



**LISAL**

LANCASTER INDEPENDENT SCHOOL  
FOR ALTERNATIVE LEARNING

# SAFER RECRUITMENT AND VETTING POLICY

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## 1. INTRODUCTION

Lancaster Independent School for Alternative Learning (LISAL) has created a culture of safe recruitment and adopted recruitment procedures that help deter, reject or identify people who might pose a risk of harm to children. This policy is supported by procedures which describe in detail those checks that are, or may be, required for any individual working in any capacity (paid or unpaid), or visiting, this school. The Trustees Body will act reasonably in making decisions about the suitability of the prospective employee or other individual based on checks and evidence including: criminal background (via the Disclosure and Barring Service), barred list, prohibition status (in the case of teachers), and other necessary checks together with references and interview information. Some or all of the aforementioned checks will apply to those recruited to a volunteer role.

All recruitment will be in line with this policy and procedures and will, without exception follow the process of safer recruitment. All offers of employment (whether paid or unpaid) will be subject to school staff and trustees being satisfied that the applicant or volunteer is a suitable person to work with children.

Statutory guidance ***Working Together to Safeguard Children: a guide to interagency working to safeguard and promote the welfare of children (2018)***<sup>1</sup> states that schools should have in place a number of arrangements as part of their duty to safeguard and promote the welfare of children. In relation to safer recruitment, these arrangements include having safer recruitment practices for individuals whom the organisation will permit to work regularly with children. This policy and supporting procedures fulfil that statutory requirement.

All those involved with recruiting individuals to the school will be familiar with and fully understand the statutory guidance ***Keeping Children Safe in Education (KCSIE) DfE 2023*** and the school's Safeguarding Policy and procedures.

All recruitment will be planned to ensure that there is adequate time and resources available to ensure that an individual is recruited safely.

Once an individual has been appointed, contracted or accepted as a volunteer, we will ensure that a full induction takes place in line with our Safeguarding Policy and procedures, and provision of other related safeguarding documents both statutory and non-statutory (see Induction Procedures).

We are committed to ensuring that throughout our recruitment and selection process, no applicant is disadvantaged or discriminated against as a result of their age, sex, race, religion

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<sup>1</sup> <https://www.gov.uk/government/publications/working-together-to-safeguard-children--2> Retrieved on 7/03/2019

or belief, sexual orientation, gender reassignment pregnancy or maternity status, civil or marital status as in accordance with the Equality Act (2010).

Any person who becomes aware that the recruitment process set out in this policy and accompanying procedures are not being followed must inform the School Manager, Designated Safeguarding Lead or Chair of Trustees immediately.

The procedures supporting this policy do not constitute a legal representation of **all** HR issues relating to Recruitment and Selection and as such will be used in conjunction with any other Recruitment and Selection guidance issued by Kroner.

## 2. PROCEDURES

### 2.1 PLANNING AND ADVERTISING

Sufficient time and resources will be allowed to enable appropriate and full planning to take place prior to a post being advertised. This includes ensuring that a job description and person specification is current and in place. Volunteer posts may require a generic job description which would cover a number of voluntary roles in school.

Those involved in the recruitment process will be identified at this stage including those who will be responsible for shortlisting and those involved in the formal interview process.

In order to convey that our school views safeguarding children as paramount, the following statement will be included in all advertisements:

*LISAL is committed to safeguarding and promoting the welfare of children. Our School expects all staff, trustees, and volunteers to share this commitment. The successful applicant will be required to undergo a DBS Disclosure of the appropriate level and training on Safeguarding and PREVENT and understanding of FGM.*

The above statement will also be included in:

- Publicity materials
- The school website

All advertisements will make reference to the school's ethos in relation to equality of opportunity for all.

