

Safer Recruitment Policy

Last updated 01 September 2023

Introduction

The safe recruitment of staff in schools is the first step to safeguarding and promoting the welfare of children in education. Zen Educate is committed to safeguarding and promoting the welfare of all pupils within the Educational Professionals Establishment. Zen Educate expects all supply staff and tutors to share this commitment.

Aims and Objectives

The aim of the Safer Recruitment Policy is to help deter, reject and identify people who might abuse pupils, or are otherwise unsuited to working with them, from working with children, by having appropriate procedures for selecting education professionals who will receive assignments through Zen Educate.

Zen Educate Safer Recruitment Policy follows the guidance of Keeping Children Safe In Education 2023:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1181955/Keeping_children_safe_in_education_2023.pdf

and also the advice available on <https://saferrecruitmentconsortium.org/>

The following aims are specific to Zen Educate,

- To ensure that the best possible education professionals are 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 published by the Department for Education (DfE), Keeping Children Safe in Education - September 2023 (KCSIE), The Prevent Duty Guidance for England and Wales 2015 (the Prevent Duty Guidance)
<https://www.gov.uk/government/publications/prevent-duty-guidance/prevent-duty-guidance-for-england-and-wales-accessible#:~:text=The%20Prevent%20duty%20requires%20specified,becoming%20terrorists%20or%20supporting%20terrorism.>
- and any guidance or code of practice published by the Disclosure and Barring Service (DBS);
<https://www.gov.uk/guidance/dbs-check-requests-guidance-for-employers#full-publication-update-history>
- and Working Together To Safeguard Children 2018.
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/942454/Working_together_to_safeguard_children_inter_agency_guidance.pdf
- To ensure that Zen Educate meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks.

Employees involved in the recruitment and selection of staff are responsible for familiarising themselves with and complying with the provisions of this policy. The Designated Safeguarding Lead is also responsible to ensure they complete Safer Recruitment in Education training at least once every year.

Zen Educate has a principle of open competition in its approach to recruitment and will seek to recruit the best applicant for any position. The recruitment and selection process should ensure the identification of the person best suited to any position. This is based on the applicant's abilities, qualification, experience and merit as measured against the job description and person specification set out by the educational establishment.

The recruitment and selection of education professionals will be conducted in a professional, timely and responsive manner and in compliance with current employment legislation, and relevant safeguarding legislation and statutory guidance, including Keeping Children Safe In Education 2023 <https://www.gov.uk/government/publications/keeping-children-safe-in-education-2>, and the Prevent Duty Guidance <https://www.gov.uk/government/publications/prevent-duty-guidance>.

If a member of Zen Educate staff 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.

Zen Educate aims to operate this procedure consistently and thoroughly while obtaining, collating, analysing and evaluating information from and about applicants applying for job vacancies.

Please note* Throughout this document, the term "education professional" refers to supply staff - teachers, teaching assistants, cover supervisors, or any other supply staff - and to tutors, who register with Zen Educate in order to receive assignments in schools. The term "school" refers to a school or any other educational establishment where education professionals might receive assignments through Zen Educate.

Roles and Responsibilities

It is the responsibility of Oren Cohen, Chief Customer Officer, and Daryl Cheah Head of Teacher Success and Operations to:

- Ensure that Zen Educate has effective policies and procedures in place for recruitment of all education professionals in accordance with DfE guidance and legal requirements.
- https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1181955/Keeping_children_safe_in_education_2023.pdf

- Monitor and update the Safer Recruitment Policy annually.

It is the responsibility of the employees of Zen Educate involved in recruitment to:

- **Ensure** that Zen Educate operates Safer Recruitment procedures and makes sure all appropriate checks are carried out on all education professionals who work for Zen Educate.
- **Monitor** education professionals' and schools' compliance with this document.
- **Promote** the welfare of children and young people at every stage of the procedure of Safer Recruitment.

Definition of Regulated Activity and Frequency

Any position undertaken at, or on behalf of the school where the education professional attends, will amount to "regulated activity" if it is carried out:

- frequently, meaning once a week or more; or
- provides the opportunity for contact with children.

Zen Educate adheres to the definition of Regulated Activity as it appears in Annex E page 173:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1181955/Keeping_children_safe_in_education_2023.pdf

Changes to KCSIE 2023

In line with the changes to Keeping Children Safe In Education Part 3

Safer Recruitment now includes the following

The standout new inclusion to Part three SAFER RECRUITMENT KCSIE 2022& 2023 relates to the importance of EDUCATIONAL ESTABLISHMENTS conducting background checks on candidates during the application process.

