

# Safe Recruitment and Vetting Policy

| <b>Title</b>   | <b>Page no.</b> |
|--|-----------------|
| Introduction .....                                   | 3               |
| The Bichard inquiry .....                            | 3               |
| Statement of intent.....                             | 3               |
| Posts requiring clearance.....                       | 5               |
| Assessment and selection process.....                | 6               |
| The pre-employment checking process .....            | 7               |
| Portability .....                                    | 9               |
| Checking and re-checking of existing employees ..... | 9               |
| Positive disclosures .....                           | 10              |
| Record keeping.....                                  | 14              |
| Client organisations .....                           | 14              |
| Other sources of information.....                    | 15              |
| Appendix 1 - Risk assessment.....                    | 16              |
| Appendix 2 - Positive disclosures flow chart .....   | 18              |
| Appendix 3 - Positive disclosures .....              | 19              |
| Appendix 4 - Guidance on record keeping.....         | 20              |

## Introduction

1. The council is committed to safeguarding the welfare of children and vulnerable adults. We need to ensure that our recruitment policies and practices are robust and contain the necessary measures to enable us to employ a workforce that will fulfil its roles and responsibilities with full regard to this commitment. For clarity, “children” are defined as those under the age of 18. However, in Salford, children with transitional needs i.e. 18+ with disabilities or receiving services and support having left care (via Next Steps) will be in scope and the definition is extended to meet Contact Point rules i.e. up to the age of 25. “Vulnerable adults” are broadly defined as those people covered by the Community Care legislation, including adults with physical or learning disabilities or those being supported because of mental ill health and/or addiction.
2. The following policy and guidance has been written with full regard to the findings and recommendations of the Bichard Inquiry, further information on which is provided below.

## The Bichard inquiry

3. The Bichard Inquiry, led by Sir Michael Bichard, was commissioned by the Home Office in December 2003, following the conviction of Ian Huntley for the murders of the two Soham schoolgirls, Holly Wells and Jessica Chapman.
4. The inquiry investigated matters relating to child protection measures, record keeping, vetting and information sharing. Sir Michael Bichard’s report was published in June 2004, and contained a series of recommendations. The majority of these recommendations fell to the police, Home Office, the Criminal Records Bureau and the Department for Education and Skills to implement. Implementation of the report’s recommendations is ongoing.

## Statement of intent

“Salford City Council is committed to safeguarding and protecting the welfare of children and vulnerable adults and we expect all staff and volunteers to share that commitment. We will ensure that robust recruitment, selection and interview processes are put in place throughout the city council.

As an Authority we will:

- Ensure that with immediate effect all appointments to posts that include working with children/vulnerable adults or those which have access to personal information about children and/ or vulnerable adults will be subject to the Enhanced Disclosure regime.

- Ensure that relevant application forms are made available when recruiting to positions involving work with children and or vulnerable adults ensuring that the forms meet the Bichard Recommendations standards and assist safe and robust recruitment systems.
- Provide managers, and others who are responsible for Recruitment and selection, with safe and robust recruitment systems.
- Create a risk profile of key posts in each Department which will need Enhanced Disclosure checks as a matter of urgency.
- Create a rolling programme of Enhanced Disclosure checks on other posts in each Department to follow on from the “key posts” list.
- Undertake a rolling programme of review for those new members of staff in 2002 who were subject to Standard Disclosures only in an attempt to:-
  - i) Substitute an Enhanced Disclosure check for standard where necessary; and
  - ii) Re-check those 2002 checks.
- Ensure that when a positive CRB check is received the judgements made are at the appropriate level and consistent.
- Ensure that an appropriate training programme is undertaken to ensure that those undertaking Recruitment and Selection processes are aware of safe and robust Recruitment and Selection procedures and the Bichard Recommendations.
- Ensure that the robust Recruitment and Selection processes we rely on are communicated to all who provide services on our behalf e.g. contractors, sports coaches, music tutors.
- Ensure that the protection of children and vulnerable adults is a condition of awards/grants and service level agreements.
- Ensure that the protection of children and vulnerable adults is conditional when planning the commissioning /contracting of services and that inspection mechanisms are in built as part of normal contracting arrangements as a means of auditing compliance.

## Posts requiring clearance

5. The Corporate Management Team have agreed **as policy** that CRB checks will be extended to the wider workforce to include employees who have never previously been checked as they were appointed before the advent of the CRB Unit and, in many cases, before the old style police check system.
6. Each Directorate will determine which posts need to be checked and to produce a list of post holders. It will be necessary to consult with the relevant Trade Unions about this change in practice, and to reassure them that a sensible approach will be taken in cases where a CRB Disclosure reveals convictions of which the employer was previously unaware.
7. This requirement will be identified and recorded when creating new posts. Upon identification of the status of all posts, an indicator will be included against that post on SAP. The indicator will also show the requirement for the Safeguarding application form to be issued for recruitment purposes. The responsibility for maintaining this information will belong to HR Teams within each Directorate.
8. The decision as to whether or not a post necessitates clearance requires a consistent, sensible judgement across directorates. The following criteria should be used to determine the relevance of a post:

CRB clearance should be a requirement of any post meeting any one of the following criteria.

