The Lotus Academy Trust

Supporting children to find opportunities in every difficulty

The Damara School

Specialist SEMH Independent School

Safer Recruitment Policy

Approved by: Trust Board	
Initial Ratification: 31 August 2019	**Review:** Oct 2020, Nov 2022, Oct 2023, Oct 2024, Oct 2025, Oct 2026
Next review due by: October 2027	

Aims

The school will record all information on the checks carried out in the school's single central record (SCR). See Appendix 1. Copies of these checks, where appropriate, will be held in individuals' personnel files. We follow requirements and best practice in retaining copies of these checks, as set out below.

New staff

When appointing new staff and prior to their start date, we will:

- Verify their identity
- Obtain (via the applicant) an enhanced Disclosure and Barring Service (DBS) certificate, including barred list information for those who will be engaging in regulated activity (see definition below). We will not keep a copy of this for longer than 6 months
- Obtain a separate barred list check if they will start work in regulated activity before the DBS certificate is available
- Verify their mental and physical fitness to carry out their work responsibilities
- Verify their right to work in the UK. We will keep a copy of this verification for the duration of the member of staff's employment and for 2 years afterwards
- Verify their professional qualifications, as appropriate
- Ensure they are not subject to a prohibition order if they are employed to be a teacher
- Carry out further additional checks, as appropriate, on candidates who have lived or worked outside of the UK, including (where relevant) any teacher sanctions or restrictions imposed by a European Economic Area professional regulating authority, and criminal records checks or their equivalent
- 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 ask for written information about previous employment history and check that information is not contradictory or incomplete.

We may seek references on all short-listed candidates, including internal candidates, before interview with the candidate's permission. Once an offer of employment has been accepted we will seek at least 2 references which we will scrutinise these and resolve any concerns before confirming appointments. The references requested will ask specific questions about the suitability of the applicant to work with children.

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

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

References and Settlement Agreements

Seeking References

We will seek references on all short-listed candidates, including internal candidates, before interview. We will scrutinise these and resolve any concerns before confirming appointments. The references requested will ask specific questions about the suitability of the applicant to work with children. We will not accept open references (e.g. 'to whom it may concern'), rely on applicants to obtain their reference, or accept references that are not from the candidate's current employer and completed by a senior person with appropriate authority.

Providing References for Former Staff

When providing references for current or former staff, the school will ensure:

- Substantiated safeguarding allegations that meet the harm threshold are included in references, provided that the information is factual and does not include opinions
- Cases in which an allegation was found to be false, unfounded, unsubstantiated or malicious are not included in employer references
- Any repeated concerns or allegations which have all been found to be false, unfounded, unsubstantiated or malicious are also not included in any reference
- Other than where allegations are false, malicious, unsubstantiated, or unfounded, the outcome is made clear when providing references to prospective employers. This is particularly important where the person moves into another position involving working with children

Settlement Agreements

'Settlement agreements' (sometimes referred to as compromise agreements), by which a person agrees to resign if the employer agrees not to pursue disciplinary action and both parties agree a form of words to be used in any future reference, should not be used where there are allegations that indicate the person is a risk or poses a risk of harm to children or deemed not suitable to work with children. Such an agreement will not prevent a thorough police and/or school investigation where that is appropriate. Where a settlement/compromise agreement is used in limited circumstances, the school will not let it prevent the employer from:

- Fulfilling our legal duty to refer cases to the DBS where the referral criteria are met. Non-compliance of this duty is a criminal offence
- Providing a reference to potential employers when requested
- Considering whether to make a referral to the Teaching Regulation Agency (TRA) where the criteria are met

Continuing Investigations Upon Resignation

The school will not cease investigations if a person leaves, resigns or ceases to provide their services. It is important that every effort is made to reach a conclusion in all cases of allegations with a bearing on the safety or welfare of children, including any in which the person concerned refuses to cooperate.

Agency and third-party staff

We will obtain written confirmation from the employment business supplying the member of supply staff that all relevant checks have been undertaken and the appropriate certificates have been obtained. We will also obtain from the employment business whether their checks disclosed any matter of information.

We will also check that the person presenting themselves for work is the same person on whom the checks have been made.

Contractors

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 obtain the DBS check for self-employed contractors.

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.

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.

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

TrustBoard

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.

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.

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.

Recruitment of ex-Offenders

In accordance with the Disclosure and Barring Service Code of Practice this aspect of the policy is made available to all job applicants at the outset of the recruitment process. The DBS Code of Practice is available at https://www.gov.uk/government/publications/dbs-code-of-practice

- As an organisation which uses the Disclosure and Barring service, the Governing Body of the school complies fully with the DBS Code of Practice and undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of conviction or other information revealed
- We meet the requirements in respect of exempted questions under the Rehabilitation of Offenders Act 1974. A DBS check will therefore be carried out before appointment to any job at the school is confirmed. This will include details of convictions cautions and reprimands, as well as 'spent' and 'unspent' convictions. A criminal record will not necessarily be a barrier to obtaining a position
- We are committed to the fair treatment of applicants on all protected grounds and in relation to all history of offending
- We promote equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records. We select all candidates for interview based on their competencies, qualifications and knowledge
- Application forms and recruitment information will contain a statement that job applicants will be required to disclose their criminal record if they are invited to interview and a DBS check will be carried out if they are offered the job. The information will only be seen by those who need to see it as part of the recruitment process
- At interview, or in a separate discussion, we ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the job sought could lead to withdrawal of an offer of employment
- We undertake to discuss any matter revealed in a Disclosure with the person seeking the job before withdrawing a conditional offer of employment
- We ensure that people at the school who are involved in the recruitment process have access to professional advice to identify and assess the relevance and circumstances of offences. We also ensure that they have received appropriate guidance in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974

Having a criminal record will not necessarily bar any potential candidate from working at the school. This will depend on the nature of the position and the circumstances and background of the offences.

