



SAFER RECRUITMENT POLICY

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Outstanding Achievement for All

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Statement of Intent

Ambitions Academies Trust has implemented this policy to assist with employee and volunteer recruitment and selection. It outlines the Trust's recruitment procedure and how it ensures safer recruitment is considered at all levels of the recruitment process.

The safety and protection of the Trust's pupils are always at the forefront of the Trust and its academies' concerns which is why this policy aims to embed a robust safeguarding culture into the recruitment practices of the Trust.

1. Legal Framework

1.1. This policy has due regard to all relevant legislation including, but not limited to, the following:

- Children Act 1989
- Children Act 2004
- Safeguarding Vulnerable Groups Act 2006
- The Education (School Teachers' Appraisal) (England) Regulations 2012 (as amended)
- Sexual Offences Act 2003
- The School Staffing (England) Regulations 2009
- Rehabilitation of Offenders Act 1974
- Education and Skills Act 2008
- Data Protection Act 2018
- The UK General Data Protection Regulation (UKGDPR)
- Education Act 2002
- Equality Act 2010
- Amendments to the Exceptions Order 1975, 2013 and 2020

1.2. This policy has due regard to guidance including, but not limited to, the following:

- DfE (2023) 'Keeping children safe in education 2023' (KCSIE) (effective 1/9/23)
- DfE (2023) 'Recruit teachers from overseas'
- Home Office (2022) 'Employer's guide to the right to work checks'
- Safer Recruitment Consortium (2022) 'Guidance for safer working practice for those working with children and young people in education settings'
- DfE (2022) 'ID checking guidelines for standard/enhanced DBS check applications from 1 July 2021'
- DfE (2021) 'Staffing and employment advice for schools'
- DfE (2020) 'Governance handbook'
- DfE (2020) 'Changes to checks for EU sanctions on EEA teachers from 1 January 2021'
- DfE (2021) 'Basic check ID checking guidelines from 1 July 2021'
- DfE (2021) 'Right to work checks: employing EU, EEA and Swiss citizens'
- Disclosure & Barring Service (2018) 'Regulated activity with children in England'

1.3. This policy operates in conjunction with the following academy policies:

- AAT Child Protection and Safeguarding Policy
- Complaints Policy
- Data Protection Policy
- Disciplinary Policy
- Equality & Diversity Policy

- ICT Acceptable Use Policy
- Records Management Policy
- Appraising Teacher Performance
- Capability Policy for Teachers
- Support Staff Appraisal Policy
- Support Staff Capability Policy

2. Definitions

2.1. **Regulated activity** includes:

- Teaching, training, instructing, caring for or supervising children if the person is unsupervised, providing advice or guidance on physical, emotional or educational wellbeing, or driving a vehicle only for children.
- Working for a limited range of establishments (known as 'specified places', which include schools and colleges), with the opportunity for contact with children, but not including work undertaken by supervised volunteers.
- Engaging in intimate or personal care or healthcare or any overnight activity, even if this happens only once.

2.2. Regulated activities do not include:

- Paid work in specified places which is occasional and temporary and does not involve teaching or training.
- Supervised activities which are paid in non-specified settings.
- A supervised volunteer who regularly teaches or looks after children.

2.3. Some activities are always regulated activities, regardless of frequency or whether they are supervised or not. This includes relevant personal care, or health care provided by, or under the supervision of, a health care professional. Personal care includes helping a child with eating or drinking for reasons of illness or disability, or in connection with toileting, washing, bathing and dressing for reasons of age, illness or disability. Health care means care for children provided by, or under the direction or supervision of, a regulated health care professional.

2.4. **Teaching role** – refers to a role involving planning and preparing lessons and courses for pupils; delivering lessons to pupils; and assessing and reporting on the development, progress and attainment of pupils. These activities are not teaching work for the purposes of 'Keeping children safe in education' (KCSIE) if the person carrying out the activity does so (other than for the purposes of induction) subject to the direction and supervision of a qualified teacher or other person nominated by the Principal to provide such direction and supervision.

2.5. **Standard DBS** – this provides information about convictions, cautions, reprimands and warnings held on the Police National Computer, regardless of whether or not they are spent under the Rehabilitation of Offenders Act 1974.

