

Westminster Tutors



Safer Recruitment Policy
2024-2025

Contents

1. Purpose	1
2. Applicability.....	1
3. Definitions and Scope	1
4. Policy	1
5. Procedure.....	3
6. Compliance	18

1. Purpose

- 1.1 The Safe Recruitment Policy explicitly details Westminster Tutors' position, standards and expectations associated with its commitment to safeguarding and promoting student welfare. It expects all staff to share this commitment, wherever they work and in whatever role.
- 1.2 Westminster Tutors follows the UK Guidance on Safeguarding Children and Safe Recruitment in Education, its replacement Keeping Children Safe in Education Disqualification under the Child (Disqualification) Regulations 2018, and Working Together to Safeguard Children.

2. Applicability

- 2.1 The following policy and procedure must be used to recruit and select all staff throughout the Westminster Tutors College.

3. Definitions and Scope

- 3.1 This Safe Recruitment Policy sets out our safeguarding responsibilities as an organisation recruiting staff to work with students and also provides group-wide, consistent and best-practice recruitment procedures.
- 3.2 This policy must be read by any member of staff who is actively involved in recruitment and selection or who has a lead role in safeguarding/student protection in a college. These staff members are deemed part of the "Westminster Tutors Recruitment Community."
- 3.3 Safeguarding is an ongoing process and will continue throughout employment. Safe recruitment is only the first step in the safeguarding cycle and must be embraced as part of our wider commitment to Safeguarding and Student Protection.

4. Policy

- 4.1 Across the Westminster Tutors College, we share a common objective to help keep students safe by contributing to:
 - Provide a safe environment for students to learn.
 - Taking appropriate action to keep them safe (where a risk is identified).
- 4.2 Achieving this objective requires systems designed to:
 - Prevent unsuitable people from working with students.
 - Promote safe practices and challenge poor and unsafe practices.
 - Identify instances where there are grounds for concern and take appropriate action.
 - Contribute to effective partnerships to provide services to students who may require third-party intervention.
 - Create a culture and environment where staff feel comfortable, if appropriate, to discuss matters outside of work, which may have implications for safeguarding students in the workplace.

- 4.3 Westminster Tutors continually implements strategies to ensure the best people are employed. The Seven Steps to Safe Recruitment have been created to deter and prevent unsuitable personnel from applying and/or being recruited.
- 4.4 College leaders must be clear about the expectations they place on staff, including where their relationships and associations, both within and outside of the workplace (including online), may have implications for safeguarding students in college.
- 4.5 Due to the recruiting team's reliance on personal accountability, disciplinary action, which may include termination of employment, will be taken against any employee found to have breached this policy.
- 4.6 When implementing Westminster Tutors Safe Recruitment Policy, the Principal and SLT will be mindful of and act according to the college's Prevent Policy. By complying with safe recruitment best practice techniques as set out in this policy and by ensuring that there is an ongoing culture of vigilance within our college, we aim to promote a culture of tolerance and respect and minimise the risk of students and/or members of staff being drawn into terrorism.

Equal Opportunities

- 4.7 Our policy is to treat job applicants and employees in the same way regardless of their gender, marital status, age, race, sexual orientation, gender reassignment, religion, pregnancy/maternity, or disability. The sole criteria for selection or promotion will be an applicant's suitability for the role.
- 4.8 In turn, we expect our staff to recognise and respect the many different racial groups, religious cultures, and languages represented by the students who attend our nurseries and college. This will help them develop positive attitudes to diversity and equip them to prevent them from being drawn into extremism or terrorism.
- 4.9 Our curriculum and activities will utilise the richness this brings to the classroom and our organisation.

Levels of Responsibility

- 4.10 It is the Principal's responsibility to identify a vacancy, seek budgetary authority for the position and produce a Job Description for the role.
- 4.11 Several recruitment-related activities require personnel to sign the relevant job description, which clearly articulates the role and responsibility for which they are accountable.
- 4.12 Applicants or colleagues should never be informed of the outcome of the recruitment process until it has been completed.

Professional Standards

- 4.13 Strict confidentiality must be maintained at all times by those participating in the recruitment process. Confidential documents containing applicant details, application forms, interview notes, employment offers, etc., must be securely filed away.

- 4.14 Declaration of close personal or financial relationships with any applicant must be made to the Principal. Anyone in this category will not be allowed to participate in the recruitment decision (this excludes ordinary working relationships).

