



LLOYD WILLIAMSON
FOUNDATION

The Lloyd Williamson Schools Foundation



SAFER RECRUITMENT POLICY

Introduction

The Lloyd Williamson Schools Foundation (LWSF) is dedicated to providing the highest standard of care and education to its pupils while safeguarding and promoting the welfare of children and young people. LWSF also values a supportive and flexible working environment for all staff members. To achieve these objectives, we recognise the fundamental importance of attracting, recruiting, and retaining staff of the highest calibre who share our commitment to safeguarding.

Relevant Documents, Legal Frameworks, and Policies

LWSF fully acknowledges its responsibility to ensure compliance with all statutory guidance.

This policy is guided by and should be read in conjunction with the following statutory and regulatory documents:

- Keeping Children Safe in Education (KCSIE) 2024 (DfE)
- Working Together to Safeguard Children (2023) (HM Government)
- Disqualification under the Childcare Act 2006 (DUCA, 2018 Regulations)
- The Education (Independent School Standards) Regulations 2014
- The Prevent Duty Guidance for England and Wales (2023)
- The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975
- The Safeguarding Vulnerable Groups Act 2006
- The Equality Act 2010
- The Data Protection Act 2018 and UK GDPR
- The Teachers' Standards (DfE, 2021)
- The National Minimum Standards for Boarding Schools (2022) (DfE)
- The Charity Commission guidance for trustees and senior managers

Fair and Merit-Based Recruitment

LWSF is committed to ensuring that recruitment processes are fair, transparent, and non-discriminatory, treating all job applicants based on their merits, abilities, and suitability for the position, irrespective of race, nationality, ethnicity, religion, gender, sexual orientation, marital or civil partnership status, disability, or age.

Aims

The purpose of this policy is to:

1. Ensure all staff and volunteers are suitable to work with children and young people.
2. Confirm that all appointed staff have the necessary skills, experience, and qualifications to fulfil their roles.
3. Safeguard the welfare of children by ensuring robust and consistent recruitment practices.
4. Prevent unsuitable individuals from gaining access to children.
5. Meet statutory requirements and best practices in safer recruitment, including maintaining an up-to-date Single Central Record (SCR).

Scope

This policy applies to all recruitment within LWSF, including:

- Teaching and support staff
- Volunteers
- Trustees
- Contractors

All individuals engaged in regulated activity will be subject to full pre-employment checks.

This policy also aligns with the following internal LWSF policies:

- Child Protection and Safeguarding Policy
- Whistleblowing Policy
- Staff Code of Conduct
- Health and Safety Policy
- Complaints Policy
- Data Protection and Confidentiality Policy
- Prevent Duty Policy

Safer Recruitment Procedures

All employees involved in recruitment must familiarise themselves with and comply with this policy to uphold our safeguarding responsibilities.

LWSF is committed to **safeguarding and promoting the welfare of children**. Our **recruitment procedures** ensure that all applicants are thoroughly vetted and meet the highest standards of professionalism and child protection.

1. Identifying Vacancies

The need for new staff will be assessed by the **Senior Leadership Team (SLT)** and ratified by the **Headteacher and Board of Trustees**. Recruitment will take place when necessary due to:

- Staff departures.
- The creation of new roles.
- Organisational restructuring.

2. Job Advertisements

All job advertisements will:

- Clearly outline **LWSF's commitment to safeguarding and child protection**.
- State that **all applicants will undergo thorough pre-employment checks**.
- Require candidates to complete an **application form** (CVs alone will not be accepted but can be submitted alongside).

Example safeguarding statement for advertisements:

"The Lloyd Williamson Schools Foundation is committed to safeguarding and promoting the welfare of children and expects all staff and volunteers to share this commitment. Enhanced DBS and all relevant checks are required prior to employment."

3. Application and Shortlisting

- Applicants must submit a **completed application form** with a **declaration of criminal history**, in accordance with **filtering rules**.
- Shortlisting will be conducted by at least **two members of the SLT** and, when relevant, the **Board of Trustees**.
- Shortlisted candidates will be informed that an **online search** may be conducted as part of **due diligence**.

4. Interview Process

- Interviews will be conducted by a panel of at least two experienced interviewers, at least one of which must be trained in Safer Recruitment.
- Candidates will be assessed based on their:
 - Training, experience, skills, and subject knowledge.
 - Safeguarding awareness and attitude towards working with children.
 - Behaviour management approach.
- Candidates for teaching or supervisory roles may be asked to complete a written task.
- Where relevant, candidates will be observed by an SLT member in a practical session with children.
- All staff participating in the process will provide feedback on the candidates' skills, knowledge, demeanour, and interactions.