The new paragraph of 220/22 page 55 does not go into specific detail about the search itself but explains that the information should be ‘publicly available online’ and something that the school may then ‘want to explore with the applicant at interview’ - KCSIE 01/09/2023: “A key change in relation to previous guidance includes a recommendation regarding carrying out online checks of candidates during the recruitment process”. In response to these changes Zen Educate carries out online searches of publicly available information, including social media, on all candidates either for Daily supply or Long Term roles. Zen Educate completes contextual online form regarding findings.

Application forms Paragraph 215 KCSIE 01/09 2023 has been updated to be clear a curriculum vitae (CV) should only be accepted alongside a full application form. CVs on their own will not “provide adequate information” required to support safer recruitment.

Shortlisting: Paragraph 216 KCSIE 2023: Shortlisted candidates who are subject to a caution and / or conviction on their DBS should be asked to complete a self-declaration of their criminal record or information that would make them unsuitable to work with children. Self-declaration is subject to Ministry of Justice guidance on the disclosure of criminal records. Zen Educate complies with the DfE Government Guidance on the Rehabilitation of Offenders Act 1974 and the Exceptions order 1975.

The standout newly included **paragraph 221 KCSIE 2023** states that schools should consider carrying out online searches on shortlisted candidates: ‘In addition, as part of the shortlisting process schools and colleges should consider carrying out an online search as part of their due diligence on the shortlisted candidates. This may help identify any incidents or issues that have happened, and are publicly available online, which the school or college might want to explore with the applicant at interview.

' Employment history and references Paragraph 222 KCSIE 2023 now includes additional advice around unsubstantiated concerns or allegations: 'Any repeated concerns or allegations which have all been found to be false, unfounded, unsubstantiated or malicious should not be included in any reference.' - "The purpose of seeking references is to allow employers to obtain factual information to support appointment decisions".

Ongoing vigilance Additional text has been added to paragraph 343 Page 84 : to emphasise the importance of all staff understanding 'the process and procedures to follow if they have a safeguarding concern about another staff member.'

Recruitment and Selection Procedure

Advertising

To ensure equality of opportunity, Zen Educate will advertise vacant positions to encourage as wide a field of applicants as possible. Any advertisement will make clear Zen Educate'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 (DPA18)

<https://www.gov.uk/data-protection>

Application Forms

Zen Educate uses an online application process via the uploading of documents, including a CV and a personal statement. In addition, all applicants are required to account for any gaps or discrepancies in employment history by filling in their full timeline in their professional profile. The CV alone is not sufficient. Unless ALL safer recruitment procedures in accordance with Safer Recruitment Part 3

KCSIE and DfE criteria have been completed, applicants submitting an incomplete application process will not be put forward for roles.

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.

It is unlawful for Zen Educate to clear for work 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 within a school. Therefore, they will not be cleared to work through Zen Educate. 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

For any roles, when reasonable given the lead time to recruit given the nature of schools' expectations when seeking supply staff, Zen Educate aims to produce a job description prior to taking any other steps in the process. It will clearly and accurately set out the duties and responsibilities of the job role and/or a description of the needs of the school in respect of an individual student, for example a student with SEND.

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.

References

Zen Educate will be subject to the receipt of a minimum of two references which are considered satisfactory. One of the references must be from the applicant's current or most recent employer. This will be the Headteacher in most cases.

Zen Educate does not accept open references, testimonials or references from relatives. 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.

- Are there any substantiated or outstanding disciplinary proceedings?
- Have there been any Safeguarding concerns or Investigations?
- The referee will also be asked (from a list of attributes) to pick up to 3 attributes that best describe the applicant.

Any discrepancies or anomalies will be followed up.

Interviews

An education professional must complete a successful interview being cleared to receive assignments through Zen Educate.

Zen Educate interviews will explore the applicant's ability to carry out the job description and meet the person specification. It will enable the interviewer to explore any anomalies or gaps which 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 in regard to past disciplinary action or allegations, cautions or convictions will be discussed and considered in the circumstance of the individual case during the interview process and thereafter.

All interviewers will have undertaken safer recruitment training within the previous 12 months.

All applicants who are invited to interview will be required to provide evidence of their identity, address and qualifications.

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 pupils. Therefore, any convictions and cautions that would normally be considered 'SPENT' must be declared when applying for any position within Zen Educate.

DBS (Disclosure and Barring Service) Check

Zen Educate applies for an enhanced disclosure from the DBS and a check of the Children's Barred List in respect of all positions within a school which amount to "regulated activity" as defined in Part 3 point ii: Safer Recruitment KCSIE Page 57.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1181955/Keeping_children_safe_in_education_2023.pdf

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.

