



## Safer Recruitment Policy Last Reviewed: August 2024

### Section 1: Introduction

### Section 2: The registration process

### Section 3: Pre-Cheeks

### Section 4: Single Central Record

### Section 5: Guidance and processes concerning positive DBS checks

### Section 6: Appendix 1

#### 1.Introduction

Home-School Tutoring Hertfordshire and Cambridgeshire are committed to safeguarding and promoting the welfare of all learners. All personnel, whether directly employed or subcontracted are expected to share this commitment. This policy has been developed to ensure that the recruitment of tutors who work for and on behalf of Home-School Tutoring Hertfordshire and Cambridgeshire is compliant with DfE Staffing and Employment Advice for Schools, including the Keeping Children Safe in Education and Working Together to Safeguard Children, so that the risk of recruiting someone who intends to harm is minimised. It applies to all people who carry out work for and on behalf of Home-School Tutoring Hertfordshire and Cambridgeshire, whether paid, voluntary or subcontracted.

#### 2. The registration process

The importance of safeguarding and protecting children who receive tuition will be promoted and published throughout the recruitment process to deter would-be abusers. For every post Home-School Tutoring Hertfordshire and Cambridgeshire contracts, guidance documents and associated policies will be used.

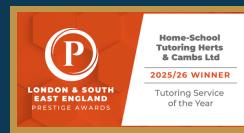
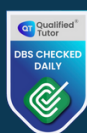
#### **Timeline**

The need for a thorough safer recruitment process is paramount to the appointment of tutors and the timeline will vary depending on the time it takes to receive all of the appropriate pre-checks. It is recognised that appointments need to take place speedily to ensure continuity of provision for a young person needing tuition, however no appointment process will circumvent the measures described in this policy for the sake of expediency.

#### **Job Description and Person Specifications**

All Job Descriptions will contain, as a minimum detail:

- Job Purpose
- Specific Requirements (including educational requirements and where appropriate the learning and emotional needs of the student)





- Specific Responsibilities
- The post holder's specific responsibility towards the promotion and the practice of safeguarding the welfare of children

## Advertisements

The advertisements for recruiting will demonstrate our commitment to safer recruitment and vetting via a safer recruitment statement in order to act as a deterrent to would-be abusers. All tutor recruitment advertisements will display the following:

- Home-School Tutoring Hertfordshire and Cambridgeshire name and if appropriate, logo
- Advert text
- Qualification requirements
- Minimum experience required
- Safeguarding children statement, for example: 'Home-School Tutoring Hertfordshire and Cambridgeshire is committed to safeguarding and promoting the welfare of children and young people and expects all tutors to share this commitment. Tutors will be expected to undertake or have undertaken a Disclosure and Barring Check and be registered with the DBS Update Service.'

## Initial Interview and Application Packs

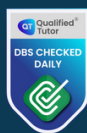
Potential candidates express interest in a role with Home-School Tutoring Hertfordshire and Cambridgeshire via enquiry form (HST UK), email, phone, recommendation or directly applying by completing a Registration Form via the website.

All candidates are offered an initial call by telephone where the application process will be explained to them. The following, as a minimum, will be provided to suitable applicants:

- Registration Form (if not already completed)
- Tutor Agreement (to be signed)
- Access to key documents including as a minimum HST Safeguarding Policy
- Safeguarding Declarations (to be completed and signed)

Tutors are required to send the following documents which are checked by a designated member of the HST as part of the screening process:

- Completed registration form, including qualifications, subjects and experience, work history and experience
- Scanned copy of DBS where the following clearance guidance rules will be applied by our team:
  - Enhanced DBS certificate, with barred list check specified for 'children's workforce', that is registered on the DBS update service – HST will run a check of this and record the date of the check and the result.





If a suitable DBS certificate is not available a DBS check through Home-School Tutoring Hertfordshire and Cambridgeshire will be required

- Scanned Qualifications certificates
- Teacher number if applicable (for TRA check on QTS teachers)
- Scanned passport or other photo ID
- Scanned proof of address
- Proof of right to work in the UK
- Details of two appointed professional referees
- Safeguarding and Prevent Training dated within 3 years. If this is not available, training will need to be undertaken via HST.

## Shortlisting

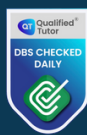
HST will review all applications and match against the requirements. Checks include, verifying their professional qualifications, identity and right to work in the UK, TRA checks for all Qualified Teachers, Status on the DBS Update Service. Each candidate must have signed a declaration to confirm they have received, read and understood Home-School Tutoring Hertfordshire and Cambridgeshire Safeguarding Policy and procedures.

