

Oyster Bay Nursery

Safer Recruitment Policy

Date written: October 2026

Date of last update: October 2026

Date agreed and ratified by October 2026

Date of next full review: September 2027

This policy will be reviewed at least annually and/or following any lessons learnt and/or updates to national or local guidance and procedures.

Designated Safeguarding Lead (DSL)	Debra Hines
Deputy Designated Safeguarding Lead(s)	Grace Sidders Rachel Finch
Nominated Individual	Debra Hines
Nursery Manager	Grace Sidders

1. Policy Statement

Oyster Bay Nursery is committed to safeguarding and promoting the welfare of every child in our care. We recognise that safer recruitment is an essential part of creating a safe environment and preventing unsuitable individuals from working with children.

We will take all reasonable and legally required steps to ensure that staff, students, volunteers, agency workers, contractors and other adults who may have contact with children are suitable for their roles.

Our recruitment procedures are designed to deter unsuitable applicants, identify concerns at the earliest opportunity and ensure that decisions are based on verified information and a thorough assessment of each candidate's suitability.

This policy applies to all recruitment and selection activities at Oyster Bay Nursery, including permanent, temporary, casual, bank, agency and voluntary positions.

2. Aims

The aims of this policy are to:

- Protect children from abuse, neglect, exploitation and other forms of harm.
- Recruit individuals who are suitable, competent and committed to safeguarding.
- Ensure that recruitment decisions are fair, consistent and non-discriminatory.
- Verify candidates' identities, qualifications, employment histories, references and criminal record information as appropriate to their roles.
- Ensure that relevant safeguarding checks are completed before individuals begin work.
- Maintain accurate, confidential recruitment and vetting records.
- Promote a culture in which safeguarding is everyone's responsibility.

3. Legal and Guidance Framework

Oyster Bay Nursery will follow the legislation and guidance applicable to its provision, including:

- The current Early Years Foundation Stage (EYFS) statutory framework for group and school-based providers, where applicable.
- The Childcare Act 2006.
- The Safeguarding Vulnerable Groups Act 2006.
- The Rehabilitation of Offenders Act 1974 and relevant Exceptions Orders.

- The Data Protection Act 2018 and UK GDPR.
- The Equality Act 2010.
- Relevant Disclosure and Barring Service (DBS) guidance.
- Current government guidance on safer recruitment and safeguarding, including *Keeping Children Safe in Education* where applicable to the setting.

The Nursery Manager will ensure this policy is reviewed when relevant legislation or statutory guidance changes.

4. Safer Recruitment Responsibilities

The Nominated Individual and Nursery Manager are responsible for ensuring that safer recruitment procedures are implemented consistently.

Their responsibilities include:

- Ensuring that recruitment decisions prioritise children's safety and welfare.
- Ensuring that staff involved in recruitment receive appropriate safer recruitment training.
- Ensuring that interviews, references and background checks are completed and documented.
- Making sure that appropriate checks are completed before an individual starts work.
- Maintaining secure recruitment records and the required staff suitability records.
- Ensuring that safeguarding concerns identified during recruitment are investigated and resolved appropriately.
- Ensuring that staff understand their safeguarding responsibilities and the Nursery's staff code of conduct.

At least two people will be involved in shortlisting and, where practicable, recruitment decisions. Anyone involved in recruitment must declare any relevant conflict of interest.

5. Advertising Vacancies

All job advertisements will make clear, as appropriate:

- Oyster Bay Nursery's commitment to safeguarding and promoting children's welfare.
- The safeguarding responsibilities associated with the role.
- The nature and extent of the successful applicant's contact with children.

- That identity, references, employment history, qualification and criminal record checks will be undertaken as applicable.
- Any required qualifications, experience, training and professional registration.
- Whether the role is exempt from the Rehabilitation of Offenders Act 1974 and the relevant rules concerning protected convictions and cautions.

Applicants will be informed that relevant safeguarding checks must be satisfactory before employment can proceed.

6. Application Forms and Candidate Information

Applicants will be required to complete the Nursery's application process and provide sufficient information to assess their suitability.

Application forms will request, as appropriate:

- Full name and contact details, including details of previous names where relevant.
- Employment history, including dates, roles and reasons for leaving.
- Explanations for gaps in employment or education.
- Relevant qualifications, training and professional memberships.
- Experience of working with children and other relevant experience.
- Details of referees.
- A declaration concerning relevant criminal record information, disqualification from childcare and other matters relevant to suitability, in accordance with applicable law.

Where a role involves regulated activity with children, applicants will be informed that it is an offence to apply for that role if they are barred from engaging in the relevant regulated activity.

