

Safer Recruitment Policy and Procedure

Kingfisher Kindergarten Ltd is committed to promoting and safeguarding the welfare of all children. We expect everyone working at or on behalf of the setting to share this commitment. We recognise that effective safer recruitment is a fundamental part of safeguarding. Our recruitment procedures are designed to deter, identify and prevent unsuitable people from working with children, while ensuring that applicants are treated fairly, consistently and without unlawful discrimination.

We will take all reasonable steps to establish the identity, qualifications, experience, suitability and eligibility of anyone appointed to work with children. Recruitment decisions will be based on the requirements of the role and the safety and welfare of children. No recruitment process can guarantee that a person presents no risk. Safer recruitment must therefore be supported by effective induction, supervision, safeguarding training, professional conduct expectations and ongoing monitoring of suitability.

Legal and guidance framework

This policy is informed by the requirements and guidance applicable to early years providers in England, including:

The Early Years Foundation Stage (EYFS) statutory framework for group and school-based providers

The Childcare Act 2006 and relevant childcare disqualification regulations and guidance.

The Safeguarding Vulnerable Groups Act 2006, as amended, and relevant Disclosure and Barring Service (DBS) guidance.

The Equality Act 2010.

The UK right-to-work requirements.

Relevant data protection legislation and guidance.

Department for Education guidance on working or volunteering in regulated activity with children.

Relevant local safeguarding partnership procedures and guidance.

The EYFS statutory framework is the principal statutory framework for our early years provision. Keeping Children Safe in Education is school and college guidance and is not treated as the primary statutory framework for this private early years setting.

We will use the current versions of relevant legislation and guidance and amend our procedures when requirements change.

This policy applies to recruitment and suitability checks for:

- Permanent and fixed-term employees
- Part-time and bank staff
- Volunteers, including regular and occasional volunteers
- Students and apprentices on placement
- Agency and temporary staff
- Contractors and visiting professionals, where relevant to their role and access to children
- Anyone who may be directly concerned in the management of the childcare provision

The checks required will depend on the person's role, responsibilities, access to children and the legal requirements applicable to that role.

Responsibilities

The Owner and Manager are responsible for ensuring that recruitment procedures are followed consistently, roles are assessed to identify the checks required, references and required suitability checks are obtained and scrutinised. No new employee will start work before the required criminal record check has been received. Any concerns about an applicant's suitability are investigated and resolved before appointment. Recruitment records are accurate, secure and appropriately retained. Staff and volunteers receive suitable induction, training and supervision. We will ensure the setting complies with its safeguarding and reporting

duties. Where possible, recruitment decisions will involve at least two people. In a small setting, where this is not practicable, the Owner will ensure that decisions and checks are independently reviewed where appropriate.

Advertising and recruitment information

Vacancies will be advertised through appropriate channels for the role. All advertisements and recruitment information will make clear that Kingfisher Kindergarten is committed to safeguarding and promoting the welfare of children. Offers of employment will be subject to satisfactory references, identity and right-to-work checks, relevant qualification checks, the required DBS check and any other checks applicable to the role.

Applicants will be provided with:

- A job description
- A person specification
- Information about the setting and the role
- Relevant terms and conditions
- A statement about our safeguarding responsibilities
- Information about the recruitment and suitability checks required

Application process

Applicants must complete the setting's application form. A curriculum vitae (CV) may be provided as additional information but will not replace the completed application form.

The application form will request information relevant to the role, including:

- Full name and any previous names
- Current contact details and address
- Full employment and relevant activity history, in chronological order
- Explanations for gaps in employment or education and other relevant periods
- Relevant qualifications, training and experience
- Details of referees
- Any information required to assess suitability to work with children
- Declarations required by law or relevant DBS guidance

Applicants will be given appropriate information about the disclosure of criminal records, including the rules on protected convictions and cautions and DBS filtering. We will not ask applicants to disclose information that they are legally entitled to withhold. National Insurance numbers and other personal information will only be collected when necessary for a legitimate recruitment, payroll or legal purpose and handled securely. Applicants must provide accurate and complete information. Any material discrepancy, omission or suspected deliberate misrepresentation will be explored before a recruitment decision is made.

