internally and externally.
- 13.3 All adverts should detail the following (where appropriate):
- Job title.
  - Salary (or rate of pay) including allowances.
  - Hours of work.
  - Where the post will be located.
  - Outline of essential requirements of job i.e., skills, qualifications, experience.
  - Statement about the School's commitment to safeguarding and promoting the welfare of children and young people.
  - Closing date for receipt of applications.
  - Expected interview dates.
  - Contact details and process for obtaining an Application Form.

NB. The advert forms part of the Contract of Employment.

- 13.5 All Head Teacher and Deputy Head Teacher (as Deputy could cover the Head Teacher in some circumstances) appointments must be advertised nationally. It is good practice to use websites such as the DFE free national advertising service to increase your chances of getting the right member of staff for your School
- 13.6 The Head Teacher is recommended to advertise the School's vacancies on the Council's website, which is a cost-effective way of reaching the potential workforce within the Borough.

## **14. Responding to Applications**

- 14.1 Applicants should be provided with as much information about the job and the School as is reasonably possible in order to both inform them and attract them to apply. Therefore, as a minimum a recruitment pack (either online or paper) should comprise of the following:
- Application Form
  - Job Description
  - Person Specification
  - Covering letter
  - School prospectus (or other details, including the School's current position e.g., Ofsted reports, restructuring, new building etc.)
  - Copy of the School's Equality and Diversity Policy
  - Copy of the Disclosure and Barring Service guidelines
- 14.2 The covering letter should thank applicants for their interest in the post, detail the closing date for applications and confirm the expected interview date. It should also advise that if they have not received a response within two weeks of the closing date, that they should assume that they have not been shortlisted. Applicants should be advised that references will be taken up for shortlisted candidates prior to interview unless the applicant has indicated on their application that they do not wish a particular referee to be approached prior to interview (see 12.5 below).
- 14.3 CVs should not be accepted in place of application forms, as information regarding an applicant's history can be hidden and it is critical that all gaps in employment are accounted for.
- 14.4 Any CVs sent in response to specific job advertisements should be acknowledged but applicants should be sent a recruitment pack and advised that a standard application form must be completed.
- 14.5 Application forms should include a section to ask applicants whether they agree to references being taken up prior to interview. If an applicant has indicated they do not wish a particular referee to be contacted prior to interview, and the applicant is shortlisted, this must be discussed at interview and the applicant reminded that all offers of employment are subject to satisfactory references.
- 14.6 Application forms should include a section for candidates to declare any former or current relationship to a Councillor, School Governor or Member of Staff.
- 14.7 Failure to disclose such a relationship may disqualify the applicant. Any applicant who directly or indirectly seeks the support of the Head Teacher, Councillor or School Governor for any appointment within the school should be disqualified.

- 14.8 Where it is disclosed that there is, or has been, a relationship between a member of the recruitment panel and an applicant, that panel member should withdraw from the remainder of the recruitment process.
- 14.9 Where an applicant has been invited to visit the school or for an informal chat with anyone involved in the recruitment process, the Head Teacher should endeavour to ensure that this does not influence the recruitment decision.

## 14. Equalities Monitoring

- 14.1 The analysis of recruitment monitoring data will help inform the school and on the success of recruitment activities and highlight areas for improvement, for example to increase the diversity of applications made.
- 14.2 The School should ensure that Equalities and Diversity monitoring forms are separated from the application forms before shortlisting. Individual monitoring forms are collected in relation to a particular vacant post and kept separately for monitoring purposes for a period of 6 months.

## 15. Shortlisting

- 15.1 Shortlisting should not begin until after the closing date and should be undertaken by a minimum of two members of the selection panel.
- 15.2 The Head Teacher/Governing Body has a responsibility to make sure that:
- Candidates are shortlisted only against agreed criteria from the person specification using information contained in the application.
  - A record of the shortlisting process is made.
  - The final selection can be justified.
  - Applicants are advised promptly that they have been shortlisted by inviting to interview.
- 15.3 Any criminal record disclosed by an applicant should not be considered at the short-listing stage. The criteria used for short-listing must be the same for all candidates and must relate to the job description and person specification only.
- 15.4 In addition, as part of the shortlisting process School s and colleges should consider carrying out an online search as part of their due diligence on the shortlisted candidates. This is a requirement of [Keeping Children Safe](#).

