

1. Scope

This policy applies to all staff at Expanse Learning.

2. Introduction

Expanse Learning is committed to safeguarding and promoting the welfare of all children in its care through Safer Recruitment. As an employer, Expanse Learning expects all employee and volunteers to share this commitment.

3. Aims and Objectives

The aim of the Safer Recruitment Policy is to help deter, reject or identify people who might abuse children or are otherwise unsuited to working with them by having appropriate procedures for appointing employee.

The aims of the recruitment policy are as follows:

- *to ensure that the best possible employee is recruited on the basis of their merits, abilities and suitability for the position;*
- *to ensure that all job applicants are considered equally and consistently;*
- *to ensure that no job applicant is treated unfairly on any grounds including race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age;*
- *to ensure compliance with all relevant legislation, recommendations and guidance including the statutory guidance such as the Prevent Duty Guidance for England and Wales 2015 (the Prevent Duty Guidance) and any guidance or code of practice published by the Disclosure and Barring Service (DBS); and*
- *to ensure that Expanse Learning meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks in accordance with the “Keeping Children Safe in Education” guidance (2018).*

Employees involved in the recruitment and selection are responsible for familiarising themselves with and complying with the provisions of this policy. Expanse Learning has a principle of open competition in its approach to recruitment and will seek to recruit the best applicant for the job. The recruitment and selection process should ensure the identification of the person best suited to the job at Expanse Learning based on the applicant’s abilities, qualification, experience and merit as measured against the job description and person specification.

The recruitment and selection process will be conducted in a professional, timely and responsive manner and in compliance with current employment legislation, and relevant safeguarding legislation and statutory guidance. If an employee involved in the recruitment process has a close personal or familial relationship with an applicant, they must declare it as soon as they are aware of the individual’s application and avoid any involvement in the recruitment and selection decision-making process.

Expanse Learning aims to operate this procedure consistently and thoroughly while obtaining, collating, analysing and evaluating information from and about applicants applying for job vacancies at **EXPANSE LEARNING**.

4. Roles and Responsibilities

It is the responsibility of the **Board of Governors** to:

- Ensure Expanse is challenged on the effectiveness of its policies and procedures in place for recruitment of all employee and volunteers in accordance with all the legal requirements.
- Monitor the compliance with them.
- The Governing Board has delegated responsibility to the Recruiting Manager to support in any appointments. Governors may be involved in employee appointments, but the final decision will rest with the Senior Leadership Team.

It is the responsibility of the **Senior Leadership Team** and other **Managers** involved in recruitment to:

- Ensure that Expanse operates safe recruitment procedures and makes sure all appropriate checks are carried out on all employees and volunteers who work at the company.
- To monitor contractors’ and agencies’ compliance with this document.

- Promote the welfare of children and young people at every stage of the procedure.

5. Definition of Regulated Activity and Frequency

The full legal definition of regulated activity is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012.

HM Government has produced a Factual note on regulated activity in relation to children

Regulated activity includes:

- a) teaching, training, instructing, caring for (see (c) below) or supervising children if the person is unsupervised, or providing advice or guidance on well-being, or driving a vehicle only for children,
- b) work for a limited range of establishments (known as 'specified places', which include schools and colleges), with the opportunity for contact with children, but not including work done by supervised volunteers;

Work under (a) or (b) is regulated activity only if done regularly. Some activities are always regulated activities, regardless of their frequency or whether they are supervised or not. This includes:

- relevant personal care, or health care provided by or provided under the supervision of a health care professional:
- personal care includes helping a child, for reasons of age, illness or disability, with eating or drinking, or in connection with toileting, washing, bathing and dressing;
- health care means care for children provided by, or under the direction or supervision of, a regulated health care professional.
- Any position undertaken at, or on behalf of Expanse Learning will amount to "regulated activity" if it is carried out:
 - *frequently, meaning once a week or more; or*
 - *overnight, meaning between 2.00 am, and 6.00 am; or*
 - *satisfies the "period condition", meaning four times or more in a 30-day period; and provides the opportunity for contact with children.*

Roles which are carried out on an unpaid/voluntary basis will only amount to regulated activity if, in addition to the above, they are carried out on an unsupervised basis.