5. Procedure

(Step 1) Safe Recruitment Training

- 5.1 It is best practice for members of the recruitment community to complete safe recruitment training and obtain a certificate in safe recruitment.
- 5.2 We believe training further strengthens and safeguards college students by helping to deter and prevent abuse; as such, it is also a mandatory requirement for all Westminster Tutors employees who have a lead role in safeguarding and protecting college students.
- 5.3 Online training is currently available from the Educare eLearning Portal and is available to all college staff.

(Step 2a) Job descriptions

- 5.4 Job Descriptions, including the Person Specification, should be reviewed for each new vacancy and must include the main duties and responsibilities specific to the role's needs. It must also include a statement about the individual's responsibility for promoting and safeguarding the welfare of the student they are responsible for or come into contact with, as below:
- To comply with safeguarding policies, procedures and code of conduct.
 - To demonstrate a personal commitment to safeguarding student/colleague wellbeing.
 - To ensure that any safeguarding concerns or incidents are reported appropriately in line with policy.
 - To engage in safeguarding training when required.

(Step 2b) Advertisements

- 5.5 When advertising a role, internally or externally, it is important to outline the requirements regarding the duties and responsibilities, the experience/background needed, and the personal qualities sought. The advertisement should then be written to reflect these in a way that makes the position attractive to applicants but also has sufficient benchmarks to dissuade those who do not have the required skills from applying.
- 5.6 Westminster Tutors actively encourages internal moves and promotion but reserves the right to advertise externally to find the best person for the job.

- 5.7 Advertisements should always include the following abridged Commitment Statement, which sets out Westminster Tutors' commitment to safeguarding students:

"Westminster Tutors is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.

Prior to an appointment, applicants will undergo enhanced child protection screening relevant to the post, including checks with past employers and the DBS. As part of this process, an online digital search will be undertaken, and candidates will be asked about any previous unprotected convictions or outstanding allegations."

(Step 3) Scrutinising, Shortlisting and Interviewing

The Application Form

- 5.8 internal and external Applicants must use the TES or Westminster Tutors' general application form to apply for a vacancy to comply with the Safe Recruitment Policy. This ensures a common set of core data from all applicants is received. It is not good practice to accept a CV drawn up by the applicant in place of an Application Form because this will only contain the information they wish to present and may omit relevant details (however, CVs can be accepted in addition to an Application Form.)
- 5.9 It is unacceptable for an applicant to be appointed without a completed signed Application Form. Digital signatures are accepted.
- 5.10 It is strongly advised that two people shortlist applicants to avoid bias of opinion or prejudice in the process.

Internet Search

- 5.11 Applicants should be subject to a basic internet/media search to help identify the applicant's online identity and determine whether there may be any reputational risk to the college based on comments made by or about them online. Any information requiring further consideration should be discussed with the applicant and noted on the summary report from the interview documenting the considerations made. Information relating to the personally protected characteristics of the applicant (e.g., their race or sexual orientation) will not be considered when considering their application.

Gaps in Employment History

- 5.12 All Application Forms should be scrutinised to ensure they are fully and properly completed and that the information provided is consistent and does not contain any discrepancies, including identifying gaps in employment. Where there are gaps in employment, a note of this should be made and used to consider whether to shortlist the applicant. Together with obvious gaps in employment, the reasons for a history of repeated employment changes without any clear career or salary progression should be explored and verified. This can include a mid-career move from a permanent role to supply teaching or temporary work.

Taking up References

- 5.13 Applicants should give at least two professional reference contacts from two employers on the Application Form. A key purpose of the reference is to verify the applicant's suitability to work with students. These reference contacts must, therefore, include the most recent employer and the most recent employment working with students (if different). References should be sought from all short-listed college-based applicants, including internal ones and a senior person within the organisation.
- 5.14 The college must request all written references directly from the referee. Westminster Tutors does not accept an open reference as part of the recruitment process, e.g. "to whom it may concern". A minimum of two returned and satisfactory references are required on each personnel file.
- 5.15 As a general effective practice, character references are not acceptable; this includes references from relatives or people writing solely in the capacity of friends. Suppose there is a good reason the applicant cannot supply the requisite number of referees (e.g., because they are recent graduates or have only held a small number of jobs). In that case, references may be sought from high-quality alternatives (e.g., a University tutor).
- 5.16 References should be requested using the Reference Request Form. Suppose a reference is received electronically and has not been signed by hand by the referee. In that case, evidence must be sought and retained in the employee file to demonstrate that the expected referee and email address provided the reference.
- 5.17 Before the interview, it is best practice to request all permissible references for shortlisted applicants, considering whether the applicant has requested that their current employer not be contacted at this stage.
- 5.18 At least two written references must be requested for shortlisted applicants before the interview. Where possible, best endeavours must be made to ensure these are received and scrutinised before the interview.
- 5.19 All job offers are conditional upon receipt of a minimum of two satisfactory references and all pre-employment checks. Any appointment must not be confirmed until all required references, which must include either the current or most recent employer, have been received.