### 2.2 JOB DESCRIPTION

The job description will include, and clearly state:

- The title of the job
- The main duties and responsibilities of the post

- The title of the person they will report to
- The titles of the staff who will report to the post holder
- The purpose of the job
- The salary or salary grade
- The length of the probation period

The person specification will include:

- Information as to how the applicant will be evaluated
- Skills and qualities of the ideal candidate.
- The school's expectations and the post-holder's individual responsibility for promoting and safeguarding the welfare of the children the individual will be responsible for or come into contact with

It is vital that applicants are aware that, in addition to their ability to perform duties of the post, selection will consider their personal suitability for the role. This includes their:

- Motivation and suitability to work with children
- Attitude towards the use of authority and control and ability to abide by our Whole School Behaviour policy
- Integrity and ability to form and maintain appropriate professional relationships with children
- Emotional resilience when working with challenging behaviours and situations.

### 2.3 INFORMATION PACK TO APPLICANTS

Our Information Pack also includes a copy of:

- The application form and explanatory notes about completing the form
- The job description and person specification
- The school's Safeguarding Policy
- Equality and diversity monitoring form

### 2.4 APPLICATION FORM

We do not accept CVs at this school in place of an application form since this will generally contain only the information the applicant wishes to present. The Application form allows for a common set of core data that can then be used as a part of the full vetting and verification of short-listed applicants.

The Application Form will include the following:

- A section which allows the full identification of the individual concerned
- A full employment history
- A section that asks the applicants to state how they meet the criteria from the person specification (with examples)
- A separate self-declaration of convictions and cautions, with a signed statement that they are not barred from working with any vulnerable groups.
- The names and contact details of at least two referees.

## 2.5 SCRUTINISING

At least one member of the 'panel' will have undertaken accredited safer recruitment training less than 3 years prior to the selection taking place.

The short-listing panel is responsible for scrutinising the application forms and identifying any gaps in employment or other areas that may affect an applicant's suitability to work with children and young people. All application forms will be scrutinised to ensure:

- they are fully and properly completed - incomplete application forms will not be accepted;
- the information is consistent and does not contain any discrepancies;
- any anomalies, discrepancies or gaps in employment/training and the reasons for this, or a history of repeated changes of employment are identified.

A satisfactory explanation for any concerns will be obtained from the applicant during the interview process. Please note that all documentation relating to applicants will be treated with confidentiality.

## 2.6 REFERENCES

The school will always ask for an initial oral safeguarding reference before proceeding to request written references. At least two written references will be taken. Each written request will be accompanied by the job description and person specification. One of the references will be requested from the most recent employer. If an applicant for a teaching post is not currently employed as a teacher, we will check with the school, college or local authority at which they were most recently employed to confirm details of their employment and their reasons for leaving. The purpose of seeking references is to obtain subjective and factual information to support appointment decisions.

All offers of employment will be conditional upon receipt of at least two satisfactory written references. References received will be scrutinised and any concerns resolved satisfactorily before the appointment is confirmed. References will always be requested directly from the referee. Any provided by the applicant or open references i.e. those prefixed by 'To whom it may concern' will not be accepted under any circumstances.

References will be sought on all shortlisted applicants including internal ones. Wherever possible, these will be obtained prior to the interview so that any issues of concern they raise can be explored further with the referee and taken up with the individual at the interview.

Where a reference has not been received on the preferred applicant before the interview, once received it will be scrutinised and any concerns resolved satisfactorily before the individual's appointment is confirmed.

On receipt of references, they will be checked to ensure all questions have been answered satisfactorily and prior to confirmation of an appointment, referees will be telephoned to

confirm their views on the applicant and to ensure any information provided by the applicant is accurate.

A character reference will be sought for volunteers as if they were to be employed.

## 2.7 QUALIFICATIONS AND EMPLOYMENT HISTORY

Qualifications will be validated only on receipt and sight of original certificates. Qualifications required will be those which are listed as being a pre-requisite of the post advertised.

We will verify their professional qualifications, as appropriate.