6. Recruitment and Selection Process

Advertising

To ensure equality of opportunity, Expanse Learning will advertise all vacant posts to encourage as wide a field of applicant as possible, normally this entails an external advertisement however Expanse Learning may exercise at their discretion an internal recruitment campaign. Any advertisement will make clear the company's commitment to safeguarding and promoting the welfare of children. All documentation relating to applicants will be treated confidentially in accordance with the Data Protection Act (2018).

Application Forms

Expanse Learning uses its own application form, and all applicants for employment will be required to complete an application form containing questions about their academic and full employment history and their suitability for the role **(in addition all applicants are required to account for any gaps or discrepancies in employment history)**. Incomplete application forms will not be shortlisted.

The application process will include the applicant's declaration regarding convictions and working with children and will make it clear that the post is exempt from the provisions of the Rehabilitation of Offenders Act 1974. CV's will not be accepted.

It is unlawful for Expanse Learning to employ anyone who is barred from working with children. It is a criminal offence for any person who is barred from working with children to apply for a position at Expanse. All applicants will be made

aware that providing false information is an offence and could result in the application being rejected or summary dismissal if the applicant has been selected, and referral to the police and/or the DBS.

Job Descriptions and Person Specifications

A job description is a key document in the recruitment process and must be finalised prior to taking any other steps in the recruitment process. It will clearly and accurately set out the duties and responsibilities of the job role. The person specification is of equal importance and informs the selection decision. It details the skills, experience, abilities and expertise that are required to do the job. The person specification will include a specific reference to suitability to work with children if appropriate.

References

References will be taken up immediately after the job has been offered.

All offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory by Expanse. One of the references must be from the applicant's current or most recent employer. If the current / most recent employment does/did not involve work with children, then the second reference should be requested from the employer with whom the applicant most recently worked with children. The referee should not be a relative. References will always be sought and obtained directly from the referee, and their purpose is to provide objective and factual information to support appointment decisions.

All referees will be asked whether they believe the applicant is suitable for the job for which they have applied and whether they have any reason to believe that the applicant is unsuitable to work with children. Referees will also be asked to confirm that the applicant has not been radicalised so that they do not support terrorism or any form of "extremism" or if there have been any known safeguarding concerns. Please note that no questions will be asked about health or medical fitness prior to any offer of employment being made.

Any discrepancies or anomalies will be followed up. Direct contact by phone will be undertaken with each referee to verify the reference. Expanse Learning does not accept open references, testimonials or references from relatives.

An employment start date will not be given until all references have been returned satisfactory.

Interviews

There will be a face-to-face interview wherever possible, and a minimum of two interviewers will see the applicants for the vacant position. The interview process will explore the applicant's ability to carry out the job description and meet the person specification. It will enable the panel to explore any anomalies or gaps have been identified in order to satisfy themselves that the chosen applicant can meet the safeguarding criteria (in line with Safer Recruitment Training).

Any information regarding past disciplinary action or allegations, cautions or convictions will be discussed and considered in the circumstance of the individual case during the interview process if it has been disclosed on the application form. At least one member of any interviewing panel will have undertaken safer recruitment training or refresher training as applicable.

All applicants who are invited for an interview will be required to bring evidence of their identity, address and qualifications. Only original documents will be accepted, and photocopies will be taken. Unsuccessful applicant documents will be destroyed six months after the recruitment programme.

COVID-19 update: Health and Safety is paramount at Expanse Learning and we operate stringent Operating procedures and Risk Assessments to manage COVID-19 and alleviate potential risk of infection. If we believe that we cannot safely control the interview environment through social distancing and control procedures, then interviews may be conducted through Microsoft Teams.