2.6. **Enhanced DBS** – this provides the same information as the standard DBS, plus any additional information held by the police which a chief officer reasonably believes to be relevant and considers ought to be disclosed.

- 2.7. **Enhanced DBS with barred list check** – this check is required for when people are working or seeking to work in regulated activity with children. This check allows for additional checks to be made as to whether the person appears on the children's barred list.
- 2.8. **Children's barred list** – the DBS maintains a 'barred list' of individuals who are unsuitable to work with children and vulnerable adults. In addition, where an enhanced DBS including a barred list check is obtained, the certificate will also detail whether the applicant is subject to a direction under section 128 of the Education and Skills Act 2008 or section 167A of the Education Act 2002.
- 2.9. **Section 128 check** – this provides for the Secretary of State to direct that a person may be prohibited or restricted from participating in the management of an independent school (which includes academies and free schools). A person prohibited under section 128 is also disqualified from holding or continuing to hold office as a governor of a maintained school.
- 2.10. **Safer recruitment** – this is the safeguarding and protection of pupils during the recruitment and selection process. Its overall purpose is to help identify and deter or reject individuals who are deemed to be at risk of abusing children.

3. Roles and Responsibilities

- 3.1. The **Board of Trustees** is responsible for:
- agreeing and monitoring effective policies to ensure recruitment across the Trust is in accordance with the legislation outlined in section 1;
 - ensuring that staff recruitment is as safe as possible, as well as fair and compliant with the relevant legislation;
 - ensuring appropriate checks have been carried out on staff, volunteers, contractors and agency workers working across the Trust;
 - appointing an appropriate interview panel;
 - ensuring that at least one member of the interview panel has undergone safer recruitment training. The HR Academy Lead who will be present to take meeting notes will be safer recruitment trained and will be able to provide advice on safer recruitment;
 - ensuring that all members of the interview panel understand their role, i.e. advisory or decision making;
 - monitoring the advertising of vacancies, assessing how they are being advertised and whether the adverts are maximising all of the opportunities to attract the appropriate candidates;
 - benchmarking the success of any advertising methods used, as well as the overall success of the recruitment process;
 - ensuring a member of the Academy Committee is on the interview panel for a new Principal;
 - ensuring a member of the Trust Board is on the interview panel for a new Director;
 - ensuring the Trust Board make up the interview panel for a new CEO;
 - ensuring that all members of the interview panel are familiar with their obligations with regards to safer recruitment, as set out in KCSIE;
 - monitoring the Trust and Academies' SCR to ensure that the necessary vetting checks for employees are carried out;

- ensuring that equal opportunities are established and implemented throughout the recruitment process;
- ensuring that the salary of the successful candidate is determined in line with the Trust's pay scales;
- accommodating the needs of new employees and making reasonable adjustments when necessary;
- ensuring that the DPO reviews this policy and that any recruitment data that is kept is in accordance with the Records Management Policy.

3.2. The **Trust HR Team & HR Academy Leads** are responsible for:

- setting appropriate recruitment procedures, as per the Trust's Scheme of Delegation and which meet safer recruitment criteria;
- ensuring the HR Academy Leads have the training and skills to manage the recruitment process following Trust's recruitment procedures (see appendix 1 – Recruitment Checklist) including:
 - Liaising with the Director/Principal to create the advert using the Trust's advert template;
 - Anonymising application forms from potential candidates for the shortlisting process and passing these to the panel for shortlisting. The aim is to reduce the application field and identify those with the potential to effectively undertake the role;
 - Liaising with the Director/Principal to ensure that the interview addresses resilience, leadership ability, team working skills, reasons for interest in joining the Trust, integrity, understanding of the academy's ethos and vision, and why the candidate believes they would be a good fit for the Trust;
 - ensuring that the interview addresses safeguarding practices;

3.3. The **Principal (for academies) / Director (for Trust)** is responsible for:

- ensuring appropriate checks have been carried out on prospective staff, volunteers, contractors and agency workers working within the academy;
- ensuring that appropriate supervision of employees/volunteers is organised, and for promoting the safety and wellbeing of pupils generally and throughout the recruitment process;
- identifying who will lead the interview when the candidate is at a lower level.
- ensuring that all relevant staff members are familiarised with this policy.
- Ensuring that the successful candidate receives the appropriate training, e.g. safeguarding and induction

3.4. During the recruitment process, and especially during the initial stages, **all persons involved** will be watchful of candidates displaying the following characteristics:

- no understanding or appreciation of children's needs;
- expressing that they want the role to meet their needs at the expense of children;
- using inappropriate language in relation to children;
- expressing extreme views or views that do not support safeguarding practices;
- displaying unclear boundaries with children;

- providing vague answers when asked about their experience and being unable to explain gaps in their employment.