5. Conditional Offer of Employment

If a candidate is **offered employment**, the offer will be **conditional** upon:

- **Agreement on a start date** and signing of a contract incorporating **LWSF's standard terms and conditions**.
- **Verification of identity** (if not previously confirmed).
- **Verification of qualifications**, including professional or other relevant credentials. For teaching staff, **Teacher Services** will be used to verify **Qualified Teacher Status (QTS)** and completion of induction or probation.
- **Verification of employment history** and receipt of at least **two satisfactory references** (three for teaching staff, one of which must be from the most recent employer). *See Below section on references.
 - For teaching staff, **LWSF will endeavour to obtain two references before the interview**.
 - If the most recent role did not involve working with children, one reference must be from the last employer where the applicant worked with children.

- Confirmation that the applicant has not been subject to any **sanction, restriction, or prohibition** issued by the **Teaching Regulation Agency** that would make them unsuitable for teaching at LWSF.
- If the applicant has **taught outside the UK**, confirmation that they have not been sanctioned by a **foreign teaching regulator** in a way that makes them unsuitable to work at LWSF.
- **Enhanced DBS check with barred list verification**, which LWSF must consider satisfactory. If the applicant is registered with the **DBS Update Service**, this will be checked online.
- Confirmation that the applicant is not named on the **Children's Barred List** (if the role involves regulated activity).
- Confirmation that the applicant is not subject to a **teaching prohibition order** issued by the **Secretary of State**.
- Confirmation that the applicant is not subject to a **Section 142 direction** under the **Education Act 2002**, which would make them unsuitable to work at LWSF.
- If applying for a **management position** (as defined in **Keeping Children Safe in Education – KCSIE 2024**), confirmation that the applicant is not subject to a **Section 128 direction**, which would prohibit them from holding a management role in an independent school.
- Confirmation that the applicant is not **disqualified from acting as a trustee, governor, or senior manager** of a charity under the **Charities Act 2011** (if applicable).
- Confirmation that the applicant is not **disqualified from working in early years or later years (under-8s) provision**, if relevant to the position.
- **Medical fitness assessment** confirming the applicant's suitability for the role.
- **Verification of the right to work in the UK**.
- **Any additional checks required for applicants who have lived or worked outside the UK**, such as an **overseas criminal records check, certificate of good conduct, or professional reference**.
- Any **other pre-employment checks** required under **statutory or regulatory obligations**.

If the offer is **accepted** and all conditions are met, the applicant will receive a **formal contract of employment** from **LWSF**.

6. Exceptional Circumstances – Delayed DBS Disclosure

In exceptional cases, where there is a **delay in receiving the DBS Disclosure**, the successful applicant may **only commence employment under specific conditions**:

- A **barred list check** will be carried out before their start date.
- A **risk assessment** will be conducted and signed off by the **CEO**, and a record will be placed in the applicant's personnel file and **Single Central Record (SCR)**.
- The applicant will be **issued a red lanyard** and must be **supervised at all times** while on LWSF premises.

In some cases, LWSF may consider accepting a **DBS Disclosure from the applicant's previous employer**, provided that:

- There has been **no gap in employment of three months or more**.
- The applicant provides **written consent** for its use.
- A **barred list check** is carried out before they begin employment.

A **risk assessment** will be conducted to determine suitable supervision arrangements while awaiting the new **DBS Disclosure**. This assessment will be **reviewed weekly** by the SLT. The enhanced **DBS Disclosure** must be obtained as soon as possible after employment begins.

7. References

LWSF requires references for all shortlisted teaching candidates, including internal applicants, with their agreement. If the candidate is an existing LWSF employee, their application will still be assessed according to this procedure, and two references will be obtained. In such cases, references may be provided by colleagues, as LWSF is their most recent employer. No successful candidate may commence employment until satisfactory references have been received.

Reference Requirements

- A minimum of **two satisfactory references** is required for all roles.
- At least one reference must be from the applicant's current or most recent employer.
- For teaching positions, LWSF will seek to obtain **two references before the interview** as part of best practice.
- If the applicant's most recent employment did not involve working with children, the second reference must be from their last employer where they worked with children.
- References cannot be provided by **relatives or personal friends**.

Verification and Content of References

LWSF will directly obtain references from referees and will not accept those provided by applicants or open references. If a reference is provided over the telephone, detailed notes will be taken, dated and signed.

Referees will be asked to confirm:

- The applicant's suitability for the role and whether they have any concerns regarding their ability to work with children.
- Whether the applicant could be considered involved in **extremism**, in line with **Prevent guidance**.