Offer of Appointment and New Employee Process

Expansive Learning carries out a number of pre-employment checks in respect of all prospective employees.

If it is decided to make an offer of employment following the **formal interview**, any such offer will be conditional on the following:

- The agreement of a mutually acceptable start date and the signing of a contract incorporating Expansive Learning's standard terms and conditions of employment. ***The Terms and Conditions of Employment must be distributed no later than the first day of employment.***
- Verification of the applicant's identity (where that has not previously been verified);
- the receipt of two references (one of which must be from the applicant's most recent employer) which Expansive considers being satisfactory;
- for positions which involve "respite break work";
- where the position amounts to "regulated activity" the receipt of an enhanced disclosure from the DBS which Expansive considers to be satisfactory;
- Where the position amounts to "regulated activity" confirmation that the applicant is not named on the Children's Barred List and/or the Adults Barred List (if appropriate);
- Verification that the applicant is not subject to any Secretary of State Prohibition or Interim Prohibition order
- If applicable, verification that the applicant is not subject to the Secretary of state Section 128 direction order
- Verification of the applicant's declaration regarding convictions and working with children and will make it clear that the post is exempt from the provisions of the Rehabilitation of Offenders Act 1974.
- Verification of the applicant's medical fitness for the role; verification of the applicant's right to work in the UK;
- Expansive Learning will identify any gaps in employment and request that any prospective employees give a full and honest account for these gaps. Any explanation that we deem as unsatisfactory will discount an individual from any recruitment process or result in a withdrawal of any offer of employment.
- Any further checks which are necessary as a result of the applicant having lived or worked outside of the UK; and
- Verification of professional qualifications which Expansive Learning deems a requirement for the post, or which the applicant otherwise cites in support of their application (where they have not been previously verified).

Expansive Learning is not permitted to check the Children's or Adult's Barred List unless an individual will be engaging in "regulated activity". Expansive Learning is required to carry out an enhanced DBS check for all employees, supply employees and any other stakeholders who will be engaging in regulated activity. However, Expansive can also carry out an enhanced DBS check on a person who would be carrying out regulated activity but for the fact that they do not carry out their duties frequently enough i.e. roles which would amount to regulated activity if carried out more frequently.

Whether a position amounts to "regulated activity" must, therefore, be considered by Expansive Learning in order to decide which checks are appropriate. It is however likely that in nearly all cases Expansive will be able to carry out an enhanced DBS check and a Children's Barred List check.

A personal file checklist will be used to track, and audit paperwork obtained in accordance with Safer Recruitment Training. The checklist will be retained on personal files.

7. The Rehabilitation of Offenders Act 1974

The Rehabilitation of Offenders Act 1974 does not apply to positions which involve working with or having access to children. Therefore, any convictions and cautions that would normally be considered 'SPENT' **must be** declared when applying for any position at Expansive Learning.

8. DBS (Disclosure and Barring Service) Check (formerly known as CRB Disclosure)

Expansive Learning applies for an enhanced disclosure from the DBS and a check of the Children's Barred List (now known as an Enhanced Check for Regulated Activity) in respect of all positions which amount to "regulated activity" as defined in the Safeguarding Vulnerable Groups Act 2006 (as amended). The purpose of carrying out an Enhanced Check

for Regulated Activity is to identify whether an applicant is barred from working with children by inclusion on the Children's Barred List and to obtain other relevant suitability information.

It is policy that the DBS disclosure **must be processed** before the commencement of employment of **any** new employee. In the event of a new employee starting in position before a satisfactory DBS has been received then they must be supervised at all times. All offers of employment are subject to a satisfactory DBS check. It is policy to re-check employee's DBS Certificates every three years and in addition, any employee that takes leave for more than three months (i.e. maternity leave, career break, etc) must be re-checked before they return back to work.