Shortlisting

Applications will be assessed against the job description and person specification. Any concern will be considered fairly and proportionately. A gap or discrepancy will not automatically disqualify an applicant, but it must be satisfactorily explained before appointment.

The setting may explore:

- Relevant experience and qualifications
- Employment history and unexplained gaps
- Frequent or unexplained changes in employment
- Information that appears inconsistent or incomplete
- Relevant safeguarding experience and understanding
- Any other matter that may reasonably affect suitability for the role

Interview process

Applicants selected for interview will normally attend a face-to-face interview. Where this is not possible, an alternative format may be used where appropriate, with identity and suitability checks completed before appointment. The interview will assess the applicant's ability to carry out the role and their understanding of safeguarding responsibilities.

Questions will explore, as relevant:

- Motivation for working with young children
- Understanding of children's welfare, safety and development

- Appropriate professional boundaries
- Responding to a child who makes a disclosure
- Recognising and reporting concerns about a child
- Responding to concerns about an adult's conduct
- Understanding of confidentiality and information sharing
- How the applicant would respond to unsafe practice
- Relevant employment history, gaps and discrepancies
- The applicant's suitability for the specific role

Applicants will have an opportunity to explain any concerns or inconsistencies identified during the application process. Interviewers will keep written records of the interview and the reasons for the recruitment decision. Records will be stored securely. At least one person involved in the recruitment decision should have appropriate safer recruitment training or a sound understanding of safer recruitment requirements. Where practicable, at least two people will participate in the interview and decision-making process.

References

References are an essential part of safer recruitment. They must be obtained and scrutinised before an appointment is confirmed and before the individual starts work. We will normally seek at least two references, where available and appropriate to the role.

These should include:

- A reference from the applicant's current or most recent employer, where applicable.
- A reference from the most recent relevant employer or setting where the applicant worked with children, where applicable.

For applicants who have not previously been employed, we will seek appropriate references from people able to comment on their suitability. References from relatives or people acting solely as personal friends will not normally be accepted. References should be obtained directly from the referee, not supplied by the applicant as a substitute for an employer reference. We will take reasonable steps to confirm the referee's identity, position and authority to provide the reference.

Where relevant, references will be asked to confirm:

- The applicant's role and dates of employment or engagement.
- The applicant's conduct and suitability for the role.
- Any substantiated safeguarding concerns or relevant disciplinary matters that the referee is lawfully able to disclose.
- Whether the referee is aware of any reason the applicant should not work with children.
- The reason for leaving, where appropriate.
- Any other information relevant to safeguarding and suitability.

References will be checked for consistency with the application and interview. Any vague, incomplete, inconsistent or concerning information will be followed up directly with the referee or applicant, as appropriate. If a reference is provided by telephone, detailed notes will be made, dated and signed by the person taking the reference. The identity and role of the person providing it will be recorded.

Any concern arising from a reference must be resolved before the appointment is confirmed. If satisfactory references cannot be obtained, the Owner/Registered Provider or Manager will assess the circumstances and decide whether the appointment can safely and lawfully proceed.

Identity checks

Before appointment, the setting will verify the applicant's identity using original documents or an approved digital identity-checking process where permitted. The documents required will depend on the checks being undertaken. They may include a passport, driving licence, birth certificate or other accepted identity documents. We will verify that the documents relate to the applicant and are consistent with the information supplied. Any previous names will be recorded where relevant to the required checks. Copies or records of identity checks will be retained securely in accordance with our data protection and record-retention procedures.

Right to work in the UK

The setting will complete a right-to-work check in accordance with current Home Office requirements before employment begins. A UK passport is not the only acceptable evidence of a right to work. We will follow the current Home Office process, which may include checking eligible original documents, using the online right-to-work service or obtaining a relevant Employer Checking Service result. We will not discriminate unlawfully

on the basis of nationality, race or immigration status. Any time-limited permission to work will be monitored, and follow-up checks will be completed when required. The right-to-work check is separate from the DBS check and other safeguarding checks.