If the referee is a current or former employer, they will also be asked:

- Whether the applicant has ever been subject to **disciplinary action** or if any concerns have been raised regarding the **safety or welfare of children**, including cases where disciplinary sanctions have expired.
- Whether any concerns have been raised about the applicant's **behaviour** that may indicate unsuitability to work with children.

Handling and Validation of References

- If only **factual references** are received (e.g., job title and employment dates only), this will not necessarily disadvantage the applicant, but additional references may be requested before an appointment is confirmed.
- Written references may be **verified via telephone**.
- If a reference is received after the interview, it will be carefully reviewed. Any **discrepancies** between the reference, the application form, and/or the interview assessment will be investigated. The applicant may be asked to provide **further clarification** before an appointment is confirmed.

8. Pre-Employment Checks

All successful candidates must complete the following checks before employment begins:

- **Enhanced DBS check** (including Children's Barred List).
- **Right to work check** (passport, visa, or EU Settlement Scheme verification).
- **Identity check** (birth certificate preferred, plus two proofs of address).
- **Qualifications verification** (QTS, first aid, etc.).
- **TRA Prohibition Check** (applies to all staff, not just teachers).
- **Section 128 Check** (for management positions).
- **Overseas criminal records check** (for candidates who have lived abroad for 3+ months in the last 5 years).
- **Verification of mental and physical fitness to work** (Post Offer Health Questionnaire - POHQ). Criminal Records Checks

DBS Filtering Rules

Since 2013, the **Disclosure and Barring Service (DBS)** has applied **filtering rules**, which remove certain old or minor offences from disclosure certificates.

- **Protected convictions and cautions** do not need to be disclosed by applicants, and employers **must not** consider them when making recruitment decisions.
- Spent convictions and cautions **will not appear** on a DBS certificate if they meet the filtering criteria, except for serious offences listed as **"specified offences"**.
- The full list of **"specified offences"** that will always be disclosed can be found here.

Regulated Activity & Enhanced DBS Checks

LWSF applies for **Enhanced DBS Disclosures** with a **Children's Barred List check** for all roles involving **regulated activity** as defined in the **Safeguarding Vulnerable Groups Act 2006**.

- This check confirms whether an applicant is barred from working with children and provides relevant safeguarding information.
- Further details can be found in **Keeping Children Safe in Education (KCSIE 2024)**.

DBS Disclosure Certificate Process

- DBS certificates are issued directly to the **applicant**, not LWSF.
- Applicants must present their **original certificate in person** before employment is confirmed.
- If in-person verification is delayed, a **certified copy** may be sent in advance, but employment remains conditional until the original is checked.

Contractors

- Contractors **engaging in regulated activity** must provide an **Enhanced DBS certificate (including barred list check)** before starting work.
- Contractors must complete the Contractor Questionnaire.
- Contractors working in **non-regulated activity** but with regular child contact require an **Enhanced DBS check (without barred list check)**.
- Until all checks are completed, contractors will wear a **red lanyard** and be **supervised** at all times.

Volunteers

LWSF recognises volunteers as **trusted adults** and applies strict safeguarding procedures.

- **Enhanced DBS & Barred List checks** are required for unsupervised volunteers engaged in regulated activity.
- **Enhanced DBS checks (without Barred List information)** are required for supervised volunteers.
- Volunteers who have been inactive for **three months or more** may need a **new DBS check**.
- Additional **suitability checks** may include:
 - References from **staff, parents, or other volunteers**.
 - **Character references** from workplaces or other sources.
 - An **informal safer recruitment interview**.
- **Governors** are considered volunteers in regulated activity.
- Volunteers from **external organisations** will be treated as supply staff.

Visitors

- LWSF **cannot request DBS checks** for visitors.
- School leaders will **assess the need for supervision** on a case-by-case basis.

Applicants with Overseas Residency

- DBS checks are still required for applicants with **recent overseas residency** or **limited UK history**.
- LWSF may also request:
 - **Criminal record checks or certificates of good conduct** from each country where the applicant lived for **three months or more** in the past **10 years**.
 - **A letter of professional standing** from the relevant **teaching regulatory body** for teaching applicants.
- If overseas checks are unavailable, a **risk assessment** will be conducted to determine suitability.
- Temporary employment **may be allowed** while awaiting results, provided a **reference or letter of professional standing** has been obtained.
- All **risk-based assessments and decisions** will be **documented, signed by the Headteacher, and retained on file**.