Concerns from a Reference

- 5.20 The Principal should scrutinise all references upon receipt, and special attention should be paid to questions regarding disciplinary issues, suitability to work with students, re-employment, and whether the dates of employment, role, and duties match the information supplied on the Application Form. If any of these elements are unclear or cause concern, referees should be contacted for a follow-up conversation. The conversation's notes should be dated and retained on the applicant's personnel file.
- 5.21 Where an individual has not listed relevant or logical referees, the college may ask the applicant to provide more suitable referees and/or consider contacting those not listed. Any such contact should be discussed with the applicant in advance, documented, dated and included in their personnel file if they are subsequently appointed. Reasons for leaving former employers should also be sought.

Invitation to Interview

- 5.22 The Invite to Interview should include the date, time and place of the interview, directions to the venue, names of those people on the interview panel, details of the selection process, and a statement that the interview will include questions relating to safeguarding and any previous criminal background that may be disclosed in a standard or enhanced DBS check, as appropriate to the role.
- 5.23 Applicants will be asked to provide original documents, a copy of which must be kept on the personnel file consisting of:
- Two documents must confirm their identity, i.e., a current driving licence, passport, and/or birth certificate (one must include their photograph).
 - One document confirming their current name and address, such as a utility bill or financial statement (dated within the last three months). Applicants are not permitted to offer photocopied documents for identity checking.
 - Educational certificates.

Preparing for the Interview (Selection Process and Interview Panel)

Selection Process:

- 5.24 Several selection techniques may be deployed to help select the most appropriate applicants. In all cases, an interview should be complemented by a carousel format such as assessments, numeracy and/or literacy tests, lesson observation and/or case study/presentation, a student panel/staff panel, a tour, etc. For college-based teaching roles, it is good practice to involve students in the recruitment and selection process in some way so that applicants' interaction with them can be observed (although under no circumstances should an applicant be left unsupervised with students of any age during the recruitment process). If appropriate, the final decision may be reached via a second interview.
- 5.25 Where appropriate, select work-based assessments, exercises, or personality profiling to assess an applicant's suitability for the role.
- 5.26 It is important to prepare thoroughly before beginning the selection process, and the interview content is a key part of this. It is important to identify who should be involved in the selection process, assigning responsibility and setting aside sufficient time for the work needed at each stage. This ensures all elements of recruitment safeguards are not rushed or overlooked.

Interview Panel:

- 5.27 It is recommended, but not mandatory, to have a minimum of two interviewers, and in some cases, i.e. for senior or specialist roles, a larger panel might be appropriate. A recruitment panel allows at least one member to observe and assess the applicant and the other to make notes. It also allows for the corroboration of events within an interview should an applicant attempt to bring a claim for an alleged breach of process or legislation within the recruitment process. A manager who interviews alone does not have such a defence.

- 5.28 The members of the interview panel should meet before the interview to:
- Agree and understand the required standard for the role they appoint.
 - Consider the issues to be explored with each applicant and who on the panel will ask about each of those.
 - Agree the assessment criteria by the Job description and Person Specification
 - Review the Interview Template to select the relevant questions for the post, ensuring Safeguarding questions are a focus
- 5.29 The Principal should also consult others involved in the selection process, such as teachers involved in lesson observation, tours, or informal meetings, to obtain their feedback and collate and assess any associated paperwork. These should be incorporated into the summary or interview record documentation as required.

Verify Identity

- 5.30 When verifying identity, those responsible aim to corroborate the person's full name, including forenames and last name, date of birth, and full permanent address. Where necessary, applicants should also provide any official documentation regarding name changes.
- 5.31 Where an applicant claims to have changed his or her name by deed poll or any other mechanism (e.g. marriage, adoption, statutory declaration), they provide documentary evidence of the change.
- 5.32 A copy of the documents to verify the successful applicant's identity and address must be kept in their personnel file for record-keeping purposes.

Verify Professional Qualifications

- 5.33 Applicants must also be asked for evidence of their educational or professional qualifications that are necessary or relevant for the role (i.e. the original or certified copy of a certificate, diploma, or a letter of confirmation from the awarding body). If the applicant cannot produce original documents or certified copies, written confirmation of his or her relevant qualifications must be obtained from the awarding body (for teaching positions) before the appointment is confirmed.
- 5.34 A copy of the qualifications must be kept in the personnel file.