- Where the post is within a “registered” service as defined by OFSTED Regulations
- Has unsupervised access to children and vulnerable adults (regardless of regularity or duration).
- Has supervised access to children and vulnerable adults on a regular basis.
- Is based within a setting regularly occupied by children or vulnerable adults (regardless of direct access or nature of role)e.g. school, residential establishment, community centre, leisure centre, park) unless the presence is exclusively before or after children/vulnerable adults are on the premises.
- Entails visits to domestic residences or has indirect contact with children or vulnerable adults via the telephone or internet.
- Has substantial access to highly sensitive personal details relating to the care of children or vulnerable adults. The “care of” refers to health, social care, looked after children etc as opposed to general data such as contained within registers and databases.

The criteria applies equally to all types of employment, whether or not it is an established post such as a temporary, redeployed, casual, supply, volunteer/unpaid, or self employed. If agencies are used, agency staff must be subject to the same checks

as permanent staff, and it will be up to the Head Teachers/Service Managers to obtain and record confirmation from the agency that clearance has occurred. The criteria also applies to non-employment arrangements, acting on behalf of the Authority, such as school Governors, Elected Members, contractors.

**Salford City Council works in partnership with Commensura and Hays – both agencies fully comply with the City Council’s safeguarding requirements.**

## Assessment and selection process

This policy seeks to ensure that the assessment and selection of candidates for posts working with, or having regular contact with, children or vulnerable adults is robust and directly addresses matters relating to the client group in question.

The following checklist provides the minimum essential requirements when recruiting to such positions, including voluntary and unpaid positions as referred to above:

| <b>Safe Recruitment Standards</b>  |  |
|--|--|
| <b>The Standards require that the organisation sets out a policy and procedure which ensures that all potential paid staff and volunteers:</b> |  |
| <b>1</b>   | Complete an application form which includes: a full employment history with any breaks in employment fully explained, evidence of relevant qualifications, the reasons why they want to work with vulnerable adults, and/ or children and young people and details of criminal offences including cautions.  |
| <b>2</b>   | Provide two pieces of identification, which should confirm both identity and address.  |
| <b>3</b>   | Provide the names of at least two referees at the time of the recruitment ,which will be followed up before a post is offered. One reference should be from the last employer or an organisation that has knowledge of the applicant’s work or volunteering with vulnerable adults, children or young people. If the applicant has not worked with vulnerable adults, children or young people before, then they should confirm this and give an alternative referee. Applicants need to understand that employers have the right to contact previous employers. |
| <b>4</b>   | Consent to a CRB disclosure. An enhanced disclosure, is required for anyone who works with vulnerable adults or children. Checks should be redone every three years or if a person’s role changes and robust record keeping of checks is required. (Consent for a retrospective CRB disclosure is required if an existing member of staff works with vulnerable adults or children or has access to their records.)  |
| <b>5</b>   | Are made aware that they have a responsibility to declare any subsequent convictions.  |
| <b>6</b>   | Undergo an interview which assesses the applicant’s suitability for the particular role, his/her attitude towards vulnerable adults and/or children and young people and their ability to perform the role.  |

- With regard to overseas staff, the same checks will be made as for all other staff, but should additionally include a certificate of good conduct from their home police force or embassy, as well as from other countries where they have worked. CRB disclosures do not detail offences committed abroad.
- In the event that it is not possible to obtain suitable information then the person should not be considered suitable for recruitment to a safeguarding post until they have been in the country for 5 years and can evidence this.
- Successful applicants should receive induction and appropriate training in child protection/vulnerable adult issues as applicable.
- Successful applicants' attitudes and behaviour should continue to be monitored or supervised post-appointment.