The policy of Zen Educate is to only put forward candidates who have obtained a new DBS through Zen Educate or whose DBS is on the update service <https://www.gov.uk/dbs-update-service>.

Portability of DBS Certificates Checks

Education professionals should subscribe their DBS certificate to the DBS Update Service if they are likely to require another check in the future. .

When Zen Educate checks a candidate's DBS using the update service, Zen Educate will:

- Receive permission from the candidate to run the check.

- Confirm the Certificate matches the candidate's identity.
- Examine the original certificate to ensure that it is for the appropriate workforce and level of check, ie enhanced DBS check including barred list information.

The Update check would identify and advise whether there has been any change to the information recorded, since the initial certificate was issued. Applicants will be able to see a full list of those organisations that have carried out a status check on their account.

DBS Certificate

The DBS no longer issues Disclosure Certificates to employers, therefore education professionals who are cleared to work should bring their original DBS certificate to any school they work in.

Dealing with convictions

Zen Educates 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.

The applicant will be asked to write a written statement supporting the above criteria of the Rehabilitation of Offenders Act 1974. Zen Educate will consider whether the candidate can still be cleared for work and communicate this clearly to the candidate. Zen Educate will then disclose to every school the candidate

attends about the conviction or caution and will provide a copy of the candidate's statement if they so wish. Zen Educate and the school will work together to 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.

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

- Zen Educate validates every candidate's identity by checking passports and/or the appropriate right to work documents in line with the home office guidance on: Last Updated March 2023.

<https://www.gov.uk/government/publications/right-to-work-checks-employers-guide>

- Every candidate's address is validated.
- Where an applicant claims to have changed their name by deed poll or any other means (eg marriage, adoption, statutory declaration) they will be required to provide documentary evidence of the change.
- Qualifications are validated for every candidate.
- Teaching qualifications will also be validated with the Teaching Regulation Agency.

Medical Fitness

Every candidate must be medically cleared to work in schools before their vetting with Zen Educate is completed.

Zen Educate is aware of its duties under the Equality Act 2010. No offer of an assignment at a school will be withdrawn without first consulting with the education professional, obtaining medical evidence and considering reasonable

adjustments. A health declaration in the form of a written statement is taken in order to comply with an educational establishment requirement of completing a risk assessment and considering reasonable adjustments.

Overseas checks

In accordance with the UK Visas and Immigration (UKVI) guidance Zen Educate will seek criminal records checks from any countries in which applicants have lived/travelled abroad for more than 3 months in the last 5 years. The applicant will need to obtain a criminal records 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 Zen Educate.

From 1st January 2021 the Teaching Regulation Agency no longer maintains a list of EEA teachers with sanctions. Teachers that have lived or worked outside of the UK, are required to provide proof of their past conduct as a teacher, issued by the professional regulating authority in the country in which they worked. Where this is unavailable, Zen Educate considers this together with information obtained through other pre-appointment checks to help assess the candidate's suitability.

Knowledge of Safeguarding Procedures

- All education professionals must complete the CPD accredited Level 2 Safeguarding Children course available in their Zen Educate account within the previous 12 months in order to receive assignments through Zen Educate.
- All education professionals must read and confirm they will comply with Part 1 of the latest version of Keeping Children Safe in Education. Education professionals are informed of updates to Keeping Children Safe in Education and required to read and comply with the updated versions after they are published.

- All candidates are also required to display proficiency of their knowledge of basic safeguarding procedures as part of their interview with Zen Educate.

Online Searches

- In line with Safer Recruitment: KCSIE 2023 P.55 / 221: , we carry out online searches as part of checks on candidates. In doing so, we may discover any incidents or issues that have occurred that are available publicly online which we may explore further with the candidate.

Zen Educate Learning from Best Practice

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 education professionals being cleared to work.

Zen Educate also has a legal duty to make a referral to the DBS in circumstances where an individual:

- has applied for a position with Zen Educate and any schools, despite being barred from working with children; or
- has been removed by Zen Educate or a school 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.

If the individual referred to the DBS is a Teacher, Zen Educate and/or the school may also decide to make a referral to the Teaching Regulation Agency.

Any school working with Zen Educate must be satisfied with the checks in accordance with their Safer Recruitment procedures. Zen Educate provides confirmation that these checks have been completed before the education professional is cleared to work by Zen Educate. This is provided in a format that includes all the information the school requires to maintain in its Single Central Record.

The school must independently verify the identity of the education professional provided via Zen Educate once they arrive. The school must also require the provision of the original DBS certificate before the education professional can commence work at the school.