3.5. The DPO is responsible for:

- Ensuring that all references are handled in line with the Data Protection Policy and relevant legislation.

4. Equal Opportunities

- 4.1. When recruiting, the Trust will adhere to the Equality & Diversity Policy.
- 4.2. The Trust will not discriminate against any protected characteristics, such as disability or gender and will always promote difference and inclusion throughout the Trust.
- 4.3. The Trust will, where necessary, make reasonable adjustments to ensure the interview is accessible to all candidates. Candidates should inform the Trust of any reasonable adjustments that they need when they receive the invitation for an interview.
- 4.4. The Board of Trustees will review recruitment procedures annually to ensure they are accessible and do not directly or indirectly discriminate against candidates.
- 4.5. Candidates will not be asked about their health or any disabilities before a job offer is made, unless one of the following exemptions applies:
- Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments).
 - Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment.
 - Positive action to recruit people with disabilities.
 - Equal opportunities monitoring (which will not form part of the decision-making process).

5. Planning, Advertising and Shortlisting

- 5.1. Once a vacancy has been identified, the academy will allow an appropriate amount of time for planning and structuring the recruitment process.
- 5.2. The Sector Director/Principal will:
- decide on the recruitment timeframe;
 - decide who will be involved in the process and what their roles will be, e.g. who forms the interview panel and who will lead interviewing;
 - prepare the documents that will be provided to applicants, including the job description, person specification and application form – ensuring that these documents contain a clear message about safeguarding, the checks that will be carried out and that references will be sought.

Advertising

- 5.3. The **academy/Trust** will consider the following information when advertising for a role:
- The skills, abilities, experience, attitude and behaviours required for the post.
 - The safeguarding requirements, including to what extent the role will involve contact with children and young people and whether the appointed staff member will be engaging in regulated activity.
- 5.4. The job information and associated documents will be published on the Trust & Academy websites.
- 5.5. The full requirements of the role will be clearly explained, including any employment vetting requirements such as a DBS check.
- 5.6. The Chair of the interview panel, following Trust procedures, will be responsible for the management of the recruitment process, and at least two other members of staff, with the Principal usually being one of these.
- 5.7. The interview panel will be an odd number wherever possible so majority votes can be cast.
- 5.8. At least one member of the interview panel will have successfully completed up-to-date safer recruitment training. This can include the HR Academy Lead who will be present to advise on HR matters.
- 5.9. The HR Academy Lead will create the advertisement using the information from the staffing request and the Trust advert template. This will be agreed by the Principal/Sector Director or CEO as applicable to the post.
- 5.10. Advertisements will include:
- A statement of the academy's commitment to safeguarding and promoting the welfare of pupils whilst making clear that safeguarding checks will be undertaken.
 - The safeguarding responsibilities of the post as per the job description and person specification.
 - Information surrounding whether the post is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020.
- 5.11. Requests for further information from applicants will be replied to promptly.
- 5.12. All applications will be replied to with an email notifying candidates whether they have been shortlisted or not. Interviews will be arranged for the shortlisted candidates.
- 5.13. Vacancies will be advertised through external media on the Trust & Academy websites in partnership with MyNewTerm, and may also include Dorset Council jobs, BCP Jobs, TES and DfE Teaching Vacancies (where appropriate). When deciding upon advertising avenues, due consideration will be given to the Trust's Equality & Diversity Policy, ensuring that the advertisement reaches a wide range of groups unless, in exceptional circumstances, they are

ringfenced to the Trust's staff groups. The Academies may utilise social media for recruitment.

5.14. Advertisements will include a job description, person specification and details of the closing date. The Trust reserves the right to close applications early.

5.15. The contact details of the appointing officer and details of the application process will be clearly outlined.

Application Forms

5.16. Application forms will be accessible through the Trust's partnership with MyNewTerm via the Trust and Academy websites. Online application forms are fully compatible across all devices.