## The pre-employment checking process

9. Following the offer and acceptance of employment, employees should not commence working for the council until full clearances have been received and checked by the employer, other than in exceptional circumstances (see below). This relates not only to CRB clearance, but also to qualification checks, List 99 checks, medical clearance, verification of entitlement to work in the UK (Asylum & Immigration Act) and receipt of satisfactory references. This also applies to internal appointments, in that staff should not transfer to a post requiring CRB clearance, until such clearance has been received.
10. There would need to be exceptional and justifiable circumstances for employment to commence prior to CRB clearance (**see below – Risk Assessment – Key questions for Consideration.**) Such a decision can only be taken by a Head Teacher, Assistant Director or Strategic or Deputy Director, following risk assessment (*\* see also point 11 in respect of registered services.*) There must be a record of this process and decision, including “sign off” by the Head Teacher/Assistant Director or Strategic or Deputy Director, to ensure audit and accountability of the judgement. The judgement is an assessment of the risk versus the consequences of the decision. For positions covered by List 99 provisions, employment must never commence prior to the List 99 check being completed. Furthermore, the employee must never commence prior to the submission of their completed disclosure application to the CRB. In the event that a school has any Looked After children or children on the Child Protection register then the Head of the School should always inform the Strategic Director of Children's Services if they make a decision to commence employment without a CRB .
- 11.\* For registered services as defined within OFSTED Regulations only the nominated or registered Manager /Responsible person can sign off a decision and there would be a breach of the OFSTED Regulations national minimum standards if they were to commence without a “signed off” the CRB in place.

## Risk Assessment - Key Questions for Consideration

- i. What are the reasons for considering commencement of employment prior to receiving clearance?

This should not be a natural default position, and should be exceptional and clearly linked to the circumstances identified in response to question 2 below.

- ii. What would be the consequences for service delivery, of waiting until clearance is received?

Again, these should be exceptional and have a demonstrable substantial impact on service users (e.g. partial or full school closure). Recruiting Managers should be able to demonstrate how they have used effective planning to avoid/minimize this disruption, and clearly show where this has been unavoidable.

- iii. If the employee commenced in their role, what would be their normal level of access to children/vulnerable adults or to sensitive and personal information pertaining to children or vulnerable adults?

- Unsupervised access one-to-one
- Unsupervised access to a group

Neither of these would be acceptable arrangements in any circumstances during this “waiting period”.

- Supervised access one-to-one
- Supervised access to a group
- No direct access, but based within premises

If an employee does commence employment prior to clearance being received, their access must be supervised at all times. The level of risk declines as the list progresses, however, there continues to be a risk with each of these scenarios.

- iv. Has the employee left employment to take up the post?

The employee themselves runs a risk if they leave existing employment to take up a post that remains subject to clearance. This should be made clear to them.

- v. Is there previous satisfactory CRB clearance documentation available?

If a previous disclosure/verification of clearance is available, consider how recent it is and whether the employee has continued to work for that employer continuously since then. This **does not** offer any guarantee of current clearance, however, it may reduce the likelihood of convictions, complaints, investigations, etc., having occurred in the intervening period. See also “Portability” paragraph 14.

- vi. Are the other checks and clearances in place?

Again, the existence of other checks and clearances does not eliminate risk, or conclusively verify a candidate's suitability to commence employment. However, a candidate for whom we have verified qualifications, reliable references from existing employer, and has provided a complete employment history, etc., is potentially less of a risk than someone for whom we have not yet completed any checks with regard to identity or background, or who has gaps in employment/education history.

12. A pro-forma is attached at Appendix 1 and this must be utilised to ensure that there is an auditable record of the decision made following risk assessment, and should contain the signature of either the accountable Head Teacher, Strategic Director or Deputy Director or Assistant Director. This responsibility cannot be delegated.
13. If a decision is taken to commence an employee prior to receiving clearance, their contract of employment should remain subject to this condition being met. The employee must have completed and submitted their completed disclosure application to the CRB. The application's progress within the CRB system should be checked and monitored on a regular basis.

As referred to above, robust and reliable supervision arrangements must be put into place during the "waiting period". The employee must be clearly notified of the supervision arrangements that are in place. The situation must be checked and monitored at least every two weeks. Either the Head Teacher or Strategic Director or Deputy Director or Assistant Director remains accountable during this time, until the clearance is received, checked and suitability confirmed.

## **Portability**

14. Neither the CRB nor Salford City Council endorse the use of portability, i.e. the re-use of a CRB disclosure obtained for a position in one organisation and later used for another position in another organisation. A disclosure carries no formal period of validity and only reflects information that was available at the time of its issue. As a responsible employer, we will therefore exercise caution in the portability of disclosures. Portability carries a risk and should only be considered as part of an overall risk assessment process, and reserved for exceptional circumstances.

## **Checking and re-checking of existing employees**

15. There are various elements to the process of checking and re-checking existing employees. Salford City Council has determined that the following will apply:
  - i) All existing employees (or redeployed staff) who transfer from a post that does not require clearance, to one that does, will be subject to an enhanced CRB check.