## Interviews

The interview for final acceptance as a tutor is conducted via phone, video call or in person by two members of the HST Team. Time will be allowed for any discrepancy in a candidate's application form to be scrutinised. Interviewers will question the candidates regarding employment gaps, criminal record disclosures (if this is not clear then further checks will take place - see below), previous experience, suitability for the role, their motivation to work with young people and their understanding of safeguarding and child protection within the role.

Tutors are allocated to a variety of roles within the company, including work with vulnerable young people, supplementary education and mentoring. As part of the interview process the interviewer will check SEND experience, experience of online learning and the range of students taught in more formal settings. This information is used to guide decisions on suitability of tutors to different placements. The interviewer must be completely satisfied with all answers before proceeding further with the candidate's application.

Tutors will be initially matched as potentially suitable to work with a vulnerable student by location, qualifications, and experience. The interviewer on behalf of Home-School Tutoring Hertfordshire and Cambridgeshire will ensure that the tutor has a high level of awareness of safeguarding issues and child protection and check compliance.





## References

These will be requested following the submission of a registration form by the candidate. One of the referees must be the candidate's current or most recent employer and the other must be a professional reference. Open references will not be accepted nor will references provided by the candidate. Referees for all candidates will be asked specific role and child protection related questions. This avoids references which may have been written as part of a compromise agreement and would not state any adverse qualities or incidents involving the candidate. When references are received our recruitment team will follow up any discrepancies or issues.

## Employment Gaps

Candidates must explain all employment gaps and these will be investigated at interview. Recruitment personnel will explore patterns of repeated change in career, ensuring that the reasons for this are fully explored.

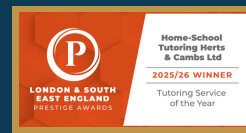
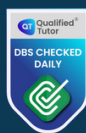
## 3. Pre-checks

Tutors are exempt from the Rehabilitation of Offenders Act 1974 (updated guidance March 2014). Having a criminal conviction will not necessarily bar a person from working with young people. Guidance in Keeping Children Safe in Education will be used when assessing a candidate's suitability in reference to anything showing on their DBS. As part of this vetting procedure any DBS forms that are not completely clear will be risk assessed by the DSL and discussed with the applicant at interview or before the first teaching assignment. If the conviction relates to a serious issue, such as listed in Appendix 1 then the candidate will automatically be rejected. If it is a less serious offence such as listed in Appendix 2, then it will be assessed independently by Home-School Tutoring Hertfordshire and Cambridgeshire management/DSL and risk assessed. If a person's role is not eligible for a children's barred list check but will be working in a management position, a section 128 check will be carried out using the Teaching Regulation Agency's (TRA) employer access service. All Teachers registered as Qualified Teachers will be subject to Prohibition Checks using the Teaching Regulation Agency's (TRA) employer access service.

## 4. Single Central Record

Home-School Tutoring Hertfordshire and Cambridgeshire will keep a Single Central Record for all personnel that provides confirmation that relevant checks have been taken including:

- Verification of Identity
- Verification of address
- Qualifications
- Right to work in the UK
- Children's Barred List Check Disclosure and Barring Service Enhanced Check
- Prohibition from Teaching check via TRA
- Overseas check – if necessary





## **5. Guidance and processes concerning positive DBS checks**

Home-School Tutoring Hertfordshire and Cambridgeshire expects all tutors and staff to uphold high standards of safeguarding (children and vulnerable adults) that are consistent with best practice and compliant with statutory responsibilities. All prospective staff who will work with children and young people must be compliant with the Children Act 2004 Section 11 responsibilities, and this will be verified and explored before the registration is completed.

Disclosure and Barring Service (DBS) checks are part of established best practice when recruiting tutors and staff who come into direct contact with vulnerable people and children. Home-School Tutoring Hertfordshire and Cambridgeshire ensures that every tutor and eligible member of staff is subject to enhanced DBS checks before the individual has contact with any children or vulnerable adults. Individuals known to PoCA (Proceeds of Crime Act) and PoVA (Protection of Vulnerable Adults) or the Children's Barred List previously known as List 99 would be effectively barred from working with children and vulnerable adults. Note that the Independent Safeguarding Authority's (ISA) 'barred lists' have replaced (and incorporated) these lists since October 2009.

Schedule Four of the Criminal Justice and Court Services Act 2000 lists the offences that would automatically bar the offender from working with children. These include various kinds of violence and sexual offences and are detailed in Appendix 1.