Interview (Scope of Interview, Outcome and Regrets)

- 5.35 The interview should assess each applicant's merits against the role requirements. It is important to ensure that the interview process adopted for internal applicants is exactly the same as that for external applicants for the same role. It is also very important to explore each applicant's suitability to work with students.
- 5.36 Each applicant must be given a fair and equal opportunity to demonstrate that they have the skills, experience, and personal attributes that are being sought. The selection process should reflect the role's requirements, the necessary competencies to be successful in the role, and the personal qualities appropriate to the environment.

- 5.37 All applicants should be tested in the same areas and should convincingly reach the level that was expected at the outset. An applicant should not be recruited based on being the 'best of the group', they should be the best person for the role. This may require commencing the search again if a suitable applicant is not sourced from the original search.
- 5.38 Having agreed the interview questions the panel will explore any issues with each applicant, based on the information provided in the Application Form and references received. An applicant's response to a question will determine whether and how that is followed up.
- 5.39 It is better to ask behavioural-based questions that ask an applicant to relate how s/he has responded to or dealt with an actual situation in the past or questions that test an applicant's attributes and understanding of key issues.
- 5.40 All panel members should take interview notes, which the Principal should collate at the end of the interview. The notes should be legible and cover all key topics discussed. Furthermore, the Principal should make summary comments as the person responsible.
- 5.41 The Principal should ensure the interview notes are securely retained for a maximum of six months, after which they may be destroyed if the applicant is unsuccessful. Interview notes must be retained for this period as they will be justified in case of a potential complaint about the selection process.
- 5.42 Interview notes for the successful applicant should be retained securely on their personnel file for record-keeping purposes for the duration of their employment and any required statutory period thereafter.
- 5.43 Please note that for Principal recruitment, the chair of the Governance Advisory Board must collate all interview notes and pass them to the College Administrator for secure and confidential filing.

Scope of the Interview:

- 5.44 In addition to assessing and evaluating the applicant's suitability for a particular role, it is imperative that safeguarding questions are asked at the interview to ensure the filtering process of unsuitable applicants but also to gain an insight into the knowledge, experience and attitude of the applicant towards safeguarding, as this information can facilitate early training requirements upon commencement of role.
- 5.45 The interview panel should also therefore explore:
- The applicant's attitude towards students and young people.
 - His or her ability to support the College's policy for safeguarding and promoting the welfare of students.
 - Gaps in the applicants' employment history.
 - Periods spent overseas.
 - Concerns or discrepancies arising from the information the applicant and/or a referee provided.
- 5.46 All applicants invited to interview are entitled to a meaningful interview irrespective of any change in circumstances (e.g., change of budget, identification of a preferred applicant, poor answers to early questions) that might tempt the Recruiting Panel to abbreviate the process. This maintains a professional image of the college and Westminster Tutors and will, to some extent, protect from potential claims of an unfair process.

The Outcome:

- 5.47 The recruitment decision should be based purely on the criteria required so that any outcome can be explained constructively to the unsuccessful applicants. Any feedback that can help them should be given honestly, and learning and development areas may be identified for internal applicants. The HR Department can assist with ensuring this feedback is constructive.

Regrets:

- 5.48 It is essential that the successful applicant be told either after the regrets or in confidence until all the outcomes are known. It is the Principal's responsibility to ensure that this process is controlled effectively.

(Step 4) Offer letter and Contract of Employment

- 5.49 The offer letter and contract of employment contain a number of references/clauses that enable the management of a new employee's suitability to work with a student.

Terms and Conditions of Employment

- 5.50 The Template Email Offer and Contract of Employment must be used to satisfy the conditions of employment relating to safeguarding.

Probation

- 5.51 The initial period of employment enables an observed judgement of an applicant's suitability to work with a student and capability for the role.

Rehabilitation of Offenders

- 5.52 Westminster Tutors adheres to the Rehabilitation of Offenders Act 1974.
- 5.53 Please note that the college typically requires "spent" convictions to be exempt under the Act and must be disclosed, given that most roles work in a regulated activity.
- 5.54 Thus, all applicants must give full details of convictions and cautions, including those which would otherwise be considered unprotected even if "spent."
- 5.55 Ex-offenders are treated fairly and will not be discriminated against solely because of a conviction. Consideration will be given to the circumstances of any disclosed information in relation to the role applied for.
- 5.56 Westminster Tutors will conduct a risk assessment when necessary, considering safeguarding and the nature of the work, to determine whether an individual's criminal history presents a risk to students or staff.