Members of staff at Expanse Learning are aware of their obligation to inform the Corporate Services Team of any cautions or convictions that arise between these checks taking place. DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence.

This section is covered in greater depth within the **"ELGR-HR-010 - DBS Policy"**.

COVID-19 update: Health and Safety is paramount at Expanse Learning and we operate stringent Operating procedures and Risk Assessments to manage COVID-19 and alleviate potential risk of infection. If we believe that we cannot safely complete the DBS check face to face through social distancing and our control procedures, then DBS checks may be conducted through Microsoft Teams. The applicant will be required to produce original pieces of evidence that will be verified by Expanse Learning. This evidence must then be forwarded to expanse learning.

9. Portability of DBS Certificates Checks

Employee may wish to join the DBS Update Service if they are likely to require another check in the future. Applicants may sign up to the Service if their check was issued after 17 June 2013, for a fee of £13 per annum, which is payable by the applicant.

10. DBS Certificate

The DBS no longer issue Disclosure Certificates to employers; therefore employees/applicants should bring their original Certificate to the Shared Service Team within seven days of issue or applicants before they commence work or any project involving regulated activity.

11. Dealing with convictions

Expanse Learning operates a formal procedure if a DBS Certificate is returned with details of convictions. Consideration will be given to the Rehabilitation of Offenders Act 1974 and also:

- the nature, seriousness and relevance of the offence; how long ago the offence occurred;
- one-off or history of offences; changes in circumstances,
- decriminalisation and remorse.

A formal meeting will take place face-to-face to establish the facts with the Recruiting Manager and CST. A decision will be made following this meeting. In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the Recruiting Manager and CST will evaluate all of the risk factors above before a position is offered or confirmed.

If an applicant wishes to dispute any information contained in a disclosure, they may do so by contacting the DBS. In cases where the applicant would otherwise be offered a position were it not for the disputed information, Expanse Learning may, where practicable and at its discretion, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

12. Proof of identity, Right to Work in the UK & Verification of Qualifications and/or professional status.

All applicants invited to attend an interview at Expanse will be required to bring their identification documentation such as passport, birth certificate, driving licence, etc. with them as proof of identity/eligibility to work in the UK in accordance with those set out in the Immigration, Asylum and Nationality Act 2006 and DBS identity checking guidelines. Expanse Learning does not discriminate on the grounds of age.

Where an applicant claims to have changed their name by deed poll or any other means (e.g. marriage, adoption, statutory declaration) they will be required to provide documentary evidence of the change.

13. Medical Fitness

Expansive Learning is required to verify the medical fitness of anyone to be appointed to a post at Expansive Learning, **after** an offer of employment has been made but **before** the appointment can be confirmed.

All applicants are requested to complete a medical questionnaire and where appropriate a doctor's medical report may be required. This information will be reviewed against the Job Description and the Person Specification for the particular role, together with details of any other physical or mental requirements of the role.

Expansive Learning is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, obtaining medical evidence and considering reasonable adjustments.

14. Overseas checks

Applicants who have lived/travelled abroad for more than three months within the previous 5 years we will need to obtain a criminal record check from the relevant country. The applicant will not be permitted to commence work until the overseas information has been received and is considered satisfactory by Expansive Learning.

15. Induction Programme

All new employees will be given an induction programme which will clearly identify Expansive Learning's policies and procedures, including the Child Safeguarding Policy, the Code of Conduct, and make clear the expectations which will govern how employees carry out their roles and responsibilities.

This section is covered in greater depth within the *"ELGR-HR-003 - Induction Policy"*

16. Register of Members of Employee and Volunteers

In addition to the various employee records kept at Expansive and on individual personnel files, a record of recruitment and vetting checks is kept on the Single Central Record. This is kept up-to-date and retained by the Corporate Services Team (for employee and volunteers). The Single Central Register will contain details of the following:

- All employees who are employed to work at Expansive;
- All employees who are employed as supply staff to Expansive whether employed directly or through an agency;
- All others who have been chosen by Expansive to work in regular contact with children. This will cover volunteers, Trustees, people brought into Expansive Learning to provide employment contracted services.