Prohibition, Disqualification, and Employment Eligibility Checks

LWSF ensures that all staff, trustees / governors, and volunteers meet the highest professional and safeguarding standards by conducting **prohibition, disqualification, and right-to-work checks** before employment or appointment.

Prohibition from Teaching Check

LWSF carries out **prohibition checks** on:

- New teaching applicants.
- Existing teaching staff moving into new roles within LWSF.

The **Teaching Regulation Agency (TRA) Teacher Services system** is used to verify whether an applicant is subject to a **prohibition or interim prohibition order** issued by a **Professional Conduct Panel**.

Additionally, all applicants for **teaching roles** must declare on their application form whether they have ever been referred to or sanctioned by the **TRA or any equivalent UK body**. References may also be used to verify this information.

If a position does **not** constitute "teaching work" (e.g., supervised roles or support positions), the check is not mandatory. However, if the applicant has **previously taught or may teach in the future**, LWSF will conduct the check, including for **sports coaches**.

Prohibition from Management Check (Section 128 Direction)

LWSF is required to check whether **applicants for management positions** are subject to a **Section 128 direction**, which prohibits individuals from holding **leadership roles** in independent schools.

This applies to:

- **Headteachers.**
- **Senior Leadership Team (SLT) members** (both teaching and non-teaching).
- **Department Coordinators.**
- **Trustee body members.**
- Other staff with **additional management responsibilities**, as assessed on a case-by-case basis.

Applicants for these roles must **declare** on their application form whether they have ever been **referred to the Department for Education (DfE)** or are subject to a **Section 128 direction**. If an applicant has been previously referred, sanctioned, or had a Section 128 direction lifted, LWSF will assess whether they are still suitable for employment.

Disqualification from Acting as a Charity Trustee or Senior Manager

Under the **Charities Act 2011**, it is a criminal offence for a **disqualified person** to act as a **trustee or senior manager** of a charity. This applies to:

- Trustees
- Headteachers.
- Other senior staff reporting directly to the Board of Trustees.

New appointees must complete a **self-declaration form**, confirming they are **not disqualified**. They also have an **ongoing duty** to report any changes that may lead to disqualification.

LWSF will verify eligibility by checking:

- The **Insolvency Register**.
- The **Companies House register of disqualified directors**.
- The **Register of removed charity trustees**.

Individuals who are disqualified may apply to the **Charity Commission for a waiver**. If a waiver is denied, LWSF may withdraw the job offer or terminate the appointment.

Verification of Professional Qualifications

LWSF will verify the **professional qualifications** of all appointed staff before employment. Any additional qualifications considered during the recruitment process will also be checked.

Right to Work in the UK

LWSF is legally required to verify an applicant's **right to work in the UK** before employment.

Childcare Disqualification Requirements

Under the **Childcare Act 2006** and the **Childcare (Disqualification) Regulations 2018**, LWSF cannot employ a **disqualified person** in connection with:

- **Early Years Provision (EYP):** Care for children in **Reception Year or younger**.
- **Later Years Provision (LYP):** Supervision of **children under 8** in before/after-school activities.

This includes:

- Teaching staff and assistants working in Early Years
- Supervisors of under-8s
- Leadership and management
- Trustees and volunteers with relevant responsibilities.

Occasional involvement in childcare **does not automatically disqualify** a person but will be assessed case by case.

Self-Declaration and Waiver of Disqualification

Employment in relevant roles is **conditional** on completing a **Self-Declaration Form**, confirming the applicant is **not disqualified**. If an applicant is **currently disqualified**, they **cannot start work** until they obtain a **waiver from Ofsted**.

- LWSF may **withdraw an offer** at its discretion without waiting for a waiver decision.
- If an Ofsted waiver application is **rejected**, the offer of employment will be withdrawn.

Retention of Disqualification Information

- LWSF will **securely destroy** any disqualification-related information that is **irrelevant** to an applicant's role.
- If an employee is found to be **disqualified**, relevant information will be retained **only until the waiver decision is received**, after which it will be securely destroyed.

Ongoing Duty to Disclose Changes

All staff in relevant roles have an ongoing duty to **inform LWSF** if they become disqualified.

- Failure to **disclose relevant information** or changes in circumstances will be treated as **gross misconduct**, potentially leading to **dismissal** or the withdrawal of a job offer.

9. Recruitment of Ex-Offenders

LWSF is committed to fair recruitment practices and does not discriminate against applicants based on past convictions. Employment decisions are based on **merit**,

ability, and suitability for the role. A criminal record does not automatically disqualify a candidate; each case is assessed individually.

Disclosure of Convictions

All positions at LWSF are **exempt** from the **Rehabilitation of Offenders Act 1974**, meaning applicants must declare all **unspent and spent convictions** unless they have been **filtered** under **DBS rules**.