Disclosure and Barring Service (DBS) checks

The setting will obtain the level of DBS check legally available and appropriate for each role, in accordance with current DBS eligibility guidance and the EYFS requirements. The required check will be determined by the duties of the role and whether the person will be engaging in regulated activity with children.

For relevant roles, this may include an enhanced DBS check with children's barred-list information. We will not request a level of DBS check or barred-list check for which the role is not legally eligible.

New employees

In accordance with the EYFS requirements, a new employee must not commence employment before the required criminal record check has been received. A conditional offer may be made while checks are being completed, but the person must not begin employment until the required check has been received and the setting has assessed the outcome and completed the other necessary pre-employment checks.

Existing DBS certificates and the Update Service

Where an applicant presents an existing DBS certificate, the setting will assess whether it is suitable for the role, including the level and workforce, whether barred-list information is included where required, and whether the certificate relates to the relevant identity. Where appropriate, and with the applicant's consent, the setting may use the DBS Update Service to check the status of an eligible certificate. The original certificate and identity will be checked as required by current DBS guidance. An existing certificate or Update Service result will not automatically be accepted if it does not meet the requirements of the role.

DBS information and risk assessment

A criminal record or other information disclosed through a check will be considered fairly, confidentially and on an individual basis. A disclosure will not automatically result in rejection unless the person is legally barred or disqualified from the role, or the information means that the person is unsuitable. The setting will consider the nature and relevance of the information, the circumstances, its relationship to the role and any other relevant evidence. Information will be shared only with those who need it for the recruitment or safeguarding decision. We will not retain full DBS certificate information longer than permitted or necessary under current DBS guidance.

Delayed or incomplete checks

A new employee must not start employment before the required criminal record check has been received. If a check is delayed, the start date will be postponed. The setting will not use supervision or a risk assessment to bypass the EYFS requirement for a new employee to receive the required check before commencing employment. Any exceptional situation involving an existing member of staff, a change of role or a different type of check will be considered against the current EYFS framework, DBS eligibility guidance and relevant employment and safeguarding requirements. The person will not undertake duties for which they are not appropriately checked or legally eligible.

Children's barred list and regulated activity

The setting will determine whether a role is regulated activity with children and whether a children's barred-list check is legally available and required. From 1 September 2026, the supervision exemption has been removed from the definition of regulated activity with children. Consequently, some individuals who previously carried out relevant activities under supervision may now be in regulated activity. The setting will review relevant staff and volunteer roles, including the frequency and nature of their activities, and ensure that the correct level of DBS check is obtained. A person who is barred from regulated activity with children must not be permitted to undertake regulated activity. The setting will take immediate action if it becomes aware that an individual is barred or may be legally prohibited from carrying out their role.

Volunteers

Volunteers are subject to safer recruitment procedures proportionate to their role, while meeting all applicable EYFS and DBS requirements.

Before a volunteer begins their role, the setting will:

- Establish their identity and the nature of their proposed duties.

- Obtain and scrutinise appropriate references.
- Hold a meeting or interview to assess their suitability and understanding of safeguarding.
- Obtain the required criminal record check.
- Determine whether the role is regulated activity and whether a children's barred-list check is required.
- Provide appropriate induction, training and supervision.

The EYFS requirements include enhanced criminal record checks for volunteers. The level of check and whether barred-list information can be included will be determined in accordance with the legal requirements and DBS eligibility rules for the role. Occasional volunteers, including parents helping at a one-off event or trip, will be assessed according to their role, access to children and the applicable requirements. They will not be left in a position that gives them unsupervised access to children unless the required checks and safeguards are in place. The removal of the supervision exemption means that supervision alone does not remove a role from regulated activity where the legal conditions are met.