5.17. Applicants will be reminded in the application form or elsewhere in the information provided to applicants that it is an offence to apply for the role if they are barred from engaging in regulated activity relevant to children.

5.18. Application packs will, where relevant, state that candidates must be willing to sign the staff disqualification declaration.

5.19. The Child Protection and Safeguarding Policy and information on employment of ex-offenders is available on the Academy websites and through MyNewTerm careers pages.

5.20. Applicants will be required to provide the following:

- Personal details, e.g. their current and former names, current address and national insurance number
- Details of their current or most recent employment, including the reason for leaving
- Full employment history, including explanations for any gaps in their employment
- Qualifications, the awarding body and the date of the award
- Details of references
- A statement of their personal qualities and an explanation of why they meet the person specification to be a suitable candidate for the role

5.21. The application pack, or documents relating to the role, can be found on the Trust and Academy websites. HR Academy Leads will ensure that candidates receive a link to the application information if requested.

5.22. All candidates will have access to the following information through the job vacancy listing on the Trust & Academy website through MyNewTerm:

- a copy of the advertisement;
- a comprehensive job description;
- a comprehensive person specification;
- any equal rights material, e.g. an equal opportunities statement;
- a brief outline of the Trust, the academy and its values and aims.

5.23. The Trust will not accept a CV alone, only if accompanied by a completed application form.

Shortlisting

5.24. Shortlisted candidates will be asked to complete a self-declaration of their criminal record or disclosure of any information making them unsuitable to work with children.

5.25. Only those candidates who have been shortlisted will be asked to disclose any relevant information including:

- Whether they are included on the barred list.
- Whether they are barred from teaching.
- Information of any criminal offences committed.
- If they are known to the police and children's social care services.
- Whether they have been disqualified from providing childcare.
- Any relevant overseas information.

5.26. Applicants will need to sign a declaration which confirms that the information they have provided is true.

5.27. When shortlisting candidates, the HR Academy Lead will:

- Ensure that at least two people carry out the shortlisting proceedings (these two people will ideally also conduct the interview).
- Assess whether there are any inconsistencies or gaps in the candidate's employment and consider the reasons given for them.
- Explore any further potential concerns.

5.28. Requests for further information from candidates will be replied to promptly. All applications will be replied to with an email notifying candidates whether they have been shortlisted or not.

5.29. When shortlisting candidates for an interview, all application forms will be considered.

5.30. Candidates who are shortlisted will meet all the essential aspects of the person specification requirements.

5.31. The Trust will ensure that the shortlisting process is as systematic as possible, and that those involved in shortlisting read through all applications.

5.32. Applicants will be assessed against the same shortlisting criteria to ensure a fair process.

6. Invitation to Interview

6.1. Once a shortlist has been confirmed, the applicants to be invited for interviews will be contacted by the HR Academy Lead and suitable interview times will be advised.

6.2. The HR Academy Lead will ensure that all shortlisted candidates receive information about the interview arrangements, how they will be conducted, the areas that will be explored and what documents they should bring.

- 6.3. Upon acceptance of their interview through MyNewTerm, shortlisted candidates will be sent the self-declaration of criminal record form, alongside a copy of the Trust's disqualification form, where appropriate.
- 6.4. Upon inviting candidates to interview, the HR Academy Lead will state that the successful candidate's identity will be checked and, where appropriate, the necessary pre- appointment and safer recruitment checks will be carried out.
- 6.5. Where possible, the HR Academy Lead will obtain two references before interviewing candidates to allow for any concerns to be explored with the referee and discussed with the candidate.
- 6.6. References are to be sent to a professional/work email address only to ensure they originate from a credible source.
- 6.7. Permission will be sought from the candidates before the referees are contacted where they have indicated this is required on their application form.
- 6.8. An online reference template of structured questions will be used to question referees.
- 6.9. References from internal candidates will also always be scrutinised before interview.

7. Pre-interview Checks

- 7.1. The HR Academy Lead will complete the necessary pre-interview checks.
- 7.2. Pre-interview checks will include the following:
 - Requesting two references from each shortlisted candidate directly from the referees – where possible, one reference will be obtained relating to the role in which the candidate worked with children.
 - Verifying that the candidate has qualifications or experience relevant to the post.
 - Checking references against application forms and noting down discrepancies or concerns, and following up these concerns with referees.
 - Identifying any gaps in employments to be explored with, and explained by, the candidate.
 - Checking and, where necessary, following up candidates' self-declaration forms.