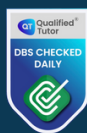
Home-School Tutoring Hertfordshire and Cambridgeshire accepts that some individuals who have a history of offending may not pose a current risk to children or vulnerable adults and that their personal experience may provide them with unique skills and experience which can be used as a rich opportunity to divert some young people from taking similar paths. An indicative list of these offences is given in Appendix 2.

In all such cases, positive DBS checks must be risk assessed by DSLs to assess whether the individual possesses a current risk to children and vulnerable adults.

## **6. Appendix 1: Convictions or circumstances which would automatically exclude a tutor or member of staff being appointed**

Please note: this list is not definitive or exhaustive nor restricted to posts involving access to children/young persons and vulnerable adults or to information about them.

- Placement on either the PoCA or PoVA lists or Children's Barred List
- People whose employment has been barred or restricted by the Secretary of State for Education and Skills under the terms of the Education (Restriction of Employment) Regulations 2000, and previous regulations
- Offences where death results, violence is used or threatened or life recklessly endangered by a person's actions including, but not restricted to:







## **5. Guidance and processes concerning positive DBS checks**

Home-School Tutoring Hertfordshire and Cambridgeshire expects all tutors and staff to uphold high standards of safeguarding (children and vulnerable adults) that are consistent with best practice and compliant with statutory responsibilities. All prospective staff who will work with children and young people must be compliant with the Children Act 2004 Section 11 responsibilities, and this will be verified and explored before the registration is completed.

Disclosure and Barring Service (DBS) checks are part of established best practice when recruiting tutors and staff who come into direct contact with vulnerable people and children. Home-School Tutoring Hertfordshire and Cambridgeshire ensures that every tutor and eligible member of staff is subject to enhanced DBS checks before the individual has contact with any children or vulnerable adults. Individuals known to PoCA (Proceeds of Crime Act) and PoVA (Protection of Vulnerable Adults) or the Children's Barred List previously known as List 99 would be effectively barred from working with children and vulnerable adults. Note that the Independent Safeguarding Authority's (ISA) 'barred lists' have replaced (and incorporated) these lists since October 2009.

Schedule Four of the Criminal Justice and Court Services Act 2000 lists the offences that would automatically bar the offender from working with children. These include various kinds of violence and sexual offences and are detailed in Appendix 1.

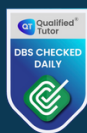
Home-School Tutoring Hertfordshire and Cambridgeshire accepts that some individuals who have a history of offending may not pose a current risk to children or vulnerable adults and that their personal experience may provide them with unique skills and experience which can be used as a rich opportunity to divert some young people from taking similar paths. An indicative list of these offences is given in Appendix 2.

In all such cases, positive DBS checks must be risk assessed by DSLs to assess whether the individual possesses a current risk to children and vulnerable adults.

## **6. Appendix 1: Convictions or circumstances which would automatically exclude a tutor or member of staff being appointed**

Please note: this list is not definitive or exhaustive nor restricted to posts involving access to children/young persons and vulnerable adults or to information about them.

- Placement on either the PoCA or PoVA lists or Children's Barred List
- People whose employment has been barred or restricted by the Secretary of State for Education and Skills under the terms of the Education (Restriction of Employment) Regulations 2000, and previous regulations
- Offences where death results, violence is used or threatened or life recklessly endangered by a person's actions including, but not restricted to:





## Violent Offences:

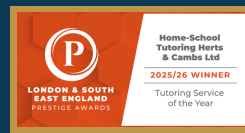
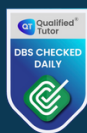
- Murder (Common Law)
- Manslaughter (Common Law)
- Wounding or Causing Grievous Bodily Harm with Intent, otherwise known as Malicious Wounding (Section 18 Offences Against the Person Act 1861)
- Grievous Bodily Harm or Unlawful Wounding (Section 20 – Offences Against the Person Act 1861)
- Robbery (Section 8 – Theft Act 1968)
- Aggravated Burglary (Section 10 – Theft Act 1968) ◦ Injury or Assault (Section 1 – Children and Young Persons Act 1933 amended 1989) ◦ Rioting (Section 1 – Public Order Act 1986)
- Violent Disorder (Section 2 – Public Order Act 1986)
- Infanticide (Section 1 (1) – Infanticide Act 1938) ◦ Child Destruction (Section 1 – Infant Life Preservation Act 1929)
- Causing fear of violence (Section 4 – Protection from Harassment Act 1997) ◦ Arson (Section 1 – Criminal Damage Act 1971)
- Offences included in the Prevention of Terrorism (Temporary Provisions) Act 1989
- Firearms offences – Possession of Firearms with Intent, Use of Firearms to Resist Arrest and Possession in Relation to Certain Offences (Section 16, 17(I), 17(ii) & 20 – Firearms Act 1968) ◦ Threats to kill (Section 16 – Offences Against the Person Act 1861) ◦ Destroying or Damaging Property with Intent to Endanger Life (Section 1 (1) – Criminal Damage Act 1971)
- Incitement of Racial Hatred (Section 31 – Race Relations Act 1976)
- Aggravated Vehicle Taking (Section 12 (a) – Theft Act 1992)