## 2.8 HEALTH

DfE statutory guidance 'Keeping Children Safe in Education' (2018) emphasises the importance of anyone appointed to a post involving regular contact with children or young people must be medically fit. There is a statutory duty on employers to satisfy themselves that individuals have the appropriate level of physical and mental fitness before the appointment is confirmed. Assessment of physical fitness will, however, be considered within the context of the Equality Act 2010 which allows for reasonable adjustments to be made.

## 2.9 INTERVIEWS

A face to face interview will take place for all applicants to all posts including volunteering roles. Wherever possible, the interviewing panel will consist of at least 2 people. At least one member of the panel will have successfully completed an accredited safer recruitment training course. Applicants will be interviewed by either the School Manager, Principal, member from the College of Teachers and a member of the Trustee body deemed most appropriate for the prospective role. Volunteers will be interviewed by a senior member of staff.

Face to face interviews held during Covid19 epidemic:

- Will follow the current Public Health advice in terms of social distancing and personal hygiene
- Interviewers will not shake hands when greeting candidates
- Seating and desk areas will be sanitised between candidates
- Stationery and equipment will not be shared with the candidate

Members of the panel will:

- meet before the interview to agree their assessment criteria in accordance with the person specification and to prepare a list of questions they will ask all interviewees relating to the requirements of the post. These will also include questions relating to Safeguarding and promoting the health and wellbeing of children.
- allocate specific question sets to each member of the panel which will ensure that someone asks the questions and another member of the panel can at the same time record the applicant's answers. A copy of the notes and any scoring sheets will be

collated by the Chair of the Panel and retained.

Applicants will be asked to bring with them documentary evidence of their 'right to work in the UK' and their identity. A copy of this verification for the duration of the member of staff's employment and for 2 years afterwards. Where an individual has submitted an electronic application form, they will be asked to sign the form prior to the interview.

## 2.11 CONDITIONAL OFFER OF EMPLOYMENT – PRE-EMPLOYMENT CHECKS

An offer of appointment to the successful applicant will be conditional upon:

- The receipt of at least two satisfactory references. Where possible, these will also be confirmed by telephone;
- Verification of the individual's identity (if that could not be verified at interview) preferably from current photographic ID and proof of address except where, for exceptional reasons, none is available;
- Verification and/or evidence of the individual's right to work in the UK (if that could not be verified at interview);
- Check that candidates taking up a management position are not subject to a prohibition from management (section 128) direction made by the secretary of state
- We will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we take a decision that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment on the individual's personnel file. This will include our evaluation of any risks and control measures put in place, and any advice sought.
- Receipt of a satisfactory enhanced DBS Disclosure Certificate for Regulated Activity. Where the individual is registered, this may be via a check with the DBS Update Service;
- A separate children's Barred List check<sup>3</sup> for those with a 'portable' DBS Enhanced Certificate for Regulated Activity or who start work in regulated activity before the DBS Certificate is available. Such individuals will be subject to reasonable supervision until the Barred list has been checked or a new Enhanced Disclosure for Regulated Activity is received;
- Further checks on the individual if they have lived or worked outside of the UK for a block period of 3 months or more in the last 5 years. These further checks must include a check for information about any teacher sanction or restriction that an EEA professional regulating authority has imposed, using the NCTL Teacher Services' system. This applies to all teachers who have lived or worked in an EEA country since January 2016;
- (For teaching posts) verification of successful completion of probationary period;

- (For teaching posts) verification that the individual is not subject to either a Prohibition Order or an Interim Prohibition Order (using the NCTL Teacher Services System also known as Secure Access on-line);

All checks will be:

- confirmed in writing
- documented and retained on the personnel file (subject to data protection and DBS requirements)
- followed up where they are unsatisfactory or there are discrepancies

### 3. RECRUITMENT CHECKS

#### 3.1 DISCLOSURE AND BARRING SERVICE (DBS) CHECKS

A DBS Disclosure Certificate will be obtained from the successful applicant before or as soon as practicable after appointment. There is **no requirement** to obtain an enhanced DBS Disclosure for Regulated Activity if, in the three months prior to beginning work in their new appointment, the applicant has worked:

- in a school in England in a post which brought them into regular contact with children or in any post in a school since 12 May 2006; or
- in an institution within the FE sector in England or in a 16-19 Academy in a post which involved the provision of education which brought the person regularly into contact with children or young persons.

