

## Oxford Guardians

### Safer Recruiting Policy

**In all its dealings with international students and their families and UK schools, Oxford Guardians will follow the general standards laid out by The Association for the Education and Guardianship of International Students (AEGIS) in their Code of Practice, which are as follows:**

- To promote and provide best and legal practice in the guardianship and hosting of all international students at schools, colleges and universities, particularly those under 18 years of age.
- To respect and support the rights, religions and customs of the international student.
- To uphold the stated ethos and values of the school attended by students in our guardianship.
- To comply with the 1989 & 2004 Children Act and meet the requirements of the most recent versions of the Department for Education *Working Together to Safeguard Children* and *Keeping Children Safe in Education 2022* (KCSIE).
- To comply with the Safeguarding Vulnerable Groups Act 2006 and/or Children (Private Arrangements for Fostering) Regulations 2005.
- To comply with the Children Acts Sep 2020 and the Education Act (2002) and meet the requirements to ensure all international students have 24 hour emergency contact with a responsible adult in the UK.
- To put in place arrangements which maintain appropriate contact with the international student, the overseas parents and guardianship family and to ensure all appropriate records are up to date.
- To provide both pastoral and educational support as outlined in any literature and agreements.
- To adhere to the AEGIS grievance procedures.
- To have appropriate insurance for guardianship arrangements and to comply with UK legislation.

## Glossary of terms used in this Policy

Term	Definition
Child	A student under the age of 18
Young Person	A student over the age of 18
Parent/carer	The student's parents or carers who reside overseas
Homestay Host	The primary carer in a Homestay placement
Primary Carer	The responsible adult who takes responsibility for the student whilst they are staying in their Homestay placement
Homestay Family	The family unit comprising all members of the family who normally live in the Homestay placement
Local Guardian	The Oxford Guardians' lead person for a geographical area in which there are students attending school

## Acronyms used in this Policy

Acronym	Definition
BSA	Boarding Schools Association
DBS	Disclosure and Barring Service
DfE	Department for Education
DSL	Designated Safeguarding Lead
KCSIE	Keeping Children Safe in Education
FBV	Fundamental British Values
OG	Oxford Guardians

## **Key Definition: 'Regulated Activity'**

A person will be considered to be engaging in regulated activity if as a result of their work they:

- will be responsible, on a regular basis in a school or college, for teaching, training, instructing, caring for or supervising children; or
- will carry out paid, or unsupervised, unpaid work regularly in a school or college where that work provides an opportunity for contact with children; or
- engage in intimate or personal care or overnight activity, even if this happens only once.

For all Oxford Guardians appointments, an enhanced DBS certificate, which includes barred list information, will be required as they may be engaging in regulated activity.

## **Oxford Guardians Safer Recruitment Policy (incorporating Data Protection)**

Oxford Guardians' Safer Recruitment Policy is linked to our Safeguarding and Child Protection Policy.

We are committed to safeguarding and all our policies and practices reflect best practice in relation to promoting the welfare of the children and young people in our care.

Oxford Guardians recognises the importance of safer recruitment and, as part of this, adopting recruitment procedures that help deter, reject or identify people who might pose a risk to children and young people.

To ensure that this policy is effective on a day-to-day basis, Oxford Guardians will review at least biannually the systems that are in place in relation to staff recruitment and induction in order to ensure that effective measures are in place in relation to safeguarding the children and young people in our care.

Oxford Guardians adhere to all the provisions of Keeping Children Safe in Education 2022 (KCSIE) to be updated in Sept 2023, including those pertaining to safer recruiting.

The Officers responsible for the maintenance of this policy and the Oxford Guardians GDPRUK and DPA 2018 policy are Kevin T Bacon (DSL) and Sarah A Bacon (MD) who may be contacted at:

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## Section 1.0: Policy Aims

- 1.1 To ensure that all Oxford Guardians' staff who have access to children have been fully checked as to their suitability for the role, including verification of their identity, qualifications and a satisfactory DBS check and to ensure a Single Central Record (SCR) is kept of these checks for audit purposes.
- 1.2 To ensure that there is at least one person on every interview panel who has completed up to date Safer Recruitment training.
- 1.3 To ensure that Oxford Guardians complies with the principles of the Data Protection Act (2018) and GDPRUK in respect of its handling of all personal data.
- 1.4 To raise the awareness of all Oxford Guardians' staff, including Homestay Hosts, of their duty to safeguard children and of their responsibilities in identifying and reporting possible cases of abuse.