8. Requesting references

- 8.1. Once a candidate, including an internal candidate, has been shortlisted for a position, references will be requested and scrutinised by the recruitment panel. Any concerns will be resolved satisfactorily prior to confirming an appointment. References will always be requested directly from the referee and from a senior person with appropriate authority, rather than a colleague.
- 8.2. References will be requested electronically from the candidate's current employer – if they are unemployed, verification of their most recent period of employment and reasons for leaving will be obtained from their previous employer. Wherever possible, at least one reference will be from employment through which the candidate worked with children.

- 8.3. If the applicant has never worked with children, ensure that a reference from their current, or most recent, employer is received.
- 8.4. If the candidate is a school leaver or has not been in work for over two years, a character reference will be requested.
- 8.5. When a candidate is applying for a teaching role (including the role of Principal), information about the details of any capability procedures that they may have been subject to, and the reasons for these, will be requested from their current or former employer.
- 8.6. Concerns raised following a candidate's reference(s) will be explored further with the referee where appropriate and discussed with the candidate at interview.
- 8.7. Open references, e.g. 'to whom it may concern' testimonials, and unverified information provided by the candidate as part of the application process, will not be relied upon.
- 8.8. Electronic references will be checked to ensure that they originate from a legitimate source.

9. Checking references

- 9.1. References will be checked upon receipt to ensure that all questions have been answered satisfactorily and that information is not contradictory or incomplete. The referee will be contacted to provide further clarification where appropriate, e.g. if some answers are vague or insufficient, or contradictory information has been provided. The reference will be compared for consistency with the information on the candidate's application form. Discrepancies between the reference and the application form will be discussed with the candidate at interview.
- 9.2. The recruitment panel will ensure that any past disciplinary action or allegations disclosed as part of a reference are considered carefully when assessing the candidate's suitability for the role. If this involves safeguarding or potential safeguarding concerns, the DSL will be consulted to help assess the candidate's suitability.
- 9.3. Before deciding not to appoint a candidate based on an unsatisfactory reference, the recruitment panel will consider if HR advice is necessary. Once the decision is made, the HR Academy Lead will record this on the recruitment file as the reason for non-appointment.
- 9.4. All members of staff who provide a reference will be responsible themselves for checking the content to ensure that it only contains factual and verifiable statements. If there is any doubt about whether to include information, caution will be exercised and it will be omitted. Advice will be sought from the Principal and/or HR where necessary.

10. Providing references

- 10.1. References will only be provided once written consent has been obtained from the person requesting a reference.
- 10.2. The member of staff providing a reference will follow this policy's procedures and the prospective employer's requests as much as is reasonably possible, e.g. if a proforma is provided, they will complete the form. If the reference is not requested in a specific format, the member of staff will decide the most appropriate method, e.g. a proforma or a letter-formatted reference. All employment references must be countersigned by the Principal to approve the content.

- 10.3. The Principal will decide in exceptional circumstances if a reference cannot be provided or if certain questions asked by the prospective employer cannot be answered, with HR advice sought when appropriate.
- 10.4. Staff members will make the Principal aware when they have been asked to provide a personal reference, e.g. for a current or former colleague. The staff member will make it clear within the reference that it is a personal one and is not written for or on behalf of the academy. The staff member will use their own paper or an email address unaffiliated with the academy and ensure that the reference is not linked to the academy in any way.
- 10.5. Details of any capability procedures in the previous two years for a teacher (including Principal) or former teacher at the academy, and the reasons for these, will be provided if requested.
- 10.6. If, as part of a settlement agreement, the academy has agreed to provide a reference for a member of staff, the relevant individual (Principal/Sector Director/CEO) will ensure it is provided in line with the agreement and this policy. In circumstances where new evidence emerges that indicates information provided in the reference is incorrect, the Principal, in consultation with the Sector Director and HR Director, will decide if the reference is changed or withdrawn, with legal advice sought where necessary, and will notify the employee of any decision first.
- 10.7. The academy will ensure that any information provided confirmed whether they are satisfied with the applicant's suitability to work with children and only provide the facts of any substantiated safeguarding concerns or allegations, including a group of low-level concerns about the same individual, that meet the harm threshold
- 10.8. Any repeated concerns or allegations which do not meet the harm threshold which have been found to be false, unfounded, unsubstantiated, or malicious will not be included in any reference.