Maintaining and checking the SCR

The CEO together with the Administrative Lead will audit the entries on the SCR every half term or when a change has been made (whichever is the soonest). See Appendix 2 for more details.

Appendix 1: Sections on the Single Central Record. The trust's SCR is held on cloud-based MIS Sign In Central Record and contains the below information as minimum.

TEACHING STAFF					IDENTITY CHECKS			
Name	**Position held**	**Date employment commenced**	**QTS held?**	**Teacher reference number (if QTS held)**	**Check complete?**	**documents seen (e.g. passport, driving licence)**	**Date checked**	**Checked by:**

DBS AND BARRED LIST CHECKS (SEE NOTE 1)					PROHIBITION FROM TEACHING CHECK		
Enhanced DBS check complete?	**Barred list check complete?**	**Date certificate seen**	**Certificate number**	**Seen by:**	**Check complete?**	**Date checked**	**Checked by:**

SECTION 128 DIRECTION CHECK (SEE NOTE 2)			PROESSIONAL QUALIFICATIONS CHECK				RIGHT TO WORK IN THE UK			FURTHER CHECKS ON THOSE PREVIOUSLY LIVING/WORKING OUTSIDE UK (SEE NOTE 3)					
Section 128 direction check complete (if required)?	Date checked	Checked by:	Professional qualifications required?	Check complete?	Date checked	Checked by:	Check complete?	Date checked	Checked by:	Has individual lived or worked outside of the UK?	EEA sanctions and restrictions check complete?	Date checked	Other relevant check(s) completed? (Include details of checks)	Date(s) checked	Checked by:

CHILDCARE DISQUALIFICATION CHECKS (SEE NOTE 4)				REFERENCE CHECKS				MEDICAL CHECKS		
Does individual work in a relevant setting?	Check complete?	Date checked	Checked by:	First reference satisfactory?	Second reference satisfiactory?	Date(s) checked	Checked by:	Fitness to work check complete?	Date checked	Checked by:

MANAGEMENT SCR CHECKS (SEE NOTE 5)					
Entries checked by CEO/Head?	Date checked	Entries checked by Admin Lead?	Date checked	Entries checked by governing body?	Date checked

Appendix 2:

The Single Central Record: Checklist

In accordance with statutory guidance and associated legislation, schools and colleges must keep a single central. The single central record must cover the following people:

- all staff (including supply staff) who work at the school: in colleges, this means those providing education to children;
- all others who work in regular contact with children in the school or college, including volunteers; and
- for all members of the proprietor body as The Damara School in is an independent school

Generally, the information to be recorded on these individuals is whether or not the following checks have been carried out or certificates obtained, the date on which the checks were completed and who completed the check:

- an identity check;
- a barred list check;
- an enhanced DBS check;
- a prohibition from teaching check;
- 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
- a section 128 check for management positions as set out in paragraph 237of Keeping Children Safe in Education 2025.

Retention of Evidence

Schools and colleges do not have to keep copies of DBS certificates in order to fulfil the duty of maintaining the single central record. In accordance with the requirements of the Data Protection Act, where the school chooses to retain a copy of a DBS certificate it should not be retained for longer than six months. A copy of the documents used to verify the successful candidate's identity, right to work and required qualifications should be kept for the personnel file.

Supporting Guidance:

Part 3 of 'Keeping Children Safe in Education' DfE (2025)

Disqualification under the Childcare Act 2006, statutory guidance (updated 31 August 2018)

Single Central Record – Monitoring Form

Check point	Yes	No
Is a single central record (SCR) in place for all staff (including supply staff)?		
Are all members of the proprietor body included on the SCR?		

Check point	Yes	No
Does the SCR indicate that identity checks have been carried out and by whom?		
Is there evidence on the SCR that all staff have been checked against the Barred List (previously List 99)?		
Does the SCR record the date when enhanced DBS and/or Barred List checks was carried out and who carried out the check?		
Does the SCR record qualifications – where the qualification is a requirement of the job?		
Does the SCR record evidence that a prohibition from teaching check has been carried out on teachers and those staff in 'teaching activity' who have been appointed since 1 September 2013?		
Does the SCR record evidence a check of 'right to work' in the United Kingdom and suitability checks as appropriate?		
Does the SCR evidence that checks in respect of Section 128 directions been undertaken for persons taking part in the management of The Damara independent school?		
Does the SCR evidence that further checks on people who have lived or worked outside the UK including recording checks for those EEA teacher sanctions & restrictions?		
For supply staff- Does the SCR evidence that the school has gained written confirmation from the employment business supplying the member of supply staff that all relevant checks have been undertaken and the appropriate certificates have been obtained?		

Procedures for maintaining and checking the SCR

Who is responsible for maintaining the SCR?: **Administrative Lead**

Member of SLT responsible for checking the accuracy of the SCR: **Sandra Govender (CEO)**

Member of Trust Board responsible for checking entries**: Gillian Wardlow**

Regularity of checks on the SCR: **The Admin Lead and CEO will undertake half termly or when changes made (whichever is the soonest). The Trust Board Member in charge of suitability of staff (Gillian Wardlow) is responsible for checking entries on a termly basis during monitoring visits.**