## Section 2.0: Safer Recruitment

- 2.1 Oxford Guardians will make available to prospective members of staff a role profile which details the skills and experiences required of the role.
- 2.2 Oxford Guardians will use application forms to collect key personal information about a candidate and to assess the candidate's suitability for the role.
- 2.3 Oxford Guardians will carry out a face-to-face interview with prospective members of staff using pre-planned, clear interview questions.
- 2.4 All such interviews will include a specific question relating to whether or not the person has any criminal convictions, cautions, other legal restrictions or pending cases that might affect their suitability to work with children.
- 2.5 There will be at least one person on every interview panel who has up to date Safer Recruitment training.
- 2.6 Oxford Guardians will carry out verification checks on the applicant's identity by asking them to provide original, photographic evidence of their identity. A copy of this, with the date the check was made, and who made it, will be held securely on file and in the Single Central Record (SCR).
- 2.7 Oxford Guardians will check that the candidate holds any professional qualifications relevant to the role they claim to have by having sight of the original certificate(s). Copies of certificate(s) will be taken and held securely on file.
- 2.8 Having obtained written permission from the candidate beforehand, Oxford Guardians will apply for an enhanced Disclosure and Barring Service (DBS) check, including barred list information, for all candidates who will have contact with children and young people through their work with our guardianship organisation. This will include all persons resident in a Homestay of 16 years and above

who are resident in the home or who have regular and frequent unsupervised access. Oxford Guardians will apply for an enhanced DBS clearance via our umbrella service United Medicare (UM). The DSL and DBS coordinator, Mr KT Bacon, will always tick the box 'working with Children' on the UM online form which automatically generates the Children's barred list (list 99).

2.9 Oxford Guardians will always apply for an enhanced DBS certificate with 'working with children' list requirement and it will be obtained from the candidate before, the person's appointment.

2.10. Oxford Guardians will not accept a DBS certificate generated by another organisation unless it is accompanied by a current enrolment on the DBS annual update service and which, after obtaining permission from the subject, will be the subject of an 'employers check' using the candidates Name, DOB and DBS certificate number. DBS records will be entered and maintained up to date on the OG SCR.

2.11 Oxford Guardians will, prior to making an offer of employment, take up two references as part of which referees will be asked specifically about an individual's suitability to work with children. A follow up verification phone call will be made to referees and the date entered into the OG SCR.

2.12 Any offer of appointment made to a successful candidate, including one who has lived or worked abroad, will be conditional on satisfactory completion of the necessary pre-employment checks.

2.13 Where a subject is from overseas, Oxford Guardians will ensure they are allowed to work in the UK following [Government guidelines](#) on pre-employment checks <sup>1</sup>. Candidates will be asked to provide a UK passport or a Home Office letter stating a permanent right to remain, a Visa vignette, stamp or a Bio Metric Residence Permit or another document proving the Right To Work (RTW) in the UK. The current RTW checklist may be found at <https://www.gov.uk/government/publications/right-to-work-checklist>.

2.14 Recruitment during COVID 19 The RTW checks were adjusted temporarily due to Coronavirus. The adjustment centred around scanned and photocopies of ID documents and the use of Zoom meetings to show original documents to compare against the candidate on camera. The advice is at <https://www.gov.uk/guidance/coronavirus-covid-19-right-to-work-checks> the measures have ended but may be reinstated in event of another pandemic. OG will carry out retrospective checks on employees /persons who were subject to the temporary checks.

2.15 Where a candidate has lived or worked outside the UK, Oxford Guardians will carry out the same checks as for all other employees as well as making any additional checks considered appropriate in order that any relevant events that occurred outside the UK can be considered.

2.16 Prior to making an offer of employment, Oxford Guardians will provide to all candidates a copy of both our Safeguarding and Child Protection Policy and Procedures and our Code of Behaviour/Conduct (i.e. what is and is not acceptable behaviour in relation to our work with children).

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<sup>1</sup> An employer can be fined up to £20,000 if they are not able to show evidence that they checked an employee's right to work in the UK.

2.17 Oxford Guardians recognises its legal duty to refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult<sup>2</sup>; where the harm test is satisfied in respect of that individual; where the individual has received a caution or conviction for a relevant offence, or if there is reason to believe that individual has committed a listed relevant offence; and that individual has been removed from working (paid or unpaid) in regulated activity, or would have been removed had they not left. The DBS will consider whether to bar the person. Referrals should be made as soon as possible after the resignation or removal of the individual. Guidance on making DBS referrals can be found on [GOV.UK](https://gov.uk).

## Section 3: Data Protection

3.0 The [Data Protection Act](#) (2018) and GDPRUK requires that Oxford Guardians process personal data fairly and lawfully as set out in the first data protection principle, one of eight such principles at the heart of data protection. The main purpose of these principles is to protect the interests of the individuals whose personal data is being processed. They apply to everything we do with personal data, except where there is an entitlement to an exemption.