5.57 The college will handle and store disclosures and conviction information in accordance with the General Data Protection Regulation (GDPR) and Data Protection Act 2018 to protect applicants' privacy.

Safeguarding Declaration

5.58 All applicants must sign a Safeguarding Declaration within the Employment Contract to prove their commitment.

(Step 5) Background Checks

5.59 An offer of employment must be conditional upon:

- The receipt of at least two satisfactory written references.
- Verifying the applicant's identity (if that could not be verified at the interview).
- Right to work in the UK.
- The applicant must show the ID checker an enhanced Disclosure and Barring Service (DBS) check (paper copy) before starting work. An Enhanced DBS with Barred List check is required for people working in Regulated Activity, and this is the default set-up for Westminster Tutors' online application service with Personnel Checks.
- The receipt of overseas criminal records checks for all other countries where the applicant has lived or worked for three months or more in the past ten years (if applicable) and for the country they completed their teacher training in (if not the UK).
- Prohibition from Teaching check (if applicable).
- Prohibition from Management check (if applicable).
- Verification of the applicant's medical fitness.
- Verification of appropriate qualifications/professional status (where required).
- Signed annual disqualification declaration (if applicable).
- Satisfactory completion of the probationary period (if applicable).

5.60 All checks should be retained on the employee's personnel file. A summary of the checks must be recorded on the Single Central Record (SCR) with the checker's initials and the date of the check.

5.61 The above checks must be completed before an applicant takes up the post; failing to do so may delay the commencement of employment.

5.62 Any exceptional permission to appoint without all recruitment vetting checks completed will be subject to the following conditions:

- All vetting checks **must** have been applied for.
- A Barred List check **must** have been completed, and confirmation must be obtained that the individual is not on the Barred List.
- A Prohibition from Teaching Check **must** have been completed (if applicable).
- A Prohibition from Management Check **must** have been completed (if applicable).
- At least two written references **must** have been received.
- The individual's identity, right to work in the UK, qualifications, and medical fitness must be verified.

- A written Risk Assessment must be carried out using the appropriate Risk Assessment Form, which must be approved and placed in the personnel file.
- Steps must be taken to ensure mitigating arrangements, which will include appropriate supervision and restrictions on certain types of activity (such as college trips), are put in place pending completion of the vetting checks and documented on the Risk Assessment Form, which must be reviewed by Principal every two weeks, and updated notes produced as an audit trail.
- Before starting, the new employee must discuss and agree upon the details of supervisory measures and work restrictions.
- While the check remains outstanding, the Single Central Record (SCR) should record that a risk assessment is in place.

5.63 If any of the information contained in the pre-employment checks is unsatisfactory or has discrepancies, this should be followed up by the Principal. Serious, deliberate fraud or deception concerning an employment application may be criminal. In such cases, the employer should consider reporting the matter to the relevant authorities and/or regulators in addition to any planned disciplinary action.

Right to Work

5.64 The right to work in the UK must be verified when appointing new staff. Advice can be sought at <https://www.gov.uk/check-job-applicant-right-to-work>. Copies of documents should be verified and retained on the personnel file.

Enhanced Disclosure and Barring (DBS) check, including the Barred List

5.65 UK DfE regulations for colleges set out a statutory duty to obtain an Enhanced DBS, which must include Barred List information for newly appointed staff in regulated activity, i.e. all permanent, fixed-term contracts and temporary staff (including bank supply staff) employed by Westminster Tutors before they commence employment. Where the post holder will not undertake regulated activity, an Enhanced DBS must be carried out (again, before they commence employment), but colleges are not permitted to carry out a Barred List Check on those not undertaking regulated activity.

5.66 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:

5.67 Regulated Activity includes:

- a) Teaching, training, instructing, caring for, or supervising a student if the person is unsupervised; providing advice or guidance on well-being; driving a vehicle only for the student; or engaging in overnight activity, even if this happens only once.
- b) Work for a limited range of establishments (known as “specified places”, which includes schools and colleges) with the opportunity to contact students, but not include work done by supervised volunteers.

Work under (a) or (b) is regulated only if done regularly. Some activities are always regulated, regardless of their frequency or whether they are supervised.