17. Record Retention / Data Protection

Expansive Learning is legally required to undertake the above pre-employment checks. Therefore, if an applicant is successful in their application, Expansive Learning will retain on their personnel file any relevant information provided as part of the application process. This will include copies of documents used to verify identity, right to work in the UK, medical fitness and qualifications. Medical information may be used to help Expansive Learning to discharge its obligations as an employer e.g. so that Expansive may consider reasonable adjustments if an employee suffers from a disability or to assist with any other workplace issue.

This documentation will be retained by Expansive Learning for the duration of the successful applicant's employment with the company. All information retained on employees is kept centrally in a secure office, in a locked and secure cabinet.

The same policy applies to any suitability information obtained about volunteers involved with activities.

Expansive Learning will retain all interview notes on all unsuccessful applicants for a period of 6 months, after which time the notes will be confidentially destroyed (i.e., shredded). The six-month retention period is in accordance with the Data Protection Act 2018.

This section is covered in greater depth within the *“ELGR-ADM-002(V4) – Data Protection and Privacy Notice”*.

18. Ongoing Employment

Expansive Learning recognises that safer recruitment and selection is not just about the start of employment but should be part of a larger policy framework for all employees. Expansive Learning will, therefore, provide ongoing training and support for all employees, as identified through the Performance Management Review and Staff Development Plan (SDP) procedure.

19. Leaving Employment at Expansive

Despite the best efforts to recruit safely, there will be occasions when allegations of serious misconduct or abuse against children and young people are raised. This policy is primarily concerned with the promotion of safer recruitment and details the pre-employment checks that will be undertaken prior to employment being confirmed. While these are pre-employment checks, Expansive Learning also has a legal duty to make a referral to the DBS in circumstances where an individual:

- has applied for a position at Expansive Learning despite being barred from working with children;
- or has been removed by Expansive Learning from working in regulated activity (whether paid or unpaid),
- or has resigned prior to being removed, because they have harmed, or pose a risk of harm to, a child.

20. Contractors and agency employee

Contractors engaged by Expansive Learning must complete the same checks for their employees that Expansive Learning is required to complete for its employees. Expansive Learning requires confirmation that these checks have been completed before employees of the Contractor can commence work at Expansive Learning.

Agencies who supply employees to Expansive Learning must also complete the pre-employment checks which Expansive Learning would otherwise complete for its employees. Again, Expansive Learning requires confirmation that these checks have been completed before an individual can commence work at Expansive Learning.

Expansive Learning will independently verify the identity of employees supplied by contractors or an agency and will require the provision of the original DBS certificate before contractors or agency employees can commence work at any premises. Any contractors who do not have the required clearance must be supervised at all times whilst on the premises.

21. Volunteers

Expansive Learning will request an enhanced DBS disclosure and Children's Barred List information on all volunteers undertaking regulated activity with children at or on behalf of Expansive Learning (the definition of regulated activity set out above will be applied to all volunteers). Under no circumstances will Expansive Learning permit an unchecked volunteer to have unsupervised contact with children.

It is policy that a new DBS certificate is required for volunteers who will engage in regulated activity but who have not been involved in any activities with Expansive Learning for one year or more. If a person has taken a break in their volunteering role, they will be asked to declare any new convictions since their last DBS check within a one-year period. Those volunteers who are likely to be involved in activities with Expansive on a regular basis may be required to sign up to the DBS update service as this permits Expansive to obtain up to date criminal records information without delay prior to each new activity in which a volunteer participates.

