

INTERNAL AUDIT REPORT



SAFER RECRUITMENT IN SCHOOLS 2017/18

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EXECUTIVE SUMMARY

1. INTRODUCTION & OVERALL OPINION

Section 175 of the Education Act (2002) requires local education authorities and governing bodies of maintained schools and further education institutions to make arrangements to ensure that their functions are carried out with a view to safeguarding and promoting the welfare of children. In accordance with the School Staffing Regulations 2009, the school's governing body is responsible for recruitment of staff in schools and ensuring that those involved in recruitment have attended safer recruitment training. The audit was designed to provide assurance that the four Council maintained schools and federations adopt a consistent and rigorous approach to recruitment and selection with the aim of reducing the risk of appointing unsuitable people to positions of trust.

All schools must maintain a single central record. This is a key piece of documentation referred to in Keeping Children Safe in Education and it plays a crucial part in establishing and evidencing safe recruitment practice. Whilst all maintained Rutland schools hold a single central record of staff, areas for improvement were identified at the majority of schools to ensure this record is complete and fully consistent with regulatory requirements.

All schools had safer recruitment policies in place and all had recently either strengthened procedures or had improved induction processes in relation to safeguarding. Sample testing of new starters confirmed that in most cases there were stringent processes adhered to in order to ensure that no staff started work at the school until an enhanced DBS certificate had been seen and checked. From the sample tests, three incidences were identified (all at one school) where an individual had been appointed and started work before the DBS outcome was seen and without the minimum expected checks of a barring list check and risk assessment. It was noted that these appointments had all been made prior to April 2017 and that all subsequent appointments had been subject to the relevant checks in advance of start dates; and current staff were aware of the requirements.

A common area of weakness identified across all schools was in relation to right to work checks for which evidence retained did not satisfy legal requirements in 44% of cases tested. There was also a lack of awareness of, and compliance with, checks required on those who had lived overseas in the last five years.

During testing it was noted that there were a number of inconsistencies in approaches and templates across the maintained schools. All schools were keen to implement the recommendations made in the audits and there may be scope for greater support/guidance from the Council to share good practice and support the embedding of this good practice across the maintained school base.

Internal Audit Assurance Opinion			
Control Environment	Satisfactory ●		
Compliance	Satisfactory ●		
Organisational Impact	Moderate ●		
Risk	Essential	Important	Standard
1 - Appointment of individuals who pose a safeguarding risk into positions of trust in schools.	0	2	1
2 - Reputational damage due to failure to comply with regulations, leading to poor inspection outcomes.			
3 - Unsuitable individuals gain access to school premises (specifically visitors and agency staff) who pose a safeguarding risk.			
Total Number of Recommendations	0	2	1

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2. SUMMARY OF FINDINGS

Overview of assurance opinions

Each maintained school received an audit report at the completion of the review and was required to provide evidence that this had been presented to, and agreed by Governors. The reports included findings against all key controls and highlighted any areas for improvement. The schools received two assurance opinions – firstly in relation to Safer Recruitment and secondly in relation to general recruitment, including some payroll controls.

The schools have been anonymised for the purposes of this report but the overall assurance opinions are summarised in table 1 and full reports were shared with the Head of Learning and Skills.

The audit opinions for all schools were adversely affected by the lack of verified right to work in the UK evidence held on file. In two schools, evidence was identified that either a DBS check had not been completed before the start date for an employee (all of which were prior to April 2017) or a DBS certificate from another organisation had been relied upon – these gave rise to Limited Assurance opinions in these areas.

Table 1: Assurance opinions

School	Safer Recruitment opinion	General recruitment/payroll opinion
1	Limited Assurance	Limited Assurance
2	Limited Assurance	Satisfactory Assurance
3	Satisfactory Assurance	Good Assurance
4	Satisfactory Assurance	Satisfactory Assurance

Risk 1: Appointment of individuals who pose a safeguarding risk into positions of trust in schools.

Of the four schools visited, all had a safer recruitment policy or safer recruitment content in their recruitment and selection policies. There was an awareness across the schools of the need to follow safer recruitment practices and of the four head teachers, all advised that they had attended safer recruitment training. Evidence of attendance at the training had not, however, been retained in all cases and recommendations were made accordingly.

It was highlighted, however, that at the majority of schools there were no governors who had attended safer recruitment training. If governors are to be involved in recruitment procedures it would be advisable for at least one governor to have attended such training and regular refresher sessions.