Failure to disclose a required conviction may result in:

- **Rejection of the application.**
- **Dismissal for gross misconduct** if discovered after employment begins.
- **Potential legal consequences** if false information is provided.

LWSF is legally prohibited from employing individuals **barred from working with children**. It is a **criminal offence** for such individuals to apply. LWSF will report to the **police and/or the DBS** if it:

- Receives an application from a barred person.
- Detects false information in an application.
- Has serious concerns about an applicant's suitability to work with children.

Assessment Criteria

When a criminal record or relevant information is disclosed, LWSF considers:

- **Relevance** of the conviction to the role.
- **Seriousness** of the offence.
- **Time elapsed** since the offence.
- **Pattern of offending** or isolated incident.
- **Changes in circumstances** since the offence.
- **Explanations provided by the applicant.**

Certain convictions present a **high risk** and may make employment unlikely:

- **For roles involving regular contact with children:** Serious violent offences, sexual offences, grievous bodily harm, murder, manslaughter, and major drug-related crimes.
- **For roles involving financial responsibilities:** Fraud, deception, theft, or robbery.
- **For roles requiring driving:** Driving offences are reviewed on a case-by-case basis and must be signed off by the Head of the relevant school.

Assessment Procedure

If a conviction or relevant information is disclosed, the Headteacher will conduct a risk assessment based on the criteria above. This must be approved by the CEO or Director of Finance and Resources before a final decision is made.

If an applicant disputes the details of a DBS check, they should contact the DBS directly. Where possible, LWSF may defer a hiring decision to allow time for the dispute to be resolved.

Retention and Security of Disclosure Information

LWSF follows DBS guidance on handling Disclosure information.

- For successful applicants:
 - Recruitment records, including interview notes, identity verification, qualifications, medical fitness, and right-to-work evidence, are retained for the duration of employment in line with LWSF's Retention of Records Policy.
- For unsuccessful applicants:
 - All application-related documentation is confidentially destroyed after six months.
- For volunteers:
 - Any suitability information obtained follows the same retention procedures.

10. Probation

A formal offer of employment will only be made once all checks have been satisfactorily completed. All new staff will:

- Receive a confirmation letter detailing the offer and salary.
- Be subject to a three-month/one-term probation period.
- Receive safeguarding induction training before commencing duties.

11. Induction and Ongoing Training

All new staff must complete training in:

- Child Protection in Education
- Equality and Diversity
- UK Data Protection in Education
- Health and Safety in Education
- Fire Safety in Education
- The Prevent Duty
- KCSIE Guidance

12. Whistleblowing

LWSF fosters a culture where staff are encouraged and expected to raise concerns regarding safeguarding, staff conduct, or any other serious issues in line with LWSF's mandatory policies, including the Whistleblowing Policy, Safeguarding and Child Protection Policy, and the Staff Code of Conduct.

As part of LWSF's commitment to child safeguarding, these concerns are formally considered during staff appraisals and performance reviews

13. Single Central Register (SCR)

LWSF maintains a Single Central Register (SCR) of all staff, volunteers, and individuals providing teaching or instruction (such as sports coaches and trustees), in accordance with DfE regulations.

LWSF SCR includes:

- Identity verification details
- DBS checks and barred list status
- Right to work checks
- Prohibition orders
- Overseas police checks (where applicable)
- Qualifications verification

The SCR is regularly audited to ensure compliance with KCSIE 2024.

The **SCR is securely maintained** and is centrally stored at **LWSF**.

14. Referrals to the DBS and Teaching Regulation Agency (TRA)

LWSF is committed to safer recruitment and adheres to strict pre-employment checks before confirming any appointment.

However, LWSF also has a legal duty to refer individuals to the Disclosure and Barring Service (DBS) in cases where:

- An individual applies for a position despite being barred from working with children.
- An individual is removed from regulated activity (paid or unpaid) or resigns prior to removal due to harming or posing a risk of harm to a child.

For teaching staff, LWSF may also make a referral to the Teaching Regulation Agency (TRA) where appropriate.

15. Ongoing Monitoring and Safeguarding Culture

LWSF is committed to maintaining a culture of vigilance, including:

- Regular safeguarding training.
- Encouraging staff to report concerns through whistleblowing procedures.
- Continuous evaluation of recruitment processes.

The SLT will review and update this policy in line with legal and regulatory changes.

Policy Review

This policy will be reviewed annually or sooner if required by updates in legislation or guidance.

Updated January 2025

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Review Date: August 2025