Safer Recruitment Policy

Introduction

The safe recruitment of staff is the first step to safeguarding and promoting the welfare of children in education. East Sussex School of Circus Arts is committed to safeguarding and promoting the welfare of all service users in its care. As an employer, it is expected that all staff and volunteers will share this commitment.

Purpose & Scope

1. Applies to: employees, contractors, freelancers, volunteers, agency staff, governors/directors and anyone working on behalf of ESSCA.
2. Covers BTEC/FE delivery, after--school clubs, holiday camps, events, venue hire activities where staff may have contact with under-18s

Aims and Objectives

The aims of the Safer Recruitment Policy are to help deter, reject or identify people who might abuse service users or are otherwise unsuited to working with them by having appropriate procedures for appointing staff.

The aims of East Sussex School of Circus Arts' recruitment policy are as follows:

- To ensure that the best possible staff 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 (KCSIE), 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)
- To ensure there is full commitment towards 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 familiarizing themselves with and complying with the provisions of this policy.

East Sussex School of Circus Arts 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 based on the

applicant's abilities;
merit as measured against the qualification, experience and job description and person specification.

The recruitment and selection of staff will be conducted in a professional, timely and responsive manner and in compliance with current employment and legislation, and relevant safeguarding legislation and statutory guidance (including KCSIE and Prevent Duty Guidance)

If a member of 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.

East Sussex School of Circus Arts aims to operate this procedure consistently and thoroughly while obtaining, collating, analysing and evaluating information from and about applicants applying for job vacancies.

Roles and responsibilities

It is the responsibility of the governing body to:

- Ensure that East Sussex School of Circus Arts has effective policies and procedures in place for recruitment of all staff and volunteers in accordance with DFE guidance and legal requirements.
- Monitor ESSCAS compliance with them.

It is the responsibility of the principal and other Managers involved in recruitment to:

- Ensure that East Sussex School of Circus Arts operates safe recruitment procedures and make sure all appropriate checks are carried out on all staff and volunteers who work for the organisation.
- To monitor contractors' and agencies' compliance with this document.
- Promote the welfare of children and young people at every stage of the procedure.

The governing body has delegated responsibility to the principal and support staff to lead in all appointments. East Sussex School of Circus Arts' governors may be involved in staff appointments, but the final decision will rest with the principal and support staff.

Definition of Regulated Activity and Frequency

Any position undertaken at, or on behalf of East Sussex School of Circus Arts will amount to "regulated activity" if it is carried out:

- Frequently, meaning once a week or more; or
- Overnight, meaning between 2am and 6am; 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.

Where the role is regulated activity, ESSCA will obtain an Enhanced DBS certificate including a children's barred list check. (where legally permitted) Where a role is not regulated activity, ESSCA may obtain an Enhanced DBS without a barred list check where appropriate to the role.

Recruitment and selection procedure

Advertising

To ensure equality of opportunity, East Sussex School of Circus Arts will advertise all vacant posts to encourage as wide a field of applicant as possible, normally this entails an external advertisement.

Any advertisement will make clear the organisation's commitment to safeguarding and promoting the welfare of children and young people.

All documentation relating to applicants will be treated confidentially in accordance with the Data Protection Act (DPA18)

Application forms

East Sussex School of Circus Arts 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). Applicants submitting an incomplete application form will not be shortlisted.

The application form 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. CVs may be submitted but do not replace the ESSCA application form; the application form must be completed in full.

It is unlawful for East Sussex School of Circus Arts 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. 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 finalized prior to taking any other steps in the process. It will clearly and accurately set out the duties and responsibilities of the job role.

The person's specification is of equal importance and informs the selection decision. It details skills, experience, abilities and expertise that are required to do the job.

References

References for shortlisted applicants will be sent immediately after short-listing. The only exception is where an applicant has indicated on their application form that they do not wish their current employer to be contacted at that stage. In such cases, this reference will be taken immediately after the interview.

All offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory by the organisation. One of the references must be from the applicant's current or most recent employer. 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 and young people. Referees will also be asked to confirm that the applicant has not been radicalized so that they do not support terrorism or any form of "extremism"

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. East Sussex School of Circus Arts does not accept open references, testimonials or references from relatives.

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's specifications. It will enable the panel to explore any anomalies or gaps which have been identified in order to ensure 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 conviction will be discussed and considered in the circumstances of the individual case during the interview process, if it has been disclosed on the application form.

All applicants who are invited to an interview will be required to bring evidence of their identity, address, and qualifications. Original documents will only be accepted, and photocopies will be taken. Unsuccessful applicant documents will be destroyed 6 months after the recruitment programme.

Contractors, Freelancers, Agencies and Venue Hire (Third Parties)

ESSCA works with contractors, freelancers, agency staff and third parties to support delivery across its BTEC/FE provision, after-school clubs, holiday camps, events and venue hire. ESSCA is committed to ensuring that safeguarding and safer recruitment principles are applied proportionately to all individuals working on behalf of ESSCA, particularly where there is any opportunity for contact with children and young people.