This may help identify any incidents or issues that have happened and are publicly available online, which the school or college might want to explore with the applicant at interview.

Schools should consider using the following to undertake searches:

- Facebook Account
- LinkedIn Account
- Twitter/X
- Google – Person's Name, Employer, associated organisations from Facebook or LinkedIn, etc.

Consider searching other Social Media Platforms, please see Appendix A for Keeping Children Safe in Education Online Recruit Checks Proforma.

## **16. Inviting Candidates to Interview**

- 16.1 It is recommended that applicants should be advised if they are selected for interview at least 5 School days before it is to take place. Consideration should be given to extending this period where the selection process includes other exercises, for example the preparation of presentation materials. References should be taken up prior to interview, unless an applicant has indicated on their application that they do not wish a particular referee to be contacted at this stage. If this is the case, this must be discussed with the applicant at interview and the applicant reminded that all offers of employment are subject to satisfactory references.
- 16.2 Letters or e-mails inviting applicants to interview should include the following information:
- The specific selection arrangements, including the name/position of the panel members.
  - Location and time of the interview.
  - Timetable/programme for the interview and selection process.
  - Details of any pre-interview preparation or tasks required of candidates.
  - Information regarding the availability of equipment e.g., computer display, flip chart.
  - A contact name and telephone number.
  - Map and car parking arrangements.
  - A request for details of any special requirements that will enable candidates to participate fully in the selection process e.g., signer for hearing-impaired applicants.
  - The requirement to bring any certificate of qualifications essential for the post.
  - The requirement to produce identification and if necessary, any documents relating to the applicants right to work in the U.K

## **17. The Selection Process**

- 17.1 Selection decisions should be based on a range of selection tools. These will include application and interview and may also include work-based exercises such as an observed lesson, presentations or psychometric tests. References should be sought on all shortlisted candidates before interview and scrutinised carefully so that, where any questions have not been answered or any issues of concern arise, clarification can be sought from the referee and these can be explored further with the candidate at interview.
- 17.2 References should always be requested directly from the referee and Schools should not rely on open references, for example in the form of 'to whom it may concern' letters. Schools should be aware that individuals have the right to see their employment references.
- 17.3 The Head Teacher/Governing Body will determine the selection methods to be used. They should also ensure that:
- Panel members have the relevant documentation
  - Arrangements are in place for candidates with a disability (where a reasonable adjustment has been requested)
  - Selection activities are closely linked to the Job Description and Person Specification

- The structure of the interview is appropriate to the post to be filled and that a range of suitable questions have been prepared
- Interview notes are taken by panel members
- Panel members assess candidates against the criteria in the Person Specification at the end of the interview process
- An accurate record of the selection decision must be kept and any rating system must be justifiable

- 17.4 If criminal convictions have been declared by the candidate at application, or are subsequently disclosed through the DBS check, the Head Teacher may contact their HR Provider for advice.
- 17.5 If a candidate has declared a relationship with someone already employed by the School, then all recruitment decisions should have regard for ensuring that no conflict of interest arises. It is advisable that no member of staff is directly responsible for the management of someone with whom they have a personal relationship.
- 17.6 The recruitment process is a two-way process in which the Head Teacher/Governors assess the candidate and the candidate can assess the School as a potential employer. It is therefore advisable to ensure that the candidates:
- Are advised about the selection process and methods
  - Understand how they will be assessed
  - Are given sufficient opportunity to ask questions
  - Are given an honest but positive impression of the job and the School
  - Are advised on how and when they will be informed of the selection outcome.

