



Safer Recruitment Policy

The Diamond Learning Partnership Trust

Approved by:	Chief Executive Officer	Date: January 2026
Last reviewed on:	January 2026	
Next review due by:	September 2027	

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Statement of Intent

The Diamond Learning Partnership Trust has implemented this policy to assist with recruitment and employee selection. It outlines the Trust's recruitment procedure and how the Trust ensures Safer Recruitment' is considered at all levels of the recruitment process.

The safety and protection of the Trust's pupils is always at the forefront of the Trust's concerns, and this policy aims to embed a robust safeguarding culture into the recruitment practices of the Trust.

Legal Framework

This policy has due regard to all relevant legislation including, but not limited to, the following:

- Keeping Children Safe in Education 2025
- Rehabilitation of Offenders Act 1974
- Children Act 1989
- Education Act 2002
- Sexual Offences Act 2003
- Children Act 2004
- Safeguarding Vulnerable Groups Act 2006
- Education and Skills Act 2008
- The Trust Staffing (England) Regulations 2009
- Equality Act 2010
- The Education (Trust Teachers' Appraisal) (England) Regulations 2012 (as amended)
- The UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018
- Amendments to the Exceptions Order 1975, 2013 and 2020
- Protection of Freedoms Act 2012 (which amended the Safeguarding Vulnerable Groups Act 2006)
- Counter-Terrorism and Security Act 2015 (which contains the Prevent duty)

This policy operates in conjunction with the following Trust policies:

- Complaints Procedures Policy
- Whistleblowing Policy
- Staff Capability Policy
- Staff Disciplinary Policy
- Teacher Appraisal Policy
- Support Staff Appraisal Policy
- Child Protection and Safeguarding Policy
- Data Protection Policy
- Equality and Diversity Information and Objectives Policy
- ICT and Internet Safety Policy
- Staff Code of Conduct Policy

Recruitment and Selection Process

The recruitment steps outlined below are based on part 3 of Keeping Children Safe in Education (KCSIE) 2025.

The Early Years Foundation Stage statutory framework contains its own requirements for safer recruitment (pages 24 to 27).

To make sure we recruit suitable people, we will ensure that those involved in the recruitment and employment of staff to work with children have received appropriate Safer Recruitment training.

We have put the following steps in place during our recruitment and selection process to ensure we are committed to safeguarding and promoting the welfare of children.

Advertising

When advertising roles, we will make clear:

- Our trust's commitment to safeguarding and promoting the welfare of children
- That safeguarding checks will be undertaken
- The safeguarding requirements and responsibilities of the role, such as the extent to which the role will involve contact with children
- Whether or not the role is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020. If the role is exempt, certain spent convictions and cautions are 'protected', so they do not need to be disclosed, and if they are disclosed, we cannot take them into account

Application forms

Our application forms (on MyNewTerm) will:

- Include a statement saying that it is an offence to apply for the role if an applicant is barred from engaging in regulated activity relevant to children (where the role involves this type of regulated activity)
- Include a copy of, or link to, our child protection and safeguarding policy and our policy on the employment of ex-offenders

Shortlisting

Our shortlisting process will involve at least 2 people and will:

- Consider any inconsistencies and look for gaps in employment and reasons given for them
- Explore all potential concerns

Once we have shortlisted candidates, we will ask shortlisted candidates to:

- Complete a self-declaration of their criminal record or any information that would make them unsuitable to work with children, so that they have the opportunity to share relevant information and discuss it at interview stage. The information we may ask for includes:
 - If they have a criminal history
 - Whether they are included on the barred list
 - Whether they are prohibited from teaching
 - Information about any criminal offences committed in any country in line with the law as applicable in England and Wales
 - Any relevant overseas information
- Sign a declaration confirming the information they have provided is true

We will also consider carrying out an online search on shortlisted candidates to help identify any incidents or issues that are publicly available online. Shortlisted candidates will be informed that we may carry out these checks as part of our due diligence process.

Seeking references and checking employment history

We will obtain references before interview. Any concerns raised will be explored further with referees and taken up with the candidate at interview.

When seeking references we will:

- Not accept open references (e.g.'to whom it may concern')
- Not rely on applicants to obtain their reference
- Not accept references from a family member
- Liaise directly with referees and verify any information contained within references with the referees
- Ensure any references are from the candidate's current employer and completed by a senior person. Where the referee is school based, we will ask for the reference to be confirmed by the headteacher/principal as accurate in respect to disciplinary investigations
- Obtain verification of the candidate's most recent relevant period of employment if they are not currently employed
- Secure a reference from the relevant employer from the last time the candidate worked with children if they are not currently working with children. If the applicant has never worked with children, then ensure a reference is from their current employer, (or where applicable) training provider or education setting
- Ensure electronic references originate from a legitimate source
- Contact referees to clarify where information is vague or insufficient information is provided
- Establish the reason for the applicant leaving their current or most recent post, and ensure any concerns are resolved satisfactorily before appointment is confirmed
- Compare the information on the application form with that in the reference and take up any inconsistencies with the candidate
- Resolve any concerns before any appointment is confirmed

Interview and selection

When interviewing candidates, we will:

- Probe any gaps in employment, or where the candidate has changed employment or location frequently, and ask candidates to explain this
- Explore any potential areas of concern to determine the candidate's suitability to work with children
- Record all information considered and decisions made

Pre-appointment vetting checks

We will record all information on the checks carried out in the Trust's single central record (SCR). 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