- 5.68 Regularly is once a week, on four or more days in 30 days or overnight. Generally, all college personnel will likely carry out regulated activity and require a Barred List check with their enhanced DBS check. However, please consult the Keeping Student Safe in Education guidance to assess whether a particular role involves regulated activity.
- 5.69 The relevant DBS check must be carried out as a priority for all new employees at the job offer stage via the online system. If the offer is made more than three months before employment commences, it is best practice to wait until three months before the commencement date before applying for the DBS check.
- 5.70 In addition, where an applicant is found to be on the Barred List, or the DBS Disclosure shows they have been disqualified from working with students by a court, or an applicant has provided false information in, or in support of, his or her application; or there are serious concerns about an applicant's suitability to work with students, the facts must be reported to the Police, the DBS and:
- If the individual is a teacher in England, the Teaching Regulation Agency (formerly the Teachers Misconduct Team) must be informed:
<https://www.gov.uk/government/publications/teacher-misconduct-referral-form>
- 5.71 All steps to address such issues must be documented and retained on the recruitment file.
- 5.72 The college can undertake a free, online status check as an alternative to making a full new DBS check if the applicant has subscribed to the "Update Service" and gives written permission to the college to do so. By using this service, the college can check if any new information has come to light since the DBS certificate was originally issued. However, if the check does declare that something has changed, the college will need to seek a new disclosure to use that information as evidence for a discussion with the applicant.
- 5.73 To carry out a status check of a DBS certificate, the college must:
- Have the applicant's consent.
 - Confirm that they are legally entitled to carry out the status check.
 - See the original paper certificate to check that it is the same type and level they are legally entitled to apply for.
 - Make sure that the right checks have been carried out and see what information was disclosed about the applicant.
 - Check the person's identity.
 - Check the name on the DBS certificate matches this identity.
 - Note the DBS certificate reference number, the person's name and date of birth.
- 5.69 If the successful applicant has not subscribed to the "Update Service," they should be instructed to log into the Personnel Checks portal to commence their DBS check via an email.
- 5.70 If the applicant did not provide appropriate identity documents on the interview day to meet the DBS identity checking requirements, they must bring their original (not copy) ID to check the Westminster Tutors verifier as part of the recruitment process.
- 5.71 If the position being offered also requires a Prohibition from Management check, it is important to advise the successful applicant of the need for the check.

- 5.72 Westminster Tutors must update DBS checks (including Barred List checks if applicable to the role) for all staff as determined by the proprietor from time to time or as soon as possible if concerns arise about an existing staff member's suitability to work with a student. Additionally, staff must sign an annual self-declaration regarding their suitability to work with a student.
- 5.73 Please note that it is only permissible to keep a photocopy of a DBS and/or criminal/Police records for up to six months and reasons for a formal recruitment query. The SCR will record the check and confirm that it was satisfactory, together with details of the certificate number.

Overseas Checks

- 5.74 Staff who have lived and/or worked outside the UK must undergo the same background checks as all other applicants, plus additional criminal/Police record checks (overseas checks) to account for their time spent overseas, if for more than three months in the last ten years. Copies of documents should be verified (date and signature), retained on the personnel file, and recorded on the SCR.
- 5.75 Criminal/Police record checks must be sought for:
- All other countries where the applicant has lived and/or worked for three months or more in the past ten years. Please note that checks are not required before the age of 16.
 - Country where the applicant completed teacher training (or relevant teaching qualifications) (if not within the UK).
- 5.74 If an overseas check is not in English, a reputable translation company should be used to translate the document. To ensure data protection, no college staff or department member must be asked to assist with translation unless they are a member of the Interview Panel.
- 5.75 If criminal/police record checks are not available or forthcoming from a country, alternative documents to evidence their time spent in the country must be sought, such as certificates of good conduct (where available) or full employment references if they worked there. If no employment references are available, an additional third reference must be sought. This should be recorded on an Overseas Criminal Checks Risk Assessment Form and filed on the applicant's personnel file.
- 5.76 UK Military Personnel:
If an applicant has spent time overseas serving in the British Forces, criminal/Police record checks should still be requested for all countries where the individual has spent three months or more in the past ten years, as offences committed away from the base are not always recorded by the forces and documented in a DBS check.

Prohibition from Teaching Check

- 5.76 Anyone appointed to teach within England requires an additional check to ensure they are not prohibited from teaching. This includes Teaching Assistants, Nursery practitioners and Managers, Sports Coaches, and Peripatetic Teachers.
- 5.77 The Teacher Services portal should be used to check successful applicants for any prohibitions by either entering their TRN number for an automatic search or manually checking all relevant lists for all known names:

- 5.78 Prohibition lists are listed alphabetically by surname and can be found by clicking on the reference number adjacent to the name; this will then take you to more information about the sanctions imposed.
- 5.79 The person who is responsible for conducting the check must print off evidence that the check has been completed, ensuring that they are not capturing data of any other individual, thereby contravening data protection legislation:

For teachers with a TRN number = The report can be printed

For teachers without QTS evidence = N/A will be recorded on the SCR.