## **18. Making a Conditional Offer of Appointment**

- 18.1 The successful applicant will receive a verbal offer no later than 5 working days (excluding School closure periods) after the interview, except in exceptional circumstances which will, wherever possible, be explained to the candidates.
- 18.2 An offer letter confirming the appointment should be issued within 3 working days (excluding School closure periods) of the verbal offer. It must be clearly stated that the offer is subject to pre-employment checks and satisfactory references.
- 18.3 Before confirmation of a verbal offer for teaching posts the School will check if a qualified teacher is registered with the Teaching Agency
- 18.4 Unsuccessful candidates should be advised no later than 3 working days (excluding School closure periods) after the successful applicant has accepted the post. They will be offered feedback on their interview.
- 18.5 Application forms for all applicants, accurate records of interview decisions on the standard form plus any other notes, lesson observation notes, test results (where appropriate) and references for shortlisted candidates should be retained for at least 6 months after the interview has occurred.

## 19. Pre-Employment Checks

- 19.1 Any offer of appointment made to a successful candidate, including one who has lived or worked abroad, must be conditional on satisfactory completion of the necessary pre-employment checks.

When appointing new staff, the School must:

- Verify a candidate's identity. Identification checking guidelines can be found on the GOV.UK website;
- Obtain a certificate for an enhanced DBS check which will include barred list information, for those who will be engaging in regulated activity;
- Obtain a separate barred list check if an individual will start work in regulated activity before the DBS certificate is available;
- Verify the candidate's mental and physical fitness to carry out their work responsibilities (a job applicant can be asked relevant questions about disability and health in order to establish whether they have the physical and mental capacity for the specific role)
- Verify the person's right to work in the UK. (If there is uncertainty about whether an individual needs permission to work in the UK, then prospective employers, or volunteer managers, should follow advice on the GOV.UK website)
- If the person has lived or worked outside the UK, make any further checks the School or college consider appropriate
- Verify professional qualifications, as appropriate.

Please see paragraph 14.4.

## 20. Disclosed Barring Service (DBS)

The Local Authority expects all Community Schools to undertake Enhanced DBS Checks every three years this has been an expectation for many years and this should be contained on the Single Central Record, as per Keeping Children Safe in Education ([Keeping children safe in education 2024 \(publishing.service.gov.uk\)](https://www.gov.uk/government/publications/keeping-children-safe-in-education-2024)).

For clarity, all staff, especially SLT should be fully of aware of requirements contained in KCSiE, the School's and employees' responsibilities.

- Enhanced DBS check – this provides information about convictions, cautions, reprimands and warnings held on the Police National Computer (PNC) as a Standard DBS check, plus additional information:
  - Held by the police such as interviews and allegations.
  - Additional information will only be disclosed where a chief police officer reasonably believes it to be relevant and considers that it ought to be disclosed.
  - The position being applied for/or activities being undertaken must be covered by an exempted question in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 and by provisions in the Police Act 1997 (Criminal Records) Regulations 2002.73



- Enhanced DBS check with Children's Barred List information – where people are working or seeking to work in regulated activity relating to children, this allows an additional check:
  - To be made, about whether the person appears on the children's barred list, along with a check of the Police National Computer records plus additional information held by the police as above.
  - The position being applied for or activities being undertaken must be eligible for an enhanced DBS check as above and be for a purpose listed in the Police Act 1997 (Criminal Records) (No2) Regulations 2009 as qualifying for a barred list(s) check.
  - In addition, this check can also include information as to whether an individual is subject to a section 128.

The Single Central Record (SCR) for schools should include the details of Governors. According to the Department for Education's statutory guidance, "Keeping Children Safe in Education," all schools are required to maintain a Single Central Record of recruitment and vetting checks. This includes not only staff but also Governors, volunteers, and others who have regular contact with children. Including Governors in the SCR ensures that all necessary safeguarding checks, such as identity verification and DBS checks, are documented and easily accessible for inspection purposes.

[The requirement to include Governors in the Single Central Record \(SCR\) is detailed in Part Three: Safer Recruitment of the "Keeping Children Safe in Education" guidance.](#) This section outlines the necessary checks and documentation for all individuals involved in the school, including Governors, to ensure the safety and welfare of children.

In terms of Safeguarding, the Governing Body's Safeguarding Governor should review the SCR with the Head Teacher and DSL at least once a Term.