The School **may** request an enhanced DBS Disclosure for Regulated Activity should there be concerns and bearing in mind the duty the School is under not to allow a barred person to work in regulated activity.

The School **may not** request an enhanced Disclosure with barred list check for anyone working in the school or college who is not in regulated activity, but may request an enhanced DBS check **without** a barred list check.

The level of DBS check required will depend on the role and duties of an applicant to work in a school as outlined in this policy.

From the 1<sup>st</sup> of April 2021 standalone checks for children's barred list will be acknowledged by the TRA<sup>2</sup> on behalf of the DfE. This means that standalone barred list checks can no longer be obtained from TP online<sup>3</sup> or from agencies. Schools need to ensure that they see the original paper DBS certificate for all new appointments in regulated activity with children. If the appointee is transferring directly from another school in England without a break in service of 3 months or more, the school can undertake a standalone barred list check using the TRA website.

<sup>2</sup> Teaching Regulation Agency (TRA)

<sup>3</sup> Teachers' Pension Online



**Regulated activity** means a person who will be:

- Responsible, on a regular basis in a school or college, for teaching, training, instructing, caring for or supervising children; or
- Carrying out paid, or unsupervised unpaid, work regularly in a school or college where that work provides an opportunity for contact with children; or
- Engaging in intimate or personal care or overnight activity, even if this happens only once and regardless of whether they are supervised or not

### 3.2 TEACHER PROHIBITION ORDERS/INTERIM PROHIBITION ORDERS

Teacher prohibition orders prevent a person from carrying out teaching work in schools, six form college, children's home or youth accommodation in England. Prohibition Orders are made by the Secretary of State following consideration by a professional conduct panel convened by the Teaching Regulation Agency (TRA). Pending such consideration, the Secretary of State may issue an Interim Prohibition Order if he considers that it is in the public interest to do so.

We will check the prohibition status of any teacher prior to appointment either permanently or on a temporary supply basis (where the supply teacher is not appointed via a Supply Agency). No teacher who is prohibited or has an interim prohibition order made against them will be employed to teach in this school. It is the responsibility of Supply Agencies to ensure that supply teachers used in this school are similarly checked to ensure that they are not prohibited from teaching.

### 3.3 DBS UPDATE SERVICE

If the applicant has subscribed to it and gives permission, the school will undertake an online update check through the DBS Update Service. Individuals can join the DBS Update Service when applying for a new DBS check or within 19 days of the Disclosure Certificate being issued; this will allow portability of a Certificate across employers when applying for similar jobs or where it is anticipated that they will have a break from working in regulated activity for 3 months or more. With the individual's consent, the school can go online and carry out a free, instant check to see if there has been any change to the information recorded since the initial certificate was issued and advise whether the individual should apply for a new certificate.

Before using the Update Service, schools must:

- (a) obtain consent from the applicant to do so;
- (b) confirm the certificate matches the individual's identity; and
- (c) examine the original certificate to ensure that it is for the appropriate workforce and level of check e.g. Enhanced Certificate/Enhanced Certificate for Regulated Activity

### 3.4 DBS CHECKS FOR THOSE LIVING OR WHO HAVE LIVED ABROAD

Individuals who have lived or worked outside the UK must undergo the same checks as all other staff in school. In addition, the school will make any further checks we think appropriate so that any relevant events that occurred outside the UK can be considered.