Prohibition from Management Check

- 5.80 The following staff with management responsibility: Principal, a member of the SLT, a proprietor or any person representing the proprietor in a governance role and teaching departmental headships who were recruited on or after 12th August 2015 must be checked to ensure that they are not subject to a direction under section 128 of the Education and Skills Act 2008 prohibiting that individual from taking part in the management of independent educational institutions in England and/or Wales respectively. All staff promoted internally to any aforementioned positions with management responsibility from 01 September 2018 must be checked regardless of their start date.
- 5.81 For all those appointed to a teaching position with management responsibility, the prohibition check should be done using both routes via the DBS with the Barred List check and the appropriate list through the Teacher Services portal.
- 5.82 For individuals in regulated activity who are not teaching, this check should be requested along with the DBS and Barred List checks.
- 5.83 For those individuals who are not carrying out regulated activity but who nonetheless have management responsibility, a prohibition from management check cannot be requested with the DBS as there is no right to request the Barred List check (which is a requirement to be able to use this route). Therefore, the only route that can be used to undertake this check is via the Teacher Services portal in the same way as the prohibition from teaching checks. Such a check can be made of any individual with management responsibility, irrespective of whether or not that individual is a teacher.

Medical Fitness Check

- 5.84 At the offer stage, a Medical Declaration Form, duly signed, is required from each member of staff stating that they know of no reasons, on the grounds of mental or physical health, why they should not be able to discharge their duties with respect to the Job Description and contract of employment.
- 5.85 Copies of Medical Declaration Forms should be verified (date and signature).

(Step 6) Recording and Monitoring New Starters

The Single Central Record (SCR)

- 5.86 The college must keep an SCR to evidence that it has carried out the range of checks required by law on its staff. The SCR must include details of all individuals who work in regular contact with students,

including volunteers and those employed by third parties (including Teacher Trainees), along with details of the Governance Advisory Board and Proprietor.

The SCR must contain the following fields:

- Full name of staff member
- Post
- Start Date
- Interview Date
- Induction
- First Day of Work (may differ from the official start date and is the first contact with students on-site)
- Qualifications
- Education and Professional Certificates
- Employment History and Work Abroad Check
- Nationality
- EU RtW/Permit
- Overseas Check
- Passport
- Birth Certificate
- DOB
- Address Verification
- DBS Verified
- DBS URN
- Prohibition of Teaching Check
- Sect 128 Check
- Candidate Online Search Form
- Reference Requested Date
- Reference Received Date
- Reference Identify Verification Check
- Safeguarding Medical Declaration
- Medical Declaration
- Induction Form
- Terms and Conditions of Employment and Job Description
- Relevant Comments

5.87 The checker must input the following on to the SCR:

- The date the original documentation was seen.
- The checker's initials.
- If there is no requirement to see documentation, "N/A" must be entered, as no field should be left blank.

Staff Annual Declaration

5.88 On an annual basis, all staff will be required to complete the Staff Annual Declaration, which ensures their knowledge and understanding of safeguarding related policy, procedure, and key contacts in the college and (for all relevant staff) provides for a personal safeguarding declaration concerning DBS and disqualification. The completed declaration must be filed in the personnel file. Where an aspect of the annual declaration does not apply to the individual's role, they should enter "N/A" against the relevant entry on the Declaration before signing and returning it.

Change of Employment

- 5.89 Where an employee's role changes, the Principal must consider the relevant checks now appropriate for the new role (e.g. Has the existing member moved to a position involving regulated activity?).
- 5.90 If a staff member moves from a position involving regulated activity into non-regulated activity only, ongoing relevant checks should be monitored and recorded.
- 5.91 In both cases, the SCR should be updated accordingly.
- 5.92 All paperwork and checks associated with a change of employment must be filed in the personnel file.