Here's a comprehensive checklist for maintaining a Single Central Record (SCR) in schools:

1. [Identity Check: Verify the individual's identity using documents like a passport or driving license<sup>1</sup>.](#)
2. [Right to Work in the UK: Confirm the individual's right to work in the UK, using original documents or an online share code<sup>1</sup>.](#)
3. [Enhanced DBS Check: Ensure an enhanced Disclosure and Barring Service \(DBS\) check, including a children's barred list check, is completed<sup>1</sup>.](#)
4. [Prohibition from Teaching Check: Verify that the individual is not prohibited from teaching using the Teacher Services platform<sup>1</sup>.](#)
5. [Barred List Check: Conduct a standalone check of the children's barred list<sup>1</sup>.](#)
6. [Professional Qualifications: Verify any relevant professional qualifications, such as Qualified Teacher Status \(QTS\)<sup>1</sup>.](#)
7. [Overseas Checks: Perform additional checks for individuals who have lived or worked outside the UK<sup>1</sup>.](#)
8. [References and Employment History: Obtain and verify references and check the individual's employment history for any gaps or inconsistencies<sup>1</sup>.](#)

This checklist helps ensure that all necessary safeguarding checks are documented and easily accessible, promoting a safe environment for students.

There are specific training requirements for staff involved in recruitment to ensure they follow best practices and comply with legal and safeguarding standards.

Here are some key training areas:

1. **Safer Recruitment Training:** This is essential for anyone involved in the recruitment process in schools. [It covers how to identify and deter unsuitable candidates and ensure a safe environment for children<sup>1</sup>.](#)
2. **Equality and Diversity Training:** This training helps ensure that recruitment practices are fair and non-discriminatory, promoting equal opportunities for all candidates<sup>2</sup>.
3. **Interview Skills Training:** This includes techniques for conducting effective and unbiased interviews, asking the right questions, and evaluating candidates objectively<sup>3</sup>.
4. **Legal Compliance:** Training on employment law and regulations, including data protection and the rights of applicants, is crucial to avoid legal pitfalls<sup>4</sup>.
5. **Safeguarding and Child Protection:** For schools, understanding safeguarding policies and procedures is vital to ensure the safety and welfare of students<sup>1</sup>.

## 21. Rehabilitation of Offenders

- 21.1 The Rehabilitation of Offenders Act 1974 provides that if a convicted person completes a specific period without being convicted of further offences the conviction may be regarded as being 'spent'. These sentences do not have to be revealed and may not be used as grounds for exclusion from employment.
- 21.2 However, jobs that involve work with children and vulnerable adults are exempt from the provisions of the Act. In practice this means that for all School -based posts, applicants are required to disclose any criminal convictions when applying for a post.
- 21.3 Disclosure of convictions, either by the applicant or as a result of the DBS check, will not necessarily exclude an individual from employment. Employment decisions should have regard for the nature of the offence committed. In all cases where criminal convictions are disclosed advice should be sought from the Council's School s HR Team.

## 22. Language Requirement for Public Sector Workers

In line with Part 7 of the Immigration Act 2016 which received Royal Assent on 16<sup>th</sup> May will place a duty on all public authorities in scope to ensure that their customer-facing staff can speak fluent English, or in Wales fluent English or Welsh.

Members of staff who, as a regular and intrinsic part of their role, are required to speak to members of the public in English or Welsh are considered as working in a customer-facing role. Customer-facing roles would include, but are not limited to the following illustrative examples:

*A local government employee working in customer service, receiving calls and fielding queries from the public would be viewed as operating in a customer facing role, as they will have regular telephone and face-to-face interactions with the public.*

*A teaching assistant required to communicate with pupils to support their learning, would be viewed as operating in a customer-facing role.*

When determining whether a role is customer-facing or not, employers should consider the following aspects of the work involved:



- is there a business need for interaction with the public;
- what is the frequency and form of this interaction;
- what is the level of service quality and responsiveness expected by the public;
- what is the proportion of the role which would require spoken interaction with members of the public;
- what is the nature of the role; and
- is English or Welsh language the primary language required for the role?

Employers must satisfy themselves that an individual has the necessary level of fluency appropriate for the role they will be undertaking, whether an existing or a potential new member of staff.

Where a particular standard of spoken language ability has been legitimately set as an essential requirement for the role, applicants may need to be assessed on their English or Welsh-speaking ability, either through a formal test or as part of the interview process as commonly used to assess communicative competence.