At each school, a sample of new starters and a sample of existing staff was selected for testing. The tests included the following key controls:

New Starters

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Key control	% compliance	Comments
DBS certificate number recorded and seen before start date	80%	<p>Of the sample of new starters, 20% had commenced employment before an enhanced DBS certificate had been seen.</p> <p>In only one of the above cases identified had a risk assessment been completed for the new starter without DBS certification and in this one case it had not been completed before the start date. The barred list clearance of these new starters also had not been received before the start date – this should be the absolute minimum requirement, with additional assessment. All of these cases were identified at the same school and all were prior to April 2017. All subsequent appointments by this school had been compliant with the expected checks before employee start dates.</p> <p>It was also noted that at all five of the schools copies of DBS certificates were found on personnel files. These must not be retained under the Data Protection Act and DBS Code of Practice.</p>
Barring List check (in advance of receiving full DBS)	100%	All new starters had been subject to barring list checks – however, as noted above, 20% had not been received before the start date.
Declaration of convictions signed and held on file	33%	Consistent weakness at all schools, see further details below.
Disqualification by Association form completed and on file	71%	Some schools have been completing these on a regular basis for all staff. It was noted that some schools had failed to request completion by new starters.
Prohibition from teaching check completed and evidenced (where applicable)	100%	All new teachers had been subject to prohibition from teaching checks.
Right to work in the UK evidence held	80%	However - not all evidence had been consistently signed/dated as evidence of checks and confirmation of originals. Where this was not applied, recommendations have been made.

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Key control	% compliance	Comments
Evidence of qualifications/Qualified Teacher Status held	69%	Evidence of QTS status was not held on file for all teachers – recommendations have been made where applicable and this was addressed as a priority.

In relation to the declaration of convictions, it appears that this gap in the control framework has emerged across all of the schools since the template application form provided by EPM was amended and no longer includes this element. The application form template now states that declaration of criminal convictions will be required at the shortlisting stage but schools did not appear to be aware of this change and, as such, no declarations have been completed for recent new starters.

The quality of evidence of the staff induction process was variable across the schools and it was noted that two of the schools had recently introduced new induction procedures which were very comprehensive and provided good coverage of safeguarding, whistleblowing and the Keeping Children Safe in Education guidance. Sharing of good practice between the schools would be beneficial particularly in this area.

Existing staff

Key control	% compliance	Comments
DBS certificate number recorded	100%	As above – noted that all schools held copies on file contrary to data protection legislation.
Barring List check (in advance of receiving full DBS)	100%	
Disqualification by Association form completed and on file	88%	12% of staff had no declaration on Disqualification by Association on file – across two schools.
Prohibition from teaching check completed and evidenced (where applicable)	82%	From the sample tested, two eligible teachers at the same school did not have evidence of prohibition from teaching checks evidenced on file.
Right to work in the UK evidence held	29%	There was a general poor awareness of right to work legislative requirements – many accepting and retaining copies of a driving licence or small birth certificate as the only evidence.

All schools have been advised that they must not retain copies of DBS certificates on personnel files as this is not allowable under the DBS Code of Practice and has data protection implications.

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Risk 2: Reputational damage due to failure to comply with regulations, leading to poor inspection outcomes.

Ofsted inspection outcomes are now dependent on holding a comprehensive, fit for purpose Single Central Record which is suitably supported by personnel files. All of the maintained schools held a Single Central Record but the level of detail and standard achieved varied across the schools. A number of recommendations were made to the schools to improve on the format, content and detail within the records and it was emphasised to all schools that there should be no gaps in the records.

The majority of schools had included most of the mandatory fields but there were some key fields missing on certain records for which an urgent recommendation has been made for amendment and it was confirmed that these changes were made as a matter of priority.

To provide ongoing assurance over the Single Central Record, is it good practice for the Head teacher and a Governor to review the Record on a regular basis and report back to the Governing Body on the findings. This practice was not yet embedded at any of the schools but it had already been planned by some of the schools to introduce this as part of their safeguarding arrangements. This again emphasises the value of safer recruitment training for governors.

Risk 3: Unsuitable individuals gain access to school premises (specifically visitors and agency staff) who pose a safeguarding risk.

All of the schools required visitors to sign in and out of the premises and had controls on the entrance door to reduce the risk of unauthorised access. Some recommendations were made to strengthen controls such as restricting access to visitor badges/lanyards to reduce the risk of unauthorised visitors having access to these. The newer school premises benefit from much tighter security controls installed in the build which segregate access to different areas of the school, limiting the risk of access to teaching areas. It should be noted that this was not a full audit of access controls/premises security and only the visitor procedures were reviewed.

Half of the schools visited had included contractors on their Single Central Record, in accordance with good practice. Some schools had failed to include contractors on their record, despite some contractors having regular contact with the children, such as catering staff. Where these had not been included, recommendations were made to ensure that the contractors with regular contact have been identified and that the source of assurance over their suitability to work with children has been recorded – this may be in the form of assurances from their employer that checks have been completed or may be checks the school has completed themselves and the type of assurance must be clearly stated.

At each school, a sample of governors was selected and evidence was requested of checks conducted. Whilst all schools had included school governors on their Single Central Record, only two schools had retained copies of evidence to support the checks i.e. copies of identification. In order to evidence the completion of the identity checks and that the DBS results relate to the correct person when visiting the premises – copies should be held securely either in electronic records or in a secure facility.