- ii) Any employee who has been subject to a standard or an enhanced disclosure since 2002, but where that disclosure is now more than three years old, should be rechecked for a further enhanced disclosure (provided that they remain employed within a post that has been identified as requiring clearance).
  - (iii) A rolling programme is put in place to capture all re-checking, as described at (ii) above, at three-yearly intervals.
  - (iv) A Head Teacher or Strategic Director, Deputy Director or Assistant Director may deem at any time that an employee should be subject to an enhanced CRB check, provided that they can justify that the employee has “given cause for concern” and is employed in a position that meets the criteria for working with, or having contact with, children or vulnerable adults.
16. It had not been mandatory for an employee to undergo a CRB check, if they had been and remained in a post identified as requiring clearance, since prior to 2002 (with the exception of circumstances arising under (iv) above). Salford City Council will require this as a matter of policy and will facilitate such checks on a rolling programme to ensure maximum management of risk in the protection of children and vulnerable adults and that this is a contractual obligation for posts with safeguarding responsibilities.

## Positive disclosures

17. The term “positive disclosure” refers to a disclosure containing information relating to convictions, cautions, reprimands, etc., plus “soft information” relating to non-convictions, but which police forces deem relevant. If a positive disclosure is received for an employee who has already commenced work, the following key stages of assessment must be considered immediately as it may be that, depending on the nature and severity of the disclosure, the individual could be immediately withdrawn from the work environment pending further enquiries.
18. It is essential that Salford City Council directorates follow a consistent process for considering such disclosures and for making subsequent judgements regarding an applicant’s suitability for employment.
19. The following key stages must occur in the process

Upon receipt of a positive disclosure the Manager of the Safe Employment Team will contact the HR Advisor ,Recruiting Manager (**or the Registered/Nominated or Responsible person for registered services as defined in OFSTED Regulations**) via email using the form at Appendix 3.

- The Safe Employment Team Manager /HR Advisor/Recruiting Manager (**or the Registered/Nominated or Responsible person for registered services as defined in OFSTED Regulations**) will do an initial assessment of whether the offence(s) listed are sufficiently serious to cause concern. This assessment will be in accordance with the following checklist:
- The likely impact that the positive disclosure could have on the individual’s ability to carry out the job role.

- The seriousness and nature of the offence(s)
  - The nature of the appointment
  - Length of time since the offence(s) occurred
  - Number and pattern of offences
  - The applicant's age at the time
  - Any explanation of the circumstances, that may have already been given
  - Concealment of offences at application stage
- Whether or not the offences were declared, this will automatically warrant an interview between the Recruiting Manager/Assistant Director/Head of Service and the applicant/employee. Depending upon the severity of the disclosure it may be necessary to escalate this interview process to the Safe Employment Review Panel for a decision to be made as to future ongoing employment.
  - The meeting is an essential part of the process, as it is necessary to verify that the information contained on the disclosure does indeed relate to the individual concerned. This verification must be sought prior to any judgements being made. There have been occasions where CRB system errors have occurred and information supplied has been wrongly attributed to individuals.
- Judgements at this stage will err on the side of caution.
  - If the Safe Employment Team Manager/HR Advisor/Recruiting Manager (**or the Registered/Nominated or Responsible person for registered services as defined in OFSTED Regulations**) recommends that the offence(s) is not sufficiently serious, the decision to employ/continue to employ will be signed off by either the Head Teacher or Strategic Director or Deputy Director or Assistant Director (**or the Registered/Nominated or Responsible person for registered services as defined in OFSTED Regulations**). This information should then be reported back to the Safe Employment Team via email.
  - The disclosure should be discussed with the prospective employee. The discussion will aid the decision-making process, and should again broadly focus around the following:
    - The severity and nature of the offence(s)
    - The nature of the appointment
    - Length of time since the offence(s) occurred
    - Number and pattern of offences
    - The applicant's age at the time, circumstances/explanation
    - Concealment of offences at application stage
  - Based upon the findings of the interview, either the Head Teacher or the Strategic Director or Deputy Director or the Assistant Director (**or the Registered/Nominated or Responsible person for registered services as defined in OFSTED Regulations**) will undertake a risk assessment with regard to the suitability of the employee. Judgements regarding suitability are not wholly confined to the disclosure revealing offences against children or vulnerable adults. Other types of offences may render a prospective employee unsuitable. In addition to convictions or cautions, this may also include having harmed or placed children or vulnerable adults at risk of harm; or having exhibited behaviour,

which leads to the belief that there may be a child or vulnerable adult at risk of harm in the future.

- People who have committed a registered offence within the meaning of the Criminal Justice and Court Services Act 2000 and the Disqualification for Caring for children Regulations 2005 will not be considered for posts in adult/children's social care. A list of relevant offences can be found in Schedule 4 of the Criminal Justice and Court Service Act 2000.
- Neither the Head Teacher nor the Strategic Director, Deputy Director nor Assistant Director (**or the Registered/Nominated or Responsible person for registered services as defined in OFSTED Regulations**) should take the decision in isolation, but will be accountable for it. There should be a clear record made of the decision, bearing the judgement and signature of the accountable Head Teacher or Strategic Director or Deputy Director or Assistant Director (**or the Registered/Nominated or Responsible person for registered services as defined in OFSTED Regulations**). (see "Record Keeping") This judgement should not contain details of the offences.