Students and apprentices

Students and apprentices will be subject to the checks required for their role and placement. Before a placement begins, the setting will establish who is responsible for obtaining and verifying the required checks. Where a training provider or college has completed checks, the setting will obtain written confirmation of the checks undertaken and their outcome, as appropriate.

The setting will ensure that students and apprentices understand their safeguarding responsibilities and receive suitable induction and supervision. A student or apprentice must not undertake duties for which they are not appropriately checked or eligible.

Agency and temporary staff

Before agency or temporary staff begin work, the setting will obtain written confirmation from the supplying organisation that the required identity, references, qualification, right-to-work and DBS checks have been completed, as applicable to the role. The setting will establish the level and suitability of the DBS check and whether barred-list information has been obtained where required.

We will verify identity on arrival and retain a record of the confirmation received. If satisfactory confirmation is not available, the individual will not be permitted to undertake duties requiring those checks. Agency staff will receive a setting-specific safeguarding induction and will be made aware of our procedures for reporting concerns.

Visiting professionals, contractors and activity providers

The setting will assess visiting professionals, contractors and activity providers according to their duties, frequency of attendance, access to children and whether they may be left unsupervised.

Where an individual is employed by another organisation, we will obtain appropriate confirmation of their identity, employment and relevant checks. We will not assume that a person has been checked solely because they work for a public body or professional organisation. Self-employed professionals and activity providers will be subject to the checks legally available and appropriate to their role. Visitors will follow the setting's visitor procedures. Where a visitor has not been appropriately checked for the duties they are undertaking, they will be supervised and will not be left alone with children.

Qualification checks

The setting will verify qualifications required for the role, including early years qualifications, paediatric first aid qualifications and any other mandatory or role-specific training. Original certificates or appropriate verification from the awarding body or institution will be obtained. Where a certificate is unavailable, the setting will seek confirmation directly from the relevant awarding body or institution. We will check that qualifications meet the current EYFS and role requirements, including any applicable requirements for staff-to-child ratios and the deployment of qualified staff. Copies or records of verification will be retained securely.

Health and reasonable adjustments

The setting will obtain information about an applicant's health only where necessary and in accordance with the Equality Act 2010 and data protection requirements. Health information will be used to assess the applicant's ability to carry out the essential functions of the role and to identify reasonable adjustments or support that may be required. We will not reject an applicant simply because they have a disability or health condition. Decisions will be based on the requirements of the role, relevant evidence and the consideration

of reasonable adjustments. Any health information will be kept confidential and accessible only to those who need it for a legitimate purpose.

Disqualification from childcare

The setting will comply with the Childcare Act 2006, relevant disqualification regulations and current Department for Education guidance. We will identify which roles and individuals are subject to disqualification requirements and obtain the declarations or information required for those roles. Individuals will be given clear information about the matters they are legally required to disclose and how to notify the setting if their circumstances change. We will not use an outdated blanket annual declaration process where it is not required. Instead, declarations and updates will be sought in accordance with the current legal requirements and the individual's role.

Any information suggesting that a person may be disqualified from relevant childcare work will be assessed promptly. A person who is disqualified must not undertake a role from which they are legally disqualified unless an applicable waiver or other lawful provision permits it.

Ongoing suitability and changes in circumstances

Safer recruitment continues after appointment. Staff, volunteers and other relevant individuals must inform the Owner or Manager promptly of any change in circumstances that may affect their suitability to work with children, including any matter they are legally required to disclose. The setting will explain at induction what information individuals must disclose and how to do so. Where a role changes, the setting will reassess whether further checks are required, including the appropriate DBS level and barred-list eligibility.

Ongoing suitability will be supported by:

- Induction and probationary reviews.
- Regular supervision and performance discussions.
- Safeguarding training and updates.
- Observation and monitoring of professional conduct.
- Prompt action when concerns are raised.
- Appropriate review when a person's role or duties change.