11. Content of references

- 11.1. Basic information will always be expected in references received and provided, e.g. skills, knowledge, duties undertaken, experience working with children, and personal characteristics, in addition to any information relating to safeguarding. Further relevant comments will be made as much as is reasonably possible in line with the employer's requests, provided they are verifiable and objective, e.g. through appraisals or attendance records.
- 11.2. References will contain only factual and verifiable information and will not include speculation, e.g. about a former employee's suitability for a job, or hearsay. The person providing the reference will ensure all comments have a factual basis and that an impression is not given which is misleadingly positive or negative. Performance issues or concerns which have not been discussed or raised with the employee beforehand will not be mentioned.
- 11.3. All members of staff providing references will be made aware that information provided verbally to the prospective employer is subject to the same duties as written information and will avoid making verbal statements. Where it is necessary or appropriate, verbal information will be provided only in line with this policy's procedures, e.g. all statements must be verifiable and objective.

12. Previous disciplinary action

- 12.1. The Trust will ensure that reference request forms include a section asking for any past disciplinary action or allegations to be disclosed. Any disclosures will be carefully considered when assessing the candidate's suitability for the role, in line with this policy.
- 12.2. Information from DBS checks will not be included in references provided by the academy. Information regarding criminal offences from other sources will not be included, unless the Principal deems it appropriate and HR advice has been sought.
- 12.3. When providing references, the disclosure of information about past disciplinary action or allegations not relating to safeguarding will be provided where it is deemed appropriate, e.g. it is relevant to the staff member of former staff member's suitability for the role. Information relating to disciplinary action will generally only be disclosed if penalties or sanctions remain in place for the employee.
- 12.4. Allegations which were proven to be false, unsubstantiated or malicious, e.g. relating to misconduct, will not be included in a reference – this includes if it is a history of repeated concerns or allegations which have been found to be false, unsubstantiated or malicious. The member of staff providing the reference will make no comments about their own personal views on the veracity of allegations.
- 12.5. If an allegation exists which has yet to be investigated or an investigation is incomplete, the Principal will seek HR advice, and legal advice where necessary, on what information, if any, should be provided to the prospective employer.

13. Use of data and confidentiality

- 13.1. Personal data relating to references will be handled in line with the Data Protection Policy. All references will be properly addressed and marked private and confidential.
- 13.2. In accordance with the Data Protection Act (2018) and the UK GDPR any personal information will be processed fairly and lawfully, and will be kept safe and secure e.g. in locked non-portable containers or, for electronic information, password protected. Access will be strictly controlled and limited to those who are entitled to see it as part of their duties
- 13.3. Information relating to an individual's health and sensitive personal data, e.g. information relating to the individual's ethnicity, religion or trade union membership, will not be disclosed as part of a reference unless 'express consent' has been received from the individual for this purpose.

14. The Interview

- 14.1. During the interview process, candidates will be asked standard questions and their responses will be noted for ease of comparison.
- 14.2. Any concerns raised through contact with referees will be discussed with the candidate at this stage.
- 14.3. The interview panel will ask open questions to assess the candidate's experience and suitability for the post, and to explore the candidate's motivation towards safeguarding and their suitability

to work with children.

- 14.4. Candidates shortlisted for interview will be given the opportunity to complete a self- disclosure form prior to their interview. The form is emailed and returned to the HR Academy Lead through MyNewTerm.
- 14.5. The candidate will be given the opportunity to discuss any concerns or ask any questions.
- 14.6. The interview will comprise of a face-to-face interview wherever possible.
- 14.7. The interview panel may also request that candidates complete one or more of the following:
 - candidates for leadership roles may be asked to give a presentation; take part in a round table discussion; be interviewed by a group of pupils;
 - candidates for teaching positions may be asked to teach a lesson; give a presentation; be interviewed by a group of pupils;
 - candidates for support roles may be asked to complete written tasks; scenarios; give a presentation.