Of the schools visited, it was highlighted that one school had very clear guidance on visitors and included this in the staff induction procedures.

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3. LIMITATIONS TO THE SCOPE OF THE AUDIT

This is an assurance piece of work and an opinion is provided on the effectiveness of arrangements for managing only the risks specified in the Audit Planning Record.

The Auditor's work does not provide any guarantee against material errors, loss or fraud. It does not provide absolute assurance that material error; loss or fraud does not exist.

4. ACTION PLAN

Each school has agreed an Action Plan to address the findings arising from the audit testing. These have been agreed by Full Governing Bodies.

The following Action Plan provides a number of recommendations for the Council to address the findings identified by the audit work. If accepted and implemented, these should positively improve the control environment and aid the Council in effectively managing its risks.

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ACTION PLAN

Rec No.	ISSUE	RECOMMENDATION	Management Comments	Priority	Officer Responsible	Due date
1	<p>A number of the Single Central Records seen on the audit visits were noted as:</p> <ul style="list-style-type: none"> Containing gaps; Not including all mandatory fields; and Not including contractors. <p>Each school had developed a different template and there was a lack of consistency in approach adopted to completing the registers.</p>	<p>The Council should issue basic guidance on the key 'golden rules' of a Single Central Record. This should address the issues identified by the audit testing.</p> <p>Ideally, a template/example format should be made available to schools to provide assurance that all requirements are being met consistently.</p>	Agreed	Important 	Head of Learning & Skills	<p>April 2018</p> <p>April 2018</p>
2	<p>None of the schools had evidence of a regular review of the Single Central Record by both a governor and the head teacher. Such reviews should provide a check that the register is complete, updated and fit for purpose.</p> <p>Following each check there should be a report to Governors on the findings.</p>	<p>This has been included in the action plan for individual schools to implement.</p> <p>From a Council perspective, the role of governors in exercising these checks should be emphasised in training sessions to ensure that they are aware of what they should be checking and how.</p>	Agreed.	Standard 	Head of Learning & Skills	May 2018
3	<p>The key findings around safer recruitment, as summarised within this report, indicate some lack of awareness and inconsistencies across the schools.</p> <p>Key issues include: minimum checks to be conducted on all new starters; right to work checks and evidence; checks on contractors/those with regular contact with children – including evidencing third party assurances; declaration of convictions in shortlisting stages; and induction processes.</p>	<p>The Council should continue to make use of education bulletins, LA and Head Teacher Partnership Meetings, governor training and relevant groups (Safeguarding through Education/Education Performance Board) as appropriate to raise awareness around the importance of these key controls and sharing of best practice in ensuring and evidencing safe recruitment in schools.</p>	<p>Agreed.</p> <p>Management will also be requiring updates from all of the schools on the implementation of their action plans.</p>	Important 	Head of Learning & Skills	This is ongoing commencing end spring term 2018 – to review September 2018

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GLOSSARY

The Auditor's Opinion

The Auditor's Opinion for the assignment is based on the fieldwork carried out to evaluate the design of the controls upon which management rely and to establish the extent to which controls are being complied with. The tables below explain what the opinions mean.

Compliance Assurances		
Level	Control environment assurance	Compliance assurance
Substantial ●	There are minimal control weaknesses that present very low risk to the control environment.	The control environment has substantially operated as intended although some minor errors have been detected.
Good ●	There are minor control weaknesses that present low risk to the control environment.	The control environment has largely operated as intended although some errors have been detected.
Satisfactory ●	There are some control weaknesses that present a medium risk to the control environment.	The control environment has mainly operated as intended although errors have been detected.
Limited ●	There are significant control weaknesses that present a high risk to the control environment.	The control environment has not operated as intended. Significant errors have been detected.
No ●	There are fundamental control weaknesses that present an unacceptable level of risk to the control environment.	The control environment has fundamentally broken down and is open to significant error or abuse.

Organisational Impact		
Level	Definition	
Major ●	The weaknesses identified during the review have left the Council open to significant risk. If the risk materialises it would have a major impact upon the organisation as a whole.	
Moderate ●	The weaknesses identified during the review have left the Council open to medium risk. If the risk materialises it would have a moderate impact upon the organisation as a whole.	
Minor ●	The weaknesses identified during the review have left the Council open to low risk. This could have a minor impact on the organisation as a whole.	

Category of Recommendations

The Auditor prioritises recommendations to give management an indication of their importance and how urgent it is that they be implemented. By implementing recommendations made managers can mitigate risks to the achievement of service objectives for the area(s) covered by the assignment.

Priority	Impact & Timescale
Essential ●	Action is imperative to ensure that the objectives for the area under review are met.
Important ●	Requires actions to avoid exposure to significant risks in achieving objectives for the area.
Standard ●	Action recommended to enhance control or improve operational efficiency.