## Appendix A

# Barking & Dagenham

## Keeping Children Safe in Education 2025 Online Recruitment Checks Proforma

Please Remember GDPR (see below)

|                                             |  |
|---------------------------------------------|--|
| <b>School Name:</b>                         |  |
| <b>Post being Recruited to:</b>             |  |
| <b>Post Number (if known)</b>               |  |
| <b>Date of Interview:</b>                   |  |
| <b>Name of the Candidate being Checked:</b> |  |
| <b>Current School /Employment</b>           |  |
| <b>Current Role</b>                         |  |

|                                                    |       |  |      |  |
|----------------------------------------------------|-------|--|------|--|
| <b>Has Candidate been informed of the check:</b>   | Yes ✓ |  | No ✓ |  |
| <b>Date the candidate was informed:</b>            |       |  |      |  |
| <b>Was the information contained in the Advert</b> | Yes ✓ |  | No ✓ |  |
| <b>Date of the Advert:</b>                         |       |  |      |  |

### Sources that have been checked

| Source                           | Date           | Time | Yes ✓ | No ✓ |
|----------------------------------|----------------|------|-------|------|
| Google                           |                |      |       |      |
| <b>Adverse information found</b> | <b>Detail:</b> |      |       |      |
| Facebook                         |                |      |       |      |
| <b>Adverse information found</b> | <b>Detail:</b> |      |       |      |
| LinkedIn                         |                |      |       |      |
| <b>Adverse information found</b> | <b>Detail:</b> |      |       |      |

|                                   |         |      |       |      |
|-----------------------------------|---------|------|-------|------|
| Twitter/X (Check top ten results) |         |      |       |      |
| Adverse information found         | Detail: |      |       |      |
| Current School 's Website         |         |      |       |      |
| Other                             |         |      |       |      |
| Other                             |         |      |       |      |
| Adverse information found         | Detail: |      |       |      |
| If yes, please state detail       |         |      |       |      |
|                                   | Date    | Time | Yes ✓ | No ✓ |
| Have you informed HR?             |         |      |       |      |
| Advice received                   |         |      |       |      |
|                                   | Date    | Time | Yes ✓ | No ✓ |
| Have you informed the LADO?       |         |      |       |      |
| Advice received                   |         |      |       |      |

### Documents:

- A. [Keeping children safe in education 2024 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)
- B. [Keeping children safe in education 2023 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

### GDPR

Data protection is about the fair and proper use of information we hold about people. It is about ensuring that people can trust the Council to use their data fairly and responsibly.

The Data Protection Act (DPA) 2018 and General Data Protection Regulations (GDPR) set out the UK law and requirements on data protection. These place the onus on us to think about and justify how and why we use data.

As council employees, we have a number of obligations on how we use and protect people's personal data.

How we should approach the processing of personal information is underpinned by the UK GDPR Principles:

- lawfulness, fairness and transparency

- purpose limitation
- data minimisation
- accuracy
- storage limitation
- integrity and confidentiality
- accountability.

This means we should:

- only collect personal data to fulfil the Council's operational needs and/or legal obligations
- only collect personal data that is strictly needed for such purposes or the 'task at hand'
- ensure that data subjects are made aware of how their data is being processed at their first point of contact with the Council, and throughout their interactions with us, for example, through publishing Privacy Notices. They have a right to know how their data is being processed and used.
- not share data with a third party without consulting your line manager, and without appropriate sharing mechanisms (data sharing agreement) or lawful basis to share
- ensure personal data is accurate and up-to-date, unless it is held for research, statistical or historical purposes. Correct mistakes and retain records of mistakes.
- check that personal data is not kept for longer than necessary or legally required and that it is appropriately reviewed
- respond to Individual Rights, including subject access requests, Right to Object and Erasure Requests in line with the Council's procedure
- understand and implement the Council's obligation on information security to safeguard personal data
- undertake the Council's compulsory online training on managing information once a year

### Data breaches

The unauthorised loss or disclosure of personal information is known as a data breach. It is important that the Council investigates any breaches to ensure that the impact of the loss is properly managed and that lessons are learnt.