(Step 7) Probationary Period including Induction

Induction

- 5.93 An induction programme should be made available to all new staff, regardless of role or previous experience. The purpose of the induction is to:
- 5.94 Provide training and information about the College and Westminster Tutors' policies and procedures including the vision and values, objectives and ethos, with specific reference to safeguarding and promoting student's welfare, including student protection.
- 5.95 Support individuals in a way that is appropriate for the role to which they have been appointed;
- Confirm the conduct that is expected of staff (Westminster Tutors' Code of Conduct including neutral notification)
 - Provide opportunities for new members of staff to discuss any issues/concerns about their role or responsibilities
 - Enable the new member of staff's Line Manager to recognise any issues/concerns about the person's ability or suitability at the outset and address them immediately.
- 5.96 The content and nature of the induction process will depend upon the role and previous experience of the new member of staff. Still, they must include information on the policies and procedures about safeguarding and promoting the welfare of students, e.g.:
- (Education) Safeguarding and procedures, which should also cover:
 - Safe practice and the standards of conduct and behaviour expected of staff and students in the college.
 - How and with whom should any concerns about those issues be raised?
 - (HR) Other relevant employment procedures should include:
 - Disciplinary, performance improvement and whistleblowing procedures.
 - Employment Handbook.
- 5.97 An Induction Checklist provides the means to document that safeguarding was covered in the first week of employment, further demonstrating the Westminster Tutors' commitment to safeguarding our students. This checklist should be completed for each staff member and filed in the personnel file.

- 5.98 The induction programme should also include safeguarding appropriate to the new member of staff's role to ensure their full understanding of their safeguarding responsibilities. This will help ensure they best understand the college/Westminster Tutors' commitment to safeguarding and promoting the welfare of students.
- 5.99 Each new staff member will be required to sign the Staff Annual Declaration upon joining the college and annually. A copy of the signed declaration must be included in the personnel file.

Probation

- 5.100 The initial period of any new role is inevitably a time of adjustment. The new starter becomes acquainted with a new environment and different working practices, routines, and performance standards. This will take time and enable both parties to assess suitability for the role realistically; as such, all new starters' employment is subject to a probationary period (the length is role-dependent).
- 5.101 Performance will be monitored and discussed throughout this period, including a formal review meeting to discuss how both parties feel about the role, college/department/company and progress made in position and to ensure positive relationships with colleagues, students, and parents have been made.
- 5.102 If the college/company is not satisfied that the necessary level of performance has been reached during the probationary period and/or there are some other concerns, the probation may be extended. In some instances, either party may decide to give notice to terminate employment (which is usually a shorter period during this time).
- 5.103 A new member of staff whose role places them in the recruitment community must undertake Safe Recruitment Training during their Probation Period.
- 5.104 The probation period is also a significant period during which the new starter's attitude to safeguarding should be assessed. No appointment should be confirmed until the Line Manager is satisfied that the new starter fully understands and embraces the college's safeguarding philosophy and understands their accountability.
- 5.105 The Probation Review Form should be used to document the discussion and conclude the probationary period. No confirmation of successful completion of the probationary period should be issued if an outstanding check is still required.

Notification Responsibilities

- 5.106 If any information regarding an applicant comes to light through the recruitment and selection process to suggest that they may have harmed or pose a risk of harm to a student or vulnerable adult. In that case, the matter should be discussed with the Principal immediately to ensure the college meets our legal duty to refer a 'cause for concern' of this nature to the relevant third parties.
- 5.107 Our obligation regarding the legal duty to refer a "cause for concern" extends beyond the recruitment and selection process and applies to any volunteers, trainee teachers, supply staff, those on fixed-term contracts, resignations, voluntary withdrawal and all contract workers. All such instances will be disclosed to the DE so that the Proprietor exercises their duty appropriately. In addition, all such instances will be disclosed to any external inspector as required.

5.108 We also follow the Teacher Misconduct: The Prohibition of Teachers (April 2018), where referral to the Teaching Regulation Agency is required.

Non-Employee Groups

5.109 To safeguard the students in our care, we require a similarly rigorous approach to recruitment for all Non-Employee Groups. College must obtain written notification from any agency or third party organisation that presents staff to work within the college that they have completed all the checks we would have undertaken if employing directly, including any Barred List check required for the post. The college must also conduct its own identity check to ensure that the person presenting for work at the college is the same person for whom the third-party organisation have confirmed the checks have been undertaken. Under no circumstances should any Non-Employee in respect of whom no checks have been obtained, be left unsupervised or allowed to work in regulated activity. To this end, guidance has been provided for third-party contractors and non-employees (including supply, self-employed, and volunteers).

6. Compliance

6.1 If any provision of this Policy is or becomes illegal, void or invalid, that shall not affect the legality and validity of other provisions.

Ownership and consultation	
Document author (name)	Sean Doherty, Principal
Audience	
Audience	Principal, college staff, Chair of the Governance Advisory Board
Version control	
Implementation date	September 2024
Review date	September 2025