These further checks should include the right to work in the UK. Employers have a duty to check whether individuals have a right to work in the UK under the Immigration, Asylum & Nationality Act 2006, usually by checking their passport and National Insurance Number. From the 1<sup>st</sup> of January 2021 the UK will introduce a points-based immigration system. This will change how teachers are employed who are to UK or Irish nationals.

Overseas checks will generally be sought in the following circumstances:

- The applicant has been resident in the UK for most of his or her adult life and has spent a period of three months or longer in an overseas country within the last 5 years. This only applies where the applicant has lived continuously in at least one country for three months or longer.
- The applicant has moved to the UK within the last 10 years having previously lived abroad for most of his or her adult life.
- It is the responsibility of the applicant to ensure that the appropriate checks in the Country where they lived are sought.

Advice on the criminal record information which may be obtained from overseas police forces, published by the Home Office, is on GOV.UK. Professional regulators in the European Economic Area will no longer share sanctions imposed on EEA teachers with the TRA. The Department for Education has also issued guidance on the employment of overseas-trained teachers. This gives information on the requirements for overseas-trained teachers from the European Economic Area to teach in England, and the award of qualified teacher status for teachers qualified in Australia, Canada, New Zealand and the United States of America.

## 4. SINGLE CENTRAL RECORD

The school will keep and maintain a Single Central Record (SCR). The SCR is a record of all pre-appointment checks which have been carried out in order to verify, as far as is reasonably practicable, that the individual is an appropriate person to work within the setting. The SCR will include details of pre-employment checks carried out for the following people:

- all staff (including supply staff, apprentices, and teacher trainees on salaried routes) who work at LISAL even if they work for 1 day;

- all others who work in regular contact with children in the school or college, including volunteers;
- all Trustees
- contractors (where relevant); and
- for students, written confirmation will be sought confirming that the host school, college or university of the individual has carried out the relevant checks and obtained the appropriate certificates, whether any enhanced DBS check certificate has been provided in respect of the individual, and the date that confirmation was received.

The information that must be recorded in respect of staff members (including teacher trainees on salaried routes) is whether the following checks have been carried out or certificates obtained prior to appointment, and the date on which each check was completed/certificate obtained:

- an identity check;
- a barred list check;
- an enhanced DBS check/certificate (where applicable);
- a prohibition from teaching check (where applicable);

Further checks on people living or working outside the UK:

- A check of professional qualifications; and
- A check to establish the person's right to work in the United Kingdom (where applicable)

The school does not keep copies of DBS certificates in order to fulfil the duty of maintaining the SCR.

To comply with the requirements of the Data Protection Act, where the school chooses to retain a copy of the DBS Certificate, they will not be retained for longer than six months. A copy of the other documents used to verify the successful applicant's identity, right to work in the UK and required qualifications will be held on the personnel file.

#### 4.1 AGENCY AND THIRD-PARTY STAFF

We will obtain written notification from any agency or third-party organisation that it has carried out the necessary safer recruitment checks that we would otherwise perform. We will also check that the person presenting themselves for work is the same person on whom the checks have been made.

#### 4.2 TRAINEE/STUDENT TEACHERS

Where applicants for initial teacher training are salaried by us, we will ensure that all necessary checks are carried out.

Where trainee teachers are fee-funded, we will obtain written confirmation from the training provider that necessary checks have been carried out and that the trainee has been judged by the provider to be suitable to work with children.

In both cases, this includes checks to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006.

### 4.3 VOLUNTEERS

We will:

- Never leave an unchecked volunteer unsupervised or allow them to work in regulated activity
- Obtain an enhanced DBS check with barred list information for all volunteers who are new to working in regulated activity
- Carry out a risk assessment when deciding whether to seek an enhanced DBS check without barred list information for any volunteers not engaging in regulated activity. We will retain a record of this risk assessment
- Ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we decide that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought

### 4.4 TRUSTEES

LISAL Trustees are required to have an Enhanced Disclosure as a minimum. Where a Trustee has unsupervised access to children on a regular basis, they will be required to hold an Enhanced Disclosure for Regulated Activity i.e. with a Children's Barred List check.