### **Safe Employment Team Review Panel for positive disclosure cases of a problematic /serious nature**

On occasion, the disclosure information may contain details of certain offences or patterns of behaviour that do give significant cause for concern and either the Safe Employment Team Manager or Head Teacher or Strategic Director or Deputy Director or Assistant Director (**or the Registered/Nominated or Responsible person for registered services as defined in OFSTED Regulations**) may wish to seek additional support and advice about the suitability of employing/continuing to employ the individual. In such cases the matter should be referred back to the Safe Employment Team Manager for them to initiate a meeting to consider the case on an individual basis.

The Panel will comprise : a Senior HR Officer, The Safe Employment Team Manager or Adviser, the Head Teacher or Strategic Director or Deputy Director or Assistant Director (**or the Registered/Nominated or Responsible person for registered services as defined in OFSTED Regulations**) as relevant to the case in question.

Panel meetings will be called in light of the volume of disclosures to be considered. In the main, new employees would not work until such time as the Panel had signed off the disclosure and agreed to confirm the employee into position. For existing employees undergoing a recheck which results in a positive disclosure of this nature – the employee would continue to work whilst their disclosure is being considered unless there is evidence to indicate an immediate risk of harm.

When trying to determine the risk of harm Panel Members should apply the same principles as when determining whether a suspension or dismissal may be necessary.

New applicants and existing employees with previous convictions will be assessed against the following factors

- Relevance – whether a conviction or other matter is relevant to the position in question. Violent and sexual offences will normally be relevant as may offences involving drugs, fraud, dishonesty. Driving or offences involving alcohol may also be relevant, along with crimes which are hate based, or involve predatory behaviour.
- Severity – the severity of the conviction is important in determining suitability. This will be assessed by examining the detail of the offence, and the level and type of sentence.

It is acknowledged that the label given to an offence, e.g. violence, may cover a range of offences from relatively minor dispute and fights, to extremely serious violent offences. The type of sentence may be considered as indication of the severity of the offence e.g. a conditional discharge/absolute discharge, bind over or caution usually indicates that the offences are minor.

- Offence circumstances – a conversation with the employee and their explanation of the situation may resolve any concerns about suitability.
- Length of time since offence was committed – it is recognised that in most cases, behaviour changes as a person gets older so the age of the offence will be relevant when assessing suitability.
- Pattern of offending – pattern of offending behaviour is relevant in determining whether an applicant is suitable. A pattern of offending behaviour may indicate unsuitability particularly if there has been no gap since the last offence. Patterns of offences including gambling, drinking and/or drugs related convictions may indicate that a person remains at risk unless there is clear evidence of a break in the pattern of their behaviour.
- Personal qualities of the employee – a number of factors will be taken into account in reviewing suitability based on the personal qualities of the applicant. Key issues include:-
  - Whether the employee demonstrates an appropriate level of remorse in relation to the offending behaviour.
  - Whether there is evidence that the employee has learnt from their behaviour and made changes to their lifestyle.
  - Whether the employee is honest and open in any discussions about their offending behaviour.
- Other matters – where the Criminal Records Bureau disclosure indicates issues that are not convictions, but are included in the “Other Matters” box of the form, (for example, that the employee has been the subject of a child protection enquiry) this will be dealt with in accordance with the process identified above. The Police are able to send registered persons separate information that is not available on the disclosure form. Local authorities are not able to share this information with the applicant as this is illegal under the Police Act 1997.

## **Record keeping**

### **1 Schools and Establishments**

20. Each individual school and registered care establishment must keep a single, central record collating when and by whom checks on the identity, qualifications and outcomes of List 99 and CRB checks on staff were made. Each Directorate must also keep similar records for non-schools staff. These records need to be securely kept and open to scrutiny and audit.
21. There is a requirement to request full details of CRB checks carried out on staff supplied through an agency, or for students in teaching training placements where the student placement officer has responsibility for carrying out this check and the need for each school and Directorate to keep a record that checks have been verified, when and by whom.

### **2 Safe Employment Team**

22. Information disclosed as part of a CRB check must be treated as confidential. The disclosure must be kept in secure conditions and must be destroyed, by secure means, as soon as it is no longer needed. It should not normally be kept more than six months after the decision is taken (unless certain other Inspection regimes dictate that they may be kept for a longer period OFSTED /OFSTED Regulations).
23. However, before the disclosure is destroyed, records need to be kept detailing the date the disclosure was obtained, who obtained it (i.e. school, supply agency), the level of the disclosure and the unique reference number. The Head Teacher/Head of Service and Review Panel will also record the information that was used to assess suitability, together with a record of the judgement and decision reached. See appendices for guidance and pro-forma.