3.1 Oxford Guardians undertakes to comply with the [Data Protection Act](#) (2018) and the GDPRUK which requires that we process personal data fairly and lawfully. The key to complying with the DPA is to follow the eight data protection principles<sup>3</sup> which are:

- 1) Personal data shall be processed fairly and lawfully.
- 2) Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
- 3) Personal data shall be accurate and kept up to date.
- 4) Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
- 5) Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
- 6) Personal data shall be processed in accordance with the rights of data subjects under the GDPR UK and Data Protection Act.2018.
- 7) Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
- 8) The vast majority of OG students will originate outside the EU but it should be noted that the personal data of EU citizens shall not be transferred to a country or territory outside the European Economic Area unless that country or territory is deemed by the EU to have

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<sup>2</sup> If a school or college knows or has reason to believe that an individual is barred, it commits an offence if it allows the individual to carry out any form of regulated activity.

<sup>3</sup> <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/>

an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data. <sup>4</sup>

- 9) Now that the transition period has ended the rules for sharing or acquiring data with individuals and organisations outside the EEA will remain similar and OG will continue to operate the same high standards of protection of data based on the 8 principles above. Examples of such data are pupil school, health and social reports, to agents and parents between the UK and the countries of origin. In all DPA matters OG will continue to seek and comply with ICO guidance.

3.2 AEGIS Inspections. Guardians and Homestays are to be briefed during the induction phase that they must cooperate with the AEGIS accreditation process and be prepared to accept with suitable warning, a homestay visit as part of an inspection regime.

## Section 4 Training

4.0 Oxford Guardians will provide a face-to-face induction training package and the issue of Guardian and Homestay handbooks. The induction will include an initial safeguarding brief together with links to an E-Learning course via Oxford Safeguarding Children Board (OSCB). Candidates are obliged to complete level 1 introduction as a minimum.

4.1 Continuation Training all Guardians and homestay primary hosts will attend Oxford Guardians annual online training organised and delivered by the DSL / DDSL or guest speaker, and a record of attendance kept

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<sup>4</sup> Personal data obtained from and sent to individuals is not restricted under GDPR or UK GDPR as it is made directly with the consumer and that consumer gives explicit and informed consent. More details are given in the Oxford Guardians GDPR and DPA 2018 policy document



## REVIEW SHEET

Review Date	Reviewer	<i>Signed</i>	Appointment
01/06/2016	KT Bacon OBE	<i>Kevin Bacon</i>	Director -DSL
01/06/2017	KT Bacon OBE	<i>Kevin Bacon</i>	Director- DSL
26/08/2018	KT Bacon OBE	<i>Kevin Bacon</i>	Director-DSL
29/08/ 2019	KT Bacon OBE	<i>Kevin Bacon</i>	Director- DSL
20/11/2020	KT Bacon OBE	<i>Kevin Bacon</i>	Director -DSL
12/02/2021	KT Bacon OBE	<i>Kevin Bacon</i>	Director - DSL
20/06/2023	KT Bacon OBE	<i>Kevin Bacon</i>	Director - DSL

01/06/2016	Sarah Bacon	<i>Sarah Bacon</i>	Managing Director
01/06/2017	Sarah Bacon	<i>Sarah Bacon</i>	Managing Director
26/08/2018	Sarah Bacon	<i>Sarah Bacon</i>	Managing Director
29/08/2019	Sarah Bacon	<i>Sarah Bacon</i>	Managing Director
29 /11/2020	Sarah Bacon	<i>Sarah Bacon</i>	Managing Director
15/02/2021	Sarah Bacon	<i>Sarah Bacon</i>	Managing Director
20/06/2023	Sarah Bacon	<i>Sarah Bacon</i>	Managing Director

## Appendix 1

### DBS Update Service

Individuals can join the DBS Update Service at the point an application for a new DBS check is made, and within 28 days of the certificate issue date, enabling future status checks to be carried out to confirm that no new information has been added to the certificate since its issue. This allows for portability of a certificate across employers.

Before accessing the Update Service, via an 'employers check' Oxford Guardians must:

- a. obtain consent from the applicant.
- b. confirm the certificate matches the individual's identity
- c. examine the original certificate to ensure that it is for the appropriate workforce and level of check e.g. enhanced certificate/enhanced including barred list information.

Oxford Guardians will then carry out an online check at <https://secure.crbonline.gov.uk/crsc/check?execution=e1s1>. This check will identify whether or not there has been any change to the information recorded since the initial certificate was issued and advise whether the individual should apply for a new certificate. Individuals enrolled on the update service will be able to see a full list of those organisations that have carried out a status check on their account. Further information about the update service can be found at [GOV.UK](https://gov.uk).