All offers of appointment will be conditional until satisfactory completion of the necessary pre-employment checks. When appointing new staff, we will:

- Verify their identity
- Obtain (via the applicant) an enhanced DBS certificate, including barred list information for those who will be engaging in regulated activity (see definition below). We will obtain the certificate before, or as soon as practicable after, appointment, including when using the DBS update service. We will not keep a copy of the certificate for longer than 6 months, but when the copy is destroyed we may still keep a record of the fact that vetting took place, the result of the check and recruitment decision taken
- 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 through a formal Occupational Health questionnaire and obtain a fitness to work certificate. Further investigation may be required through the OH process to confirm this.
- 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. These could include, where available:
- For all staff, including teaching positions: criminal records checks for overseas applicants
- For teaching positions: obtaining a letter from the professional regulating authority in the country where the applicant has worked, confirming that they have not imposed any sanctions or restrictions on that person, and/or are aware of any reason why that person may be unsuitable to teach
- 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.

NB: Management positions are most likely to include, but are not limited to, headteachers, principals and deputy/assistant headteachers.

Where required by the relevant legislation:

- We will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006.
- Where we take a decision that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment on the individual's personnel file. This will include our evaluation of any risks and control measures put in place, and any advice sought.

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

In certain circumstances we will carry out all the relevant checks on existing staff as if the individual was a new member of staff. These circumstances are when:

- There are concerns about an existing member of staff's suitability to work with children; or
- An individual moves from a post that is not regulated activity to one that is; or
- There has been a break in service of 12 weeks or more

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
- We believe the individual has received a caution or conviction for a relevant (automatic barring either with or without the right to make representations) offence, under the Safeguarding Vulnerable Groups Act 2006 (Prescribed Criteria and Miscellaneous Provisions) Regulations 2009; or
- We believe 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

Agency and third-party staff

We will:

- Obtain written notification from any agency or third-party organisation that it has carried out the necessary safer recruitment checks that we would otherwise perform
- Obtain a copy of the enhanced DBS check, if a check is required
- 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.

Where required by the relevant legislation: For self-employed contractors such as music teachers or sports coaches, we will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006.

Where we decide that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought.

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 for working with children.

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

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
- Where working with pupils aged under 8, we will obtain references for volunteers before they are recruited
- Where required by the relevant legislation: Ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification

Regulations and Childcare Act 2006. Where we decide that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought

Trustees, members and local governors

- All trustees, local governors and members 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.
- The chair of the board will have their DBS check countersigned by the secretary of state.
- All proprietors, trustees, local governors and members will also have the following checks:
 - A section 128 check (to check prohibition on participation in management under section 128 of the Education and Skills Act 2008) – though section 128 checks are only required for local governors if they have retained or been delegated any management responsibilities
- Identity
- Right to work in the UK
- Other checks deemed necessary if they have lived or worked outside the UK

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.

Pupils staying with host families

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

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

Appendix 1:

Employment Risk Assessment

This form is only for use in exceptional cases where the Headteacher wishes to consider a temporary exemption from the requirement to obtain a valid DBS certificate prior to an employee starting work, ie when there is an excessive delay in the return of a DBS. In the majority of cases, new starters should be delayed until the DBS is returned and clear. A risk assessment must not be used as an alternative to submitting DBS forms at the earliest possible date. The form should be completed by the Headteacher, countersigned by the CEO and be retained on the employee's personal file indefinitely. Please note that an Enhanced DBS check must be carried out in every case prior to an employee beginning work for the Trust and will be carried out by the HR (People) Department.

Candidate's name	
Enhanced DBS check requested	
Enhanced DBS Check received	
Date Barred List check processed	
Job title	
Start date	
Date of interview	
Date DBS form submitted	
Names of staff members supervising candidate whilst DBS check is processed	
Name of current/last employer	
Length of service with current/last employer	
Has there been a break in employment since last employed?	
If yes, has this been satisfactorily explained by the candidate?	
Has the candidate declared any previous cautions/convictions/ bindovers/warnings?	
If yes, have these been satisfactorily explained by the candidate?	
Has advice been sought from HR if there are any concerns about the employee's background?	
What is the reason for this risk assessment and therefore not following the correct safer recruitment processes?	

RISK ASSESSMENT: To be completed by the Headteacher		
What are the risks?	Does the School need to do anything else to control the risk?	Action by who?

Headteacher's Declaration:

- I confirm that this job is essential to the successful operation of the academy/Trust.
- I confirm that I have obtained references from at least two referees, at least one of whom has recent and relevant knowledge of the employee in a work context. I am satisfied that the referee has no reservations as to the applicant's suitability to work with children and young people.
- I confirm that I will ensure appropriate levels of supervision and/or monitoring will be maintained at all times (for example, unplanned visits by senior staff to employee's work area and avoiding the person working alone with individual children).
- I confirm that the established child protection procedures, standards and ethos of this academy provide clear expectations of all staff in matters of child protection.
- I confirm that as part of the employee's induction, the above standards and expectations will be made clear.
- I confirm that the employee will not be given responsibility for high-risk activities e.g. external visits or residential trips until appropriate DBS clearance is obtained.
- I have discussed the details of this appointment and assessed the potential risk(s) with the HR (People) Department and The Chair to the Trust Board of Directors.

Signed: _____ **Name:** _____ **Date:** _____
Headteacher

Decision: **Exemption endorsed / not endorsed (please delete as appropriate)**

Signed _____ **Name** _____ **Date** _____
1. **CEO**