All Trustees will have an enhanced DBS check without barred list information.

They will have an enhanced DBS check with barred list information if working in regulated activity.

LISAL will follow the procedure as stated in the Independent School Standards Regulations (ISSR) which require that proprietors of independent schools, or the Chair of the proprietary body, undergo the following checks:

- A section 128 check (to check prohibition on participation in management under [section 128 of the Education and Skills Act 2008](#))
- an enhanced criminal record check (DBS check), countersigned on behalf of the Secretary of State

- checks confirming the individual's identity and their right to work in the UK
- if the individual is living or has lived outside of the UK, further checks as the Secretary of State considers appropriate to establish the individual's suitability to work in a school

#### 4.5 OTHERS WITH THE POTENTIAL FOR CONTACT WITH CHILDREN

We will ensure that any contractor, or any employee of the contractor, who is to work at the school has had the appropriate level of DBS check (this includes contractors who are provided through a PFI or similar contract). This will be:

- An enhanced DBS check with barred list information for contractors engaging in regulated activity
- An enhanced DBS check, not including barred list information, for all other contractors who are not in regulated activity but whose work provides them with an opportunity for regular contact with children

We will not keep copies of such checks for longer than 6 months.

Contractors who have not had any checks will not be allowed to work unsupervised or engage in regulated activity under any circumstances.

We will check the identity of all contractors and their staff on arrival at the school.

For self-employed contractors such as music teachers or sports coaches, we will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we decide that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought.

#### 4.6 VISITORS

The School does not have the power to request DBS checks and barred list checks, or ask to see DBS certificates, for visitors to the school who are not working directly with children. Staff in this School will use their professional judgement about the need to escort or supervise visitors. All visitors will be requested to sign in the visitor's book. For more details see 'Visitors Section' in our Safeguarding policy 2018.

#### 4.7 STAFF WORKING IN ALTERNATIVE PROVISION SETTINGS

Where we place a pupil with an alternative provision provider, we obtain written confirmation from the provider that they have carried out the appropriate safeguarding checks on individuals working there that we would otherwise perform.

#### 4.8 ADULTS WHO SUPERVISE PUPILS ON WORK EXPERIENCE

When organising work experience, we will ensure that policies and procedures are in place to protect children from harm.

We will also consider whether it is necessary for barred list checks to be carried out on the individuals who supervise a pupil under 16 on work experience. This will depend on the specific circumstances of the work experience, including the nature of the supervision, the frequency of the activity being supervised, and whether the work is regulated activity.

#### 4.9 PUPILS STAYING WITH HOST FAMILIES

Where the school makes arrangements for pupils to be provided with care and accommodation by a host family to which they are not related (for example, during a foreign exchange visit), we will request enhanced DBS checks with barred list information on those people.

Where the school is organising such hosting arrangements overseas and host families cannot be checked in the same way, we will work with our partner schools abroad to ensure that similar assurances are undertaken prior to the visit.

#### 4.10 EXISTING STAFF

If we have concerns about an existing member of staff's suitability to work with children, we will carry out all the relevant checks as if the individual was a new member of staff. We will also do this if an individual moves from a post that is not regulated activity to one that is.

We will refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult where:

- We believe the individual has engaged in [relevant conduct](#); or
- The individual has received a caution or conviction for a relevant offence, or there is reason to believe the individual has committed a listed relevant offence, under the [Safeguarding Vulnerable Groups Act 2006 \(Prescribed Criteria and Miscellaneous Provisions\) Regulations 2009](#); or
- The 'harm test' is satisfied in respect of the individual (i.e. they may harm a child or vulnerable adult or put them at risk of harm); and
- The individual has been removed from working in regulated activity (paid or unpaid) or would have been removed if they had not left