Applicants will be given access to the Nursery's safeguarding and child protection policy and its policy on the recruitment of ex-offenders, where applicable.

The Nursery will explain what information applicants are legally required to disclose and will not request or use protected information that it is not legally permitted to consider.

7. Shortlisting

At least two people will be involved in shortlisting wherever practicable.

The shortlisting process will consider:

- Whether the candidate meets the essential requirements of the role.
- The completeness and accuracy of the application.
- Gaps in employment or education and the explanations provided.
- Frequent changes of employment or location.
- Inconsistencies between information supplied in the application and other available information.
- Any concerns relevant to the applicant's suitability to work with children.

Any concerns will be recorded and explored with the candidate before an appointment decision is made.

Online searches

The Nursery may undertake proportionate online searches of shortlisted candidates as part of its safeguarding due diligence. Candidates will be informed in advance that this may take place.

Any information identified will be considered fairly, in context and only where relevant to the role or safeguarding. The Nursery will distinguish verified information from unsubstantiated material and give candidates an opportunity to explain relevant concerns.

Online searches will not replace formal recruitment checks.

8. References and Employment History

References are an important part of the safer recruitment process. The Nursery will normally obtain references before interview where practicable, so that relevant concerns can be explored.

The Nursery will:

- Obtain references directly from appropriate referees rather than relying on applicants to obtain them.
- Request references from the candidate's current or most recent relevant employer, as appropriate.
- Seek a reference from the employer where the candidate last worked with children if they are no longer working with children.
- Where the candidate has never worked with children, seek a suitable reference from their current employer, education setting or training provider.
- Avoid accepting open references such as "to whom it may concern".

- Avoid accepting references from family members.
- Verify that electronic references originate from a legitimate source.
- Contact referees directly to clarify vague, incomplete or inconsistent information.
- Compare references with the application form and ask candidates to explain discrepancies.
- Establish the reason for leaving the current or most recent role.
- Follow up concerns about safeguarding, conduct, disciplinary matters or suitability before confirming an appointment.

Where a referee is an organisation, the Nursery will seek a response from someone with appropriate authority and knowledge of the candidate's employment. Information will be factual, relevant and handled in accordance with applicable law.

No appointment will be confirmed until relevant reference concerns have been resolved satisfactorily.

9. Interview and Selection

Candidates will be interviewed by appropriately trained individuals. The interview will assess the candidate's suitability for the role, including their understanding of safeguarding and their ability to meet children's needs.

Interviewers will explore, where relevant:

- The candidate's experience, qualifications and understanding of early years practice.
- Their approach to safeguarding, professional boundaries and children's welfare.
- Any gaps in employment or education.
- Frequent changes in employment or location.
- Inconsistencies between the application, references and other information.
- Any concerns raised through references, declarations or appropriate online searches.
- The candidate's reasons for leaving previous roles.
- Their understanding of confidentiality, appropriate conduct and reporting safeguarding concerns.

Candidates may be asked safeguarding-related questions and scenario-based questions relevant to the role.

Interviewers will record the information considered, the candidate's responses and the reasons for the selection decision. Any unresolved safeguarding concern will be referred to the Nursery Manager or Nominated Individual before an appointment is made.

10. Pre-Employment Checks

All offers of employment will be conditional upon satisfactory completion of the checks required for the role.

The Nursery will identify which checks are legally required, taking account of the duties the individual will perform, whether the role involves regulated activity and the current EYFS requirements.

10.1 Identity verification

The Nursery will verify the identity of each prospective employee using appropriate original documents or an approved verification process.

The identity presented must match the person applying for the role and the individual attending work.

10.2 Disclosure and Barring Service (DBS) checks

The Nursery will obtain the level of DBS check legally available and appropriate to the role.

Where required, this will include an enhanced DBS check and a check of the children's barred list for individuals engaging in regulated activity.

The Nursery will ensure that the required criminal record check has been completed before a new employee starts work, in accordance with the current EYFS framework. Individuals will not be permitted to start employment while a required check remains outstanding.

A DBS Update Service status check may be used where permitted, with the individual's consent, provided the certificate is at the appropriate level and relates to the relevant workforce and barred list information where required.

A new or additional check will be obtained where legally required or where the existing certificate cannot provide the necessary assurance.

The Nursery will assess relevant information fairly and in line with its policy on the recruitment of ex-offenders. A criminal record will not automatically disqualify an applicant unless the law requires it or the circumstances mean that the individual is unsuitable for the role.