In addition, Expansive Learning will seek to obtain such further suitability information about a volunteer as it considers appropriate in the circumstances. This may include (but is not limited to the following):

- formal or informal information provided by employee and other volunteers;
- character references from the volunteer's place of work or any other relevant source;
- and an informal safer recruitment interview;
- online background checks.

22. Governors

Expansive Learning Governors are required to have an enhanced criminal records certificate from the DBS. Governance is not a regulated activity and so governors do not need a barred list check unless, in addition to their governance duties, they also engage in regulated activity. Expansive Learning will also carry out a section 128 check for governors, because a person subject to one is disqualified from being a governor in maintained schools. Through the Employer Secure Access sign-in portal via the Teaching Regulation Agency's (TRA) Teacher Services' web page, Expansive Learning can easily check if a person they propose to recruit as a governor is barred as a result of being subject to a section 128 direction.

23. Monitoring and Evaluation

The CST will be responsible for ensuring that this policy is monitored and evaluated. This will be undertaken through formal audits of job vacancies and a yearly Safer Recruitment Evaluation audit which will be presented to the Senior Leadership Team to report to the Governing Board.

24. Safeguarding

At Expansive Learning, safeguarding is paramount, and we are fully committed to ensuring the welfare and safety of all our children. We believe that children have a right to stay in a supportive, caring and safe environment which includes the right to protection from all types of abuse; where employee are vigilant for signs of any child in distress and are confident about applying the processes to avert and alleviate any such problems.

If any behaviour is a concern in relation to safeguarding, procedures and processes will be followed at all times in accordance with the Safeguarding Policy. Any concerns will be referred to the relevant department Designated Safeguarding Lead.

Expansive Learning Wigan School	Expansive Learning College (Wigan and Leigh)	Expansive Learning Adult Social Care
<p>Lisa Heyes Pastoral, Behaviour & Attendance Officer <i>Designated Safeguarding Lead</i></p> <p>Expansive Learning, Tyre Avenue Wigan WN3 5XE</p> <p>T: 01942 877715 M: 07885881765</p>	<p>Lorraine Woosey Head of Care and Development <i>Designated Safeguarding Lead</i></p> <p>Expansive Learning, Leigh Sports Stadium, Sale Way, Leigh, WN7 4JY</p> <p>T: 01942 877715 M: 07715681242</p>	<p>Lorraine Woosey Head of Care and Development <i>Designated Safeguarding Lead</i></p> <p>Expansive Learning, Leigh Sports Stadium, Sale Way, Leigh, WN7 4JY</p> <p>T: 01942 877715 M: 07715681242</p>

25. Monitoring arrangements

This policy will be reviewed every 12 months but can be revised as needed. It will be approved by the governing board

Impact of non-compliance for:	
Staff:	Disciplinary action
Student:	Not applicable
Legislation/organisational:	Reputational damage, litigation, statutory and non-regulated compliance (OFSTED).
Compliance lead:	Corporate Services (Corporate Services)
Policy Reference:	EGL-HR-002
Version:	4
Agreed policy location:	DatabridgeMIS and Company Website
Does the policy require Governor approval?	No

Approval

<p>Prepared by Scott Roberts (Assoc. CIPD) 01/09/2020</p>  <p>Head of Corporate Services</p>	<p>Approved by Tony Brown 01/09/2020</p>  <p>CEO</p>	<p>Counter Signatory Richard King 01/09/2020</p>  <p>Director of Schools, Pre 16 Education</p>
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Version Control

Version	Date	Revision	Review Date
1	26/11/2018	First Issue	25/11/2019
2	19/03/2019	Document updated and transferred to new template. Adjustments made to the policy with regards to criminal declaration in line with guidance released from the Key.	25/11/2019
3	01/09/2019	Policy Review in line with KCSIE 2019 and transfer to 2019/20 Policy Template Added bespoke section for Governors (Section 22)	31/08/2020
4	01/09/2020	Policy Review in line with KCSIE 2020, updated COVID-19 changes	31/08/2021
5			