## **Client organisations**

24. The council takes measures to ensure that client organisations are aware of their obligations under the CRB Code of Practice, and that they adhere to this policy and associated practices when working with Salford City Council.

### **Salford City Council Policy Statement (summary)**

- As an organisation using the Criminal Records Bureau (CRB) Disclosure service to assess applicants' suitability for positions of trust, Salford City Council complies fully with the CRB Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of conviction or other information revealed.

- Salford City Council recognises that all sections of society may experience prejudice and discrimination. This can be true in service delivery and employment. We are committed to equality of opportunity both in the provision of services and in our role as a major employer. We believe that all people have the right to be treated with dignity and respect. We are committed to the elimination of unfair and unlawful discrimination in all our policies, procedures and practices. We are working towards, and are committed to, the elimination of unfair and unlawful discriminatory practices. This policy and our Equality of Service Delivery Policy have been introduced as a means of demonstrating our commitment to providing our services fairly to all sections of the community.
- Where a Disclosure is to form part of the recruitment process, we encourage all applicants to provide details of their criminal record at the application stage of the recruitment process.

## Other sources of information

Disclosure Application Line: 0161 793 3990  
 SET (CRB) Information Line: 0161 793 3990  
 SET (CRB) Email [CRB@salford.gov.uk](mailto:CRB@salford.gov.uk)

Useful websites: [www.CRB.gov.uk](http://www.CRB.gov.uk)  
[www.disclosure.gov.uk](http://www.disclosure.gov.uk)  
[www.dfes.gov.uk](http://www.dfes.gov.uk)  
[www.teachernet.gov.uk](http://www.teachernet.gov.uk)  
[www.ofsted.gov.uk](http://www.ofsted.gov.uk)

## Policy on safe recruitment and vetting - appendices

|                   |  |
|-------------------|--|
| <b>Appendix 1</b> | Risk assessment sheet for consideration of commencement of employment prior to clearance received. |
| <b>Appendix 2</b> | Positive disclosures flow chart  |
| <b>Appendix 3</b> | Positive disclosures - decision pro-forma Head teacher/Head of Service                             |
| <b>Appendix 4</b> | Positive Disclosures - decision pro- forma Review Panel  |
| <b>Appendix 5</b> | Guidance on record keeping for safe recruitment and vetting  |

# Appendix 1 - Risk assessment

## Consideration of commencement of employment prior to CRB clearance

|                                      |  |   |  |
|--------------------------------------|--|---|--|
| <b>Name of prospective employee:</b> |  | <b>Name of Head Teacher/Strategic Director/Deputy Director/Assistant Director</b> |  |
| <b>Proposed post title:</b>          |  | <b>Date of risk assessment:</b>   |  |
| <b>Service/school:</b>               |  |   |  |

Record of findings – Should be completed in conjunction with the risk assessment key questions contain within the Policy on Safe Recruitment & Vetting

|  |   |   |
|--|---|---|
| Reasons for considering commencement of employment prior to receiving clearance: | Consequences, to service delivery, of waiting for clearance:  | Level of access during “waiting period”:  |
| Supervision arrangements during “waiting period” and any other control measures: | Pre-employment checklist:<br>Has the employee left employment? Y / N<br>Medical clearance received? Y / N<br>Asylum & Immigration check completed? Y / N<br>Qualifications verified? Y / N<br>List 99 check completed (if applicable)? Y / N<br>References? Y / N<br>Satisfied with general background & Employment history checks? Y / N | Previous CRB clearance:<br>Is a previous disclosure available? Y / N<br>Has it been seen by you? Y / N<br>What is its date? _____<br>(see section on ‘Portability’ within Policy) |