10.3 Barred list checks

Where a role involves regulated activity with children, the Nursery will ensure that the required children's barred list check has been completed.

The Nursery will never knowingly permit a barred individual to engage in regulated activity with children.

10.4 Employment history and references

The Nursery will verify the candidate's employment history and obtain and assess references as described in this policy. Any unexplained gaps, inconsistencies or safeguarding concerns must be resolved before an appointment is confirmed.

10.5 Qualifications and professional status

The Nursery will verify qualifications, training and professional registrations relevant to the role.

Where qualifications affect whether a person may be counted within statutory staff-to-child ratios, the Nursery will confirm that the qualification meets the applicable requirements.

Where a role requires a professional prohibition or restriction check, the Nursery will complete the relevant check.

10.6 Right to work in the UK

The Nursery will complete the legally required right-to-work check before employment begins.

Records will be retained securely for the period required by current law and destroyed when no longer lawfully required.

10.7 Fitness for the role

The Nursery will take appropriate steps to establish that candidates are mentally and physically fit to carry out their responsibilities, in accordance with applicable employment, equality and health requirements.

Any adjustments needed to support an employee to carry out the role will be considered fairly.

10.8 Overseas checks

Where a candidate has lived or worked outside the UK, the Nursery will consider what additional checks are appropriate and available.

These may include overseas criminal record information, police certificates or other official information from relevant countries. The Nursery will consider the reliability and

limitations of overseas documentation and will not treat an inability to obtain a particular document as an automatic finding of unsuitability.

Where a role requires a professional status or prohibition check, appropriate enquiries will be made with the relevant overseas authority where possible.

10.9 Childcare disqualification

The Nursery will comply with the Childcare Act 2006, the Childcare (Disqualification) Regulations 2018 and any applicable amendments or guidance.

It will establish whether the regulations apply to the individual and role and undertake the checks or declarations required by law.

If the Nursery determines that the regulations do not apply, it will record the basis for that decision and any advice obtained where appropriate.

10.10 Management suitability

Where relevant to the role, the Nursery will check whether an applicant is subject to a legal restriction or prohibition on participating in the management of a childcare setting or other applicable management role.

11. Confirmation of Appointment and Induction

An appointment will only be confirmed when the required pre-employment checks have been completed satisfactorily.

Before starting work, the employee must receive an appropriate induction covering:

- The Nursery's safeguarding and child protection policy.
- The identity and responsibilities of the Designated Safeguarding Lead (DSL) and deputy DSL.
- The staff code of conduct and professional boundaries.
- The procedure for reporting concerns about a child or an adult working with children.
- Confidentiality, data protection and record keeping.
- Whistleblowing procedures.
- Health and safety, emergency procedures and relevant operational policies.
- Required safeguarding and role-specific training.

The Nursery will maintain appropriate supervision and support for new employees during induction and probation.

12. Existing Employees and Changes in Role

The Nursery will continue to monitor staff suitability after appointment.

Further checks or reassessments will be undertaken where required by law or where there is a legitimate safeguarding reason, including when:

- An employee moves into a role involving regulated activity that was not previously part of their duties.
- There are concerns about an employee's suitability to work with children.
- A break in service or other change makes additional checks necessary under current guidance or the Nursery's risk assessment.
- New information comes to light that may affect the person's suitability.

All employees must promptly disclose information that they are legally required to report and any relevant change that may affect their suitability to work with children.

The Nursery will handle such information confidentially and assess it fairly, taking immediate protective action where necessary.

13. Agency and Third-Party Staff

Before agency or third-party staff begin work, the Nursery will obtain written confirmation from the supplying organisation that the checks required for the role have been completed satisfactorily.

The Nursery will establish which checks have been undertaken and ensure that the person attending is the same person whose suitability was verified.

Agency and third-party staff will receive relevant safeguarding information and an induction appropriate to their duties.

Where the necessary checks have not been completed, the individual will not be permitted to work unsupervised with children or undertake duties for which the required checks are outstanding. They will not be permitted to engage in regulated activity unless the required checks have been completed.

14. Contractors and Visiting Professionals

The Nursery will assess the safeguarding requirements for contractors and visiting professionals according to the work they undertake, their access to children and whether they will engage in regulated activity.

The Nursery will:

- Verify the identity of contractors and visiting professionals on arrival.

- Obtain assurance from employers or agencies about the checks required for their personnel.
- Complete the appropriate checks for self-employed contractors where legally required and available.
- Ensure that individuals who have not completed the required checks are not allowed to engage in regulated activity or have unsupervised access to children.
- Supervise access and restrict movement within the premises where appropriate.
- Record relevant checks and arrangements.