Concerns about an applicant or employee

Any concern about a person's suitability to work with children will be taken seriously and assessed promptly. Where concerns arise during recruitment, the setting may pause the process while further information is obtained. The applicant will be given a fair opportunity to respond where appropriate. Where concerns arise after appointment, the setting will follow the relevant safeguarding, managing allegations, disciplinary or other procedures. Immediate protective action will be taken where necessary to safeguard children.

The setting will make referrals to the DBS, Ofsted, the police, the local authority designated officer (LADO) or other relevant agencies when required by law or applicable safeguarding procedures. A DBS referral will be made where the legal conditions for a referral are met. The setting will not assume that every recruitment concern automatically requires a police or DBS referral.

False or misleading information

If an applicant provides false, misleading or incomplete information, the setting will investigate the matter and consider its relevance to the recruitment decision. Where appropriate, the application may be rejected or a conditional offer withdrawn. If the person has already started work, the matter will be managed under the relevant employment, safeguarding and disciplinary procedures. The setting will consider whether the circumstances give rise to a legal reporting or referral duty.

Induction

All new staff, volunteers, students and other relevant individuals will receive an induction appropriate to their role before undertaking duties with children. Individuals will confirm in writing that they have read, understood and agree to follow the relevant policies. All staff will receive safeguarding training appropriate to their role. Training will be refreshed and updated as required. Staff will be made aware of changes to safeguarding guidance and setting procedures.

Induction will include:

- The Safeguarding and Child Protection Policy.
- The Staff Code of Conduct.
- The Whistleblowing Policy.
- Procedures for reporting safeguarding concerns.

- Procedures for responding to disclosures.
- Professional boundaries and appropriate conduct.
- Confidentiality and information sharing.
- Health and safety and emergency procedures.
- Relevant behaviour, attendance and supervision procedures.
- The individual's responsibilities under the EYFS and setting policies.

Probation and supervision

New employees will normally be subject to a probationary period, as set out in their contract or offer letter. The Manager will arrange appropriate reviews during probation to consider performance, conduct, suitability and support needs. Probation does not replace pre-employment checks or ongoing safeguarding responsibilities. Any safeguarding concern will be addressed immediately and will not be deferred until a probationary review.

Recruitment records and data protection

The setting will maintain a secure record of recruitment and suitability checks.

Records may include:

- Application form and employment history.
- Interview notes and recruitment decision.
- References and any follow-up enquiries.
- Identity and right-to-work checks.
- DBS check details and relevant outcome information.
- Qualification checks.
- Required declarations.
- Induction and training records.
- Any risk assessment or decision relating to suitability.

Records will be accurate, proportionate, securely stored and accessible only to authorised individuals. They will be retained in accordance with data protection requirements, employment obligations and the setting's retention schedule. The setting will not routinely retain full copies of DBS certificates where this is not permitted or necessary. We will record the information required to demonstrate that the appropriate check was completed and considered.

Reporting and referrals

Where information indicates that an individual may pose a risk to children or may be legally prohibited from working with them, the setting will take appropriate action.

This may include:

- Preventing the individual from starting or continuing relevant duties.
- Seeking advice from the local authority designated officer (LADO) or relevant safeguarding authority.
- Notifying Ofsted where required by the EYFS or other applicable requirements.
- Making a referral to the DBS where the statutory referral conditions are met.
- Contacting the police where a criminal matter or immediate risk requires it.

The setting will follow the current EYFS requirement to notify Ofsted of allegations of harm where the notification criteria are met. The applicable notification requirements will be checked against the current statutory framework and Ofsted guidance.

Equality and fair treatment

Kingfisher Kindergarten is committed to fair and inclusive recruitment. Applicants will be assessed against the requirements of the role. We will not discriminate unlawfully on the basis of protected characteristics or other irrelevant personal circumstances. Safeguarding checks will be applied consistently and proportionately, taking account of the legal requirements for the role.

This policy was reviewed by Kingfisher Kindergarten Ltd

Date to be reviewed

Annually

Signed on behalf of the provider

La-Ryne van der Westhuizen

Role of signatory

Owner