**Assessment of risk following control measures:**

**Options:**

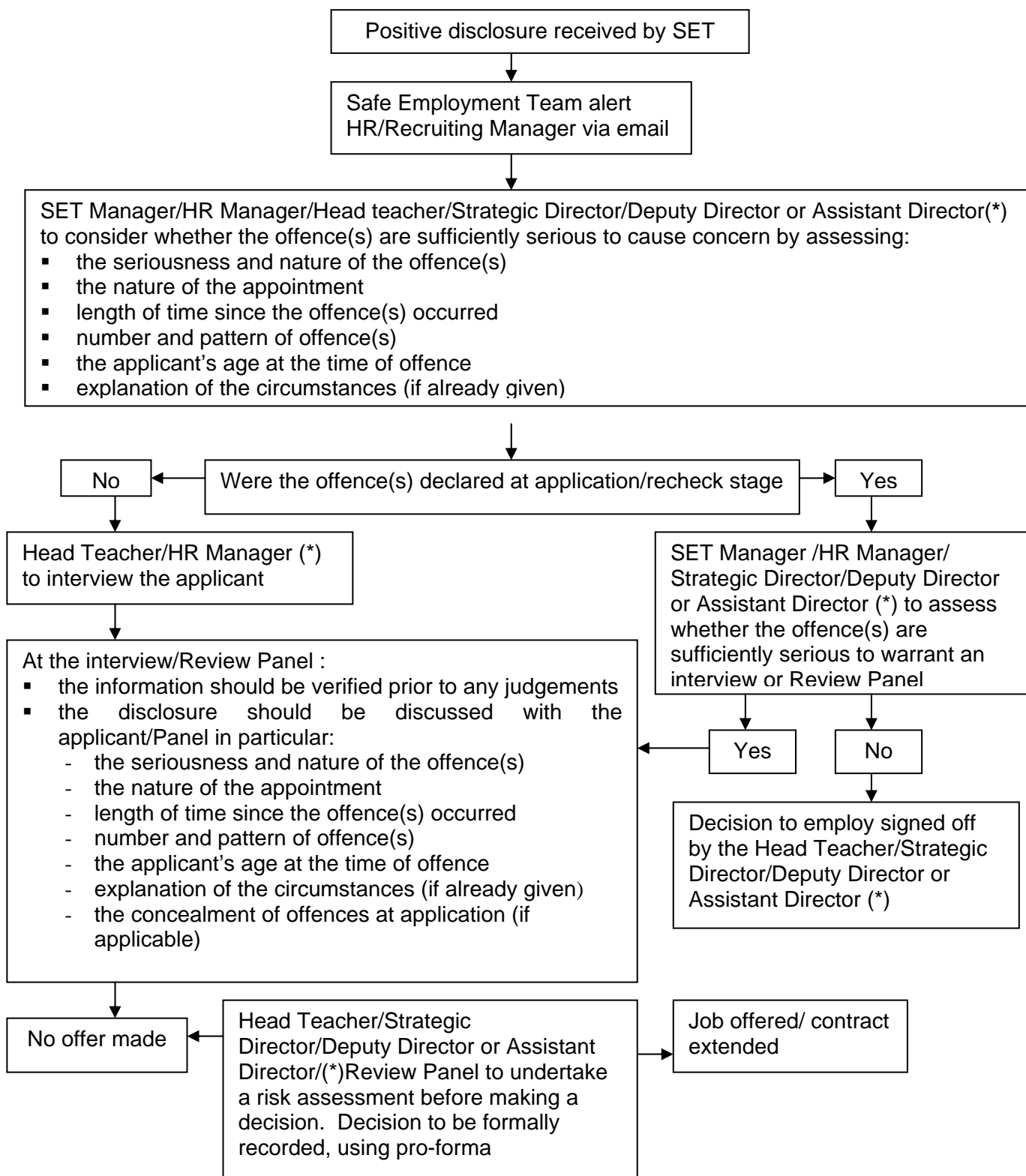
- This prospective employee will not commence work prior to satisfactory clearances.
- Following risk assessment, I have determined that the above named may commence employment with the identified control measures. I undertake to personally review this situation at intervals of no less than every two weeks.

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_\_ **Review Dates:** \_\_\_\_\_



## Appendix 2 - Positive disclosures flow chart

(this must be read in conjunction with paragraph 17 of the policy)



(\*)or the Registered/Nominated or Responsible person for registered services as defined in OFSTED Regulations

### Appendix 3 - Positive disclosures

Strictly confidential

#### CRB disclosures

A CRB Disclosure Form has been returned to the Safe Employment Team and you are required to contact the Safe Employment Team about this matter.

|   |                        |
|---|------------------------|
| <b>Disclosure No. :</b>                                   | <b>Date obtained :</b> |
| <b>Obtained by (directorate school, agency) :</b>         |                        |
| <b>Name :</b>   | <b>DOB :</b>           |
| <b>Proposed position :</b>                                |                        |
| <b>Status (employed, self employed, voluntary, etc. :</b> |                        |
| <b>Directorate/Establishment/School :</b>                 |                        |

|                        |                        |
|------------------------|------------------------|
| <b>Interview date:</b> | <b>Interviewed by:</b> |
|------------------------|------------------------|

*Brief details of interview - focus upon applicant's response, and the judgements you made (see checklist in paragraph 24 of policy), rather than disclosing details of the offences*

**Please confirm whether the above named person is approved to be employed in the position stated above. It is crucial to note that this approval to proceed is isolated to this position and the circumstances as judged by the above-named Head teacher/Strategic Director/Deputy Director or Assistant Director (or the Registered/Nominated or Responsible person for registered services as defined in OFSTED Regulations.) This judgment is therefore not transferable to other recruitment decisions.**

**Proceed**  **Not Proceed**

Signed ..... Date .....  
(Review Panel Lead Officer/ Head teacher/Strategic Director/Deputy Director/Assistant Director. **or the Registered/Nominated or Responsible person for registered services as defined in OFSTED Regulations**)

Documents relating to convictions should only be maintained by the safe employment team for confidential storage pending any appeal and for secure disposal thereafter.