If you become aware of a breach you must immediately inform your line manager, the person with overall responsibility for the data in your department and the [Information Governance team](#).

If the breach involves a technical problem, you should also immediately inform IT.

If the breach contains very sensitive information or affects a large number of people you should ensure that the relevant director is informed. You may need to work with Corporate Communications if the press has become aware or if it is going to be necessary to tell the public about the breach.

### Data Protection Impact Assessments

If your service is planning to process personal information, you must determine whether a Data Protection Impact Assessment (DPIA) should be undertaken.

This should cover:

- how and why, you need to use the personal data
- how you plan to collect, store, share and retain the data
- the security measures and processes that you have in place to protect it.

You can see guidance on carrying out a DPIA [here](#) or contact [dpo@lbbd.gov.uk](mailto:dpo@lbbd.gov.uk) for help or advice.

### **UK General Data Protection Regulation (GDPR)**

The UK General Data Protection Regulation (UK GDPR) came into effect in 2018. Following the UK's departure from the EU, the GDPR was retained in domestic law and is now referred to as the UK GDPR. It covers how organisations must keep people's personal data safe by having the right robust processes in place for handling and storing personal information. It gives people rights to access their own information that the Council holds about them.

It is important that all staff follow the council's policies and processes on Information Governance and Data Protection to ensure that the Council is compliant in the way we process data.

You can read the Council's GDPR policy [here](#).

### **Data Protection policies and guidance**

- [Data breaches guidance](#)
- [Data Controller/Processor/Joint Controller guidance](#)
- [Data Protection by Design and Default guidance](#)
- [Data Protection Impact Assessment guidance](#)
- [General Data Protection Regulations \(GDPR\) Policy](#)
- [GDPR lawful basis for processing guidance](#)
- [Information Sharing Policy](#)
- [Information Sharing template](#)
- [Legitimate interests' assessment template](#)
- [Records Management guidance](#)
- [Subject Access Request Policy](#)
- [Subject Access Request procedure](#)
- [Security Incident and Data Breach Policy](#)
- [Use of images and GDPR guidance](#)

## Background:

First of all, it is helpful to understand the incident that prompted the DfE to look to include that “should” within the updated KCSIE guidance.

We understand that some years ago there was a Teacher from abroad that was employed by a School in the UK. The School had completed the necessary criminal records checks. However, the law in the specific country stated that if a person under the age of 18 commits an offence, the offence is removed from their criminal record after 10 years. This individual had committed a very serious offence involving a small child, but because they were under 18 and applied for the job in the UK after 10 years their criminal record was clear, and the School was not made aware of this issue. While the School did not do anything wrong, an internet search would have revealed this information.

Consultation revealed varying practice and views, but it was clear that some Schools were informally doing this sort of online search, this update to the KCIE guidance is about formalising those searches and turns it into a “should” in relation to shortlisted candidates in relation to safeguarding suitability.

There is not currently more detailed guidance, with the DfE suggesting School s should decide for themselves whether they have sufficient information to judge suitability.

Existing HR advice from Local Authorities and Academy Trust specialists should apply.

Bearing in mind this is part of a safeguarding check; the search is purely about whether the individual is suitable to work with children. Care must be taken to avoid unconscious bias and any risk of discrimination. In line with that approach, it may be sensible to have someone not on the appointment panel to conduct the search – only sharing info that is relevant and of concern.

We are aware that some organisations are already offering to support School s by conducting these searches at cost, and that some legal and safeguarding experts have shared their interpretation of the DfE guidance which we believe goes further than the DfE policy intention – which is more simply an online search to check suitability of working with children.

As part of an Ofsted inspection, a School ’s single central record will be checked to ensure pre-appointment checks have been conducted. Part of the due diligence checks will be an internet search; however, we are aware School s are concerned that the guidance is not prescriptive on how far to go back and are worried this will be identified as a failure by Ofsted. We put this question to the DfE and understand Ofsted have said their inspectors would not normally go into that level of detail when looking at due diligence checks. We have been advised that the Ofsted handbook will be updated shortly.

If this develops or we get any further information or guidance we will share via the usual channels.