These requirements apply to contractors such as maintenance workers, cleaners, tutors, music teachers, sports coaches and other visiting professionals, as appropriate to their duties.

15. Students and Trainees

The Nursery welcomes students and trainees undertaking suitable early years placements.

Before a student or trainee begins placement, the Nursery will obtain confirmation from the training provider or employer about the checks completed and the individual's suitability, where applicable.

The Nursery will confirm that the checks required for the placement and the individual's duties have been completed. Students and trainees will receive safeguarding induction and appropriate supervision.

They will not be left unsupervised with children or permitted to undertake duties requiring outstanding checks.

Where the Nursery directly employs a trainee, it will complete the relevant checks as an employer.

16. Volunteers

Volunteers must be suitable to be around children and must understand their safeguarding responsibilities.

Before a volunteer begins, the Nursery will:

- Obtain suitable references where appropriate.
- Verify the volunteer's identity.
- Complete the criminal record checks required under the current EYFS framework and applicable law.

- Assess whether the volunteer's duties amount to regulated activity.
- Complete any other relevant suitability checks.
- Provide safeguarding induction and appropriate supervision.

Volunteers will not be permitted to undertake duties requiring checks that have not been completed. The Nursery will ensure that the supervision arrangements are appropriate to the role and do not conflict with statutory requirements.

17. Nominated Individual, Managers and Other Relevant Adults

The Nominated Individual and Nursery Manager will ensure that the checks applicable to their positions are completed and recorded.

Where required, checks will also be completed for individuals responsible for the management of the setting and other relevant persons.

The Nursery will follow applicable Ofsted and EYFS requirements concerning the suitability of people who work, live or regularly spend time at the premises, as relevant to the type of childcare registration held.

Any required notification to Ofsted or another regulatory body will be made within the applicable timeframe.

18. Referrals to the Disclosure and Barring Service

The Nursery will make a referral to the Disclosure and Barring Service when the legal criteria for referral are met.

This may apply where an individual has been removed from regulated activity, or would have been removed had they not left, because the relevant conditions concerning harm, risk of harm or relevant misconduct are satisfied.

The Nursery will seek advice where necessary and will not avoid a referral simply because an individual has resigned or left employment.

Referrals will be handled by the Nominated Individual or an authorised senior person and recorded securely.

19. Record Keeping and Confidentiality

The Nursery will maintain accurate records of safer recruitment and suitability checks in the staff personnel file and any required central record.

Records will include, as applicable:

- Identity verification.
- DBS and barred list check details and outcomes.

- Right-to-work verification.
- References and employment history checks.
- Qualifications and professional status.
- Overseas checks.
- Childcare disqualification checks or the recorded rationale for non-applicability.
- Other required suitability checks.
- The date checks were completed and the recruitment decision.
- Any risk assessment, follow-up action or advice obtained.

Access to recruitment records will be restricted to authorised individuals. Records will be stored securely and retained in accordance with data protection law and the Nursery's retention schedule.

The Nursery will not retain copies of DBS certificates longer than permitted by current DBS guidance. It may retain the necessary details of the check, its outcome and the recruitment decision, where lawful.

20. Concerns Identified During Recruitment

If information raises concerns about an applicant's suitability, the Nursery will consider the circumstances carefully and take proportionate action.

This may include:

- Seeking clarification from the candidate or referee.
- Verifying the information with the relevant source.
- Obtaining advice from the local authority, Ofsted or another appropriate body.
- Undertaking further checks where legally permitted.
- Pausing or withdrawing an offer where concerns remain unresolved or the individual is unsuitable.

All decisions will be documented and made consistently, fairly and in accordance with relevant law.

Where information indicates a possible risk to children, the Nursery will take immediate appropriate steps to protect children and follow safeguarding procedures.

21. Equality, Fairness and Data Protection

Oyster Bay Nursery is committed to fair and inclusive recruitment.

Candidates will be assessed against the requirements of the role, without unlawful discrimination. Criminal record information and other sensitive personal information will be handled carefully and considered only where legally relevant.

The Nursery will comply with data protection requirements, maintain confidentiality and ensure that recruitment records are accessible only to authorised people.

22. Monitoring and Review

The Nominated Individual and Nursery Manager will review this policy at least annually and sooner if there are changes to legislation, statutory guidance or the Nursery's safeguarding arrangements.

The review will consider whether recruitment processes remain effective, whether staff responsible for recruitment require further training and whether any improvements are needed following incidents, audits or regulatory advice.

All staff involved in recruitment are responsible for following this policy and raising any concerns about its implementation.