**This trace must be kept safe and not disclosed to a third party**

## Appendix 4 - Guidance on record keeping

### Form for panel decision

Name of Employee: .....

Post/Job Title/ Directorate: .....

CRB Disclosure Number: .....

#### Summary of Convictions/CRB Attached:

##### Relevance

|                               | Yes | No | Maybe? | Comments |
|-------------------------------|-----|----|--------|----------|
| Are offences relevant to job? |     |    |        |          |
| Do offences involve:          |     |    |        |          |
| Sexual Assault                |     |    |        |          |
| Violence                      |     |    |        |          |
| Drugs                         |     |    |        |          |
| Fraud/Dishonesty              |     |    |        |          |
| Driving                       |     |    |        |          |
| Other relevant issues         |     |    |        |          |

##### Seriousness

|   | Yes | No | Maybe? | Comments |
|---|-----|----|--------|----------|
| More than one offence?                      |     |    |        |          |
| Sentence awarded indicates serious offence? |     |    |        |          |

##### Circumstances/age of offences

|   | Yes | No | Maybe? | Comments |
|---|-----|----|--------|----------|
| Is there an acceptable explanation relating to the offence/behaviour?   |     |    |        |          |
| How long is it since the offence was committed?   |     |    |        |          |
| Would the offence be considered as spent in terms of the Rehabilitation of Offenders Act?(Normally 5 years old or more) |     |    |        |          |
| Is there a significant gap since the last offence?  |     |    |        |          |



## Appendix 4

### School guidance on record keeping for Safe recruitment and vetting

In addition to the various staff records, which are kept as part of normal business, schools must also keep and maintain a single central record of recruitment and vetting checks.

Further advice and information can be obtained via the **CSD Guidance for Schools on Safeguarding Children and Safer Recruitment in Education published May 2007.**

Schools must have a record of the following people:

- All staff who are employed to work at the school ;
- All staff who are employed as supply staff to the school whether employed directly by the school or local authority or through an agency;
- Others who have been chosen by the school to work in regular contact with children. Regular is defined as meaning 3 or more times in a 30 day period or once per month or more, or overnight with children including:
- Volunteers, governors who also work as volunteers within the school, and people brought into the school to provide additional teaching or instruction for pupils but who are not staff members, e.g. a specialist sports coach or artist.

The Safeguarding Children and Safer Recruitment in Education guidance issued via the DCSF states that from 1<sup>ST</sup> January 2007 schools must have safe record keeping systems from 1 January 2007 for all staff and other relevant individuals (as set out above) appointed or chosen on or after that date. By 1 April 2007 the record must include all current staff and relevant individuals appointed or chosen before 1 January 2007.

It is vitally important that the school/establishment ensures that record of checks are in place and readily available for Ofsted and HMI/OFSTED.

For the purposes of creating the record of checks for supply staff provided through a supply agency (whether local authority or commercial), the school will need written confirmation from the supply agency that it has satisfactorily completed the checks. The school does not need to carry out or see the checks itself except where there is information contained in the CRB Disclosure. However, identity checks must be carried out by the school to confirm that the individual arriving at the school is the individual that the agency intends to refer to them. Information disclosed as part of a CRB Disclosure must be treated as confidential. It is an offence for CRB Disclosure information to be passed to anyone whom does not need it in the course of their duties. A Disclosure may

be passed from agency to agency, between local authorities and agencies and between schools/colleges and agencies if the subject gives written consent. The Disclosure information must be kept in secure conditions and must be destroyed, by secure means, as soon as it is no longer needed.

However, before the Disclosure is destroyed, records need to be kept detailing the date the Disclosure was obtained, whom obtained it (i.e. school, local authority, supply agency, college), the level of Disclosure, and the unique reference number. The head teacher and/or local authority will keep a note of what other information was used to assess suitability.

17

### **Central record**

The central record must indicate whether or not the following have been completed:

- Identity checks;
- Qualification checks for any qualifications legally required for the job e.g. those posts where a person must have QTS, NPQH, PGCE, Cert Ed. Additionally, for those applying for teaching posts, registration checks with the GTC where appropriate;
- Checks of permission to work in the United Kingdom;
- List 99 checks;
- CRB Enhanced Disclosure;
- Further overseas criminal records checks where appropriate.

Where the governing body provides services or activities directly under the supervision or management of schools staff, the school's arrangements for staff appointments will apply. Governors need to be aware that it is their responsibility to ensure that proper records are kept and that the detail includes who conducted the checks and when they were conducted.

23