1. Contractors/freelancers undertaking teaching, coaching, chaperoning or supervision

Where a contractor, freelancer or self-employed person will be delivering instruction, coaching, chaperoning, supervising, mentoring or otherwise working directly with under-18s (whether paid or unpaid), ESSCA will treat the engagement as equivalent to a staff appointment for safer recruitment purposes. This will include, as appropriate to the role:

- Verification of identity (including address)
- Verification of right to work in the UK (where applicable)
- Verification of relevant qualifications and/or professional status where required for the role
- A risk-based decision on the level of DBS check required, including whether the role constitutes regulated activity
- Two references (where practicable), including one from the most recent relevant engagement/employer, and verification of references directly with the referee
- Any additional checks required where the individual has lived or worked outside the UK

No contractor/freelancer will begin unsupervised work with children until the required checks have been completed and recorded

2. One-off contractors with incidental contact (e.g. technicians, bar staff, photographers, event/show crew)

Some roles may be engaged for short periods and are not intended to involve working with children, but may take place on site or at events where children are present. In these cases, ESSCA will apply safeguarding controls proportionate to the level of contact and the setting. This may include:

- Clear role boundaries and instructions that the individual must not be left in sole charge of children
- Appropriate supervision by ESSCA staff when children are present
- A safeguarding briefing (including expected conduct, professional boundaries, and how to report concerns)
- Restricting access to changing areas, training spaces, or other higher-risk environments unless supervised and authorised
- A risk-based decision on whether any pre-engagement checks are required (e.g. identity confirmation and/or DBS check where appropriate)

Where incidental contact cannot be effectively supervised or controlled, ESSCA will reassess the engagement and apply additional checks or alternative arrangements.

3. Agency staff and subcontracted provision

Where staff are supplied by an agency or subcontractor, ESSCA will obtain written confirmation that the required safer recruitment checks have been completed to the appropriate level for the role (including DBS level and barred list check where applicable and legally permitted). ESSCA reserves the right to request evidence of checks and/or to carry out additional checks where necessary.

4. Venue hire and external organisations using ESSCA premises

Where ESSCA hires its premises to external organisations or individuals, the hirer remains responsible for ensuring that their staff, contractors and volunteers are suitable to work with children (where children are present) and that they have appropriate safeguarding arrangements in place

ESSCA will set safeguarding expectations for venue hire, which may include:

- Confirmation from the hirer of whether under-18s will be present and the nature of the activity
- Agreement that children will remain under the supervision of the hirer's responsible adults at all times
- Clear rules regarding access to ESSCA spaces, supervision, and conduct on site
- A requirement to report any safeguarding concerns arising during the hire to ESSCA's Designated Safeguarding Lead (DSL) (or the most senior ESSCA representative on site) as soon as possible
- The right for ESSCA to terminate a hire arrangement where safeguarding expectations are not met or where there is a risk to children and young people

ESSCA will assess each venue hire on a case-by-case basis and may impose additional conditions where the nature of the activity or the presence of children increases safeguarding risk.

Offer of appointment and new employee process

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 the Organisations standard terms and conditions of employment.
- Verification of the applicant's identity
- The receipt of two references (one of which must be from the applicant's most recent employer) which East Sussex School of Circus Arts considers to be satisfactory
- For positions that involve "teaching work"
    - East Sussex School of Circus Arts being satisfied that the applicant is not, and has never been, the subject of a sanction, restriction or prohibition issued by the Teaching Regulation Agency (formerly National College for Teaching and

Leadership), or any predecessor or successor body, or by a regulator of the teaching profession in any other European Economic Area country which prevents the applicant working at the Organisation or which, in the organisation's opinion, renders the applicant unsuitable to work at East Sussex School of Circus Arts
    - East Sussex School of Circus Arts being satisfied that the applicant is not, and has never been, the subject of any proceedings before a professional conduct panel or equivalent body in the UK or any other country for any reason which prevents the applicant working at the organisation or which, in the Organisation's opinion, renders the applicant unsuitable to work at East Sussex School of Circus Arts
- Where the position amounts to "regulated activity" the receipt of an enhanced disclosure from the DBS which the organisation considers to be satisfactory
- Where the position amounts to "regulated activity" confirmation that the applicant is not named on the Children's Barred List
- Confirmation that the applicant is not subject to a direction under section 142 of the Education Act 2002 which prohibits, disqualifies or restricts them from providing education, taking part in the management of an independent school or working in a position which involves regular contact with children
- Confirmation that the applicant is not subject to a direction under section 128 of the Education and Skills Act 2008 which prohibits, disqualifies or restricts them from being involved in the management of an independent school
- Verification of the applicant's medical fitness for the role
- Verification of the applicant's right to work in the UK
- 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 the organisation deems a requirement for the post, or which the applicant otherwise cites in support of their application.

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

Where checks are outstanding, ESSCA will undertake a risk assessment and, where permitted, may allow a supervised start only; the individual will not be left unsupervised with children until all required checks are completed and recorded

The rehabilitation of Offenders Act 1974

The rehabilitation of Offenders Act 1974 does not apply to positions which involved working with or having access to children and young people. Therefore, any convictions and cautions that would normally be considered 'SPENT' **must be** declared when applying for any position at East Sussex School of Circus Arts