## Drug Offences

- Importation and Exportation, Production, Supply and Possession with Intent to Supply (Sections 3, 4(2) 4(3), 5(3), Misuse of Drugs Act 1971)

**Sexual offences** to include (but not be restricted to) the below as well as more recent changes as listed in the Sexual Offences Act 2003 or any subsequent updates or amendments to this Act which may supersede any previous Sexual Offences Acts: ◦ Intercourse with a minor Under 16 or Mentally Disabled Person (known as Defilement) ◦ Indecent Contact with Children

- Rape and Attempted Rape
- Abduction
- Incest
- Buggery (for the purposes of these guidelines this applies only when the offence was committed with a child under 16 or any person without consent)
- Gross Indecency ◦ Indecent Exposure
- Indecent Assault
- Causing or Encouraging to Become Prostitutes





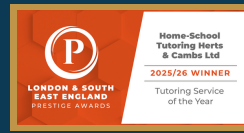
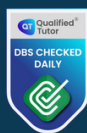
- Intercourse with a minor Under 16 or Mentally Disabled Person (known as Defilement)
- Indecent Contact with Children

## **7. Appendix 2: Offences subject to management discretion**

It is recognised that there are a variety of "other" offences where convictions may or may not indicate that the person is unsuitable for work providing substantial access to children and vulnerable adults. The reason for having such a category is that circumstances surrounding some offences vary widely. It is not possible to establish the precise circumstances of the arrest or details of the offence merely from the information provided by the DBS. We will ask for a Self-Disclosure form to be completed so all circumstances can be considered. For example, a person charged with "assault" may have been acting in self-defence or the offence of threatening behaviour could arise from a picket as part of an industrial dispute.

Offences in this category could include:

- Any bound over orders or cautions or any breaches of the peace / Offences committed when the candidate was under the age of 18 therefore legally considered a juvenile, unless those detailed in Appendix 1
- Assaults or threats of violence
- Actual Bodily Harm (Section 47 – Offences Against the Person Act 1861)
- Common Assault (Section 39 – Criminal Justice Act 1988)
- Carrying an Offensive Weapon (Prevention of Crime Act 1963)
- Affray (Section 3 – Public Order Act 1986)
- Intentional Harassment, Alarm or Distress (Section 4(a) – Public Order Act 1986)
- Assault on Police (Section 81(1) – Police Act 1996 or Section 51 Police Act 1964)
- Criminal Damage
- Destroying or Damaging Property (Section 1 (2) – Criminal Damage Act 1971)
- Theft (Section 1 – Theft Act 1968)
- Making off without payment (Section 3 – Theft Act 1968)
- Burglary (Section 9 – Theft Act 1968)
- Obtaining property by Deception (Section 15 – Theft Act 1968)
- Obtaining a Pecuniary Advantage (Section 16 – Theft Act 1968)
- Handling Stolen Goods (Section 22 – Theft Act 1968)
- Blackmail (Section 21 – Theft Act 1968)
- Going Equipped (Section 25 – Theft Act 1968)
- Sexual Offences
- Loitering and Soliciting
- Kerb Crawling
- Drug offences







- Possession of Class A, B & C Drugs (Section 5(2) – Misuse of Drugs Act 1971) Verify how long ago the offence occurred, and whether there is any medical history of drug taking.
- Other offences
- Obscene Publications Offences (Section 1 (13) – Obscene Publications Act 1964)
- Cruelty to Animals (Section 1 – Protection of Animals Act 1911)

These guidelines do not provide an exhaustive list of all criminal offences but cover those most likely to be recorded.

## **8. Queries**

This policy will be regularly reviewed and updated as necessary. If you have any queries about this policy, you should contact Home-School Tutoring Hertfordshire and Cambridgeshire – details on page 1 of this document