15. After the Interview

- 15.1. After the interview has been completed, the interview panel will:
 - assess all candidates' performance using the same agreed criteria;
 - contact and provide feedback to the unsuccessful candidates – feedback will be verbal and based on evidence of their performance against the person specification for the role;
 - advise the successful candidate they will need to provide proof of identification and qualifications, completes the DBS check and any outstanding safer recruitment processes as soon as possible.
- 15.2. Interview notes and assessment materials will be held securely for an appropriate amount of time after the interviews, in line with the Records Management Policy in case any aspect of the recruitment process is challenged. Interview notes for the successful candidate will be placed on their personnel file.
- 15.3. After choosing a successful candidate, the Trust will:
 - make a conditional offer of employment to the candidate subject to a satisfactory DBS check, medical questionnaire/ OH referral (if required) and 2 satisfactory references;
 - ask the successful candidate to provide identification and proof of qualifications, if this has not already been done;
 - complete the relevant pre-appointment and safer recruitment checks.
- 15.4. Once an offer of employment has been made, the candidate's self-declaration form will be reviewed. If a conviction has been declared, and it is spent or filtered, the offer of employment will not be retracted based on this; however, the Trust will undertake the relevant assessments to determine whether the candidate is suitable to work in the academy.

16. Remote Recruitment

- 16.1. The expectation is that all recruitment will be in person. In exceptional circumstances, should there be a requirement for remote recruitment, the Trust will follow all the requirements set out in this policy when recruiting remotely, changing only the in-person nature of the interview and implementing the necessary additional steps to support this.
- 16.2. On-line interviews will be conducted via Microsoft Teams. Staff members conducting an online interview will ensure they understand how to operate the various relevant functionalities of the online interview platform, e.g. how to share their screen, prior to the interview commencing.
- 16.3. Staff members conducting an online interview will ensure privacy settings are adjusted appropriately on the provider's site or application.
- 16.4. The Trust will be aware of, and have due regard for, the potential risks associated with online communication, e.g. ease of anonymity, and will ensure it takes suitable precautions, e.g. encrypting data where possible.
- 16.5. The Trust will ensure that any tasks set for candidates during the interview are compatible with the online nature of the interview, e.g. they do not require the exchange of physical paper resources.
- 16.6. The Trust will communicate its expectations to candidates regarding the use of the online platform in good time prior to the interview. These expectations will include, but will not be limited to, the following:
 - The candidate will participate in the interview with both the video camera and microphone features enabled at all required times;
 - The candidate will participate in the interview in a suitable setting – a quiet area with a neutral background;
 - The candidate will keep personal information which is not relevant to the recruitment process private, e.g. their email password, and will not ask the staff members conducting the interview to share any such private information;
- 16.7. The Trust will not discriminate against candidates who are recruited remotely; they will be considered fairly alongside any candidates who are not recruited remotely.
- 16.8. If a candidate refuses to interview remotely, the Trust will consider whether alternative arrangements for an in-person interview are possible, having due regard to the Trust's equality duties at all times. If this is not possible, then the Trust will sensitively inform the candidate that the remote interview process is a requirement of the application process, and have a considerate and good-natured discussion with the candidate as to whether they can continue with the recruitment process at this time. The Trust will direct candidates towards the DfE's advice on '[Attending your first remote interview](#)' prior to the interview.

17. Pre-appointment Checks

- 17.1. All appointments will be conditional on satisfactory completion of the necessary pre-appointment checks to the Trust.
- 17.2. When appointing new staff, the Trust will complete the following checks:
- Verify the candidate's identity;
 - Obtain an enhanced DBS certificate (via the applicant) and, for candidates engaging in regulated activity, barred list information;
 - Verify a candidate's mental and physical fitness to carry out their role;
 - Verify the person's right to work in the UK;
 - Make further checks on any individual who has lived or worked outside the UK;
 - Conduct an online search;
 - Verify professional qualifications, as appropriate;
 - For those in management, Member, Trustee or Academy governance roles, a section 128 check will be carried out;
 - Obtain two references, one of which must be the current/last employer;
 - Ensure that appropriate checks are carried out to ensure that individuals employed to work in Reception classes, or in wraparound care for children up to the age of 8, are not disqualified from working in these settings under the 2018 Childcare Disqualification Regulations.
- 17.3. The Trust will ensure any candidate employed to carry out teaching work is not subject to a prohibition order or any sanction or restriction imposed (that remains current) by the GTCE before its abolition in March 2012.
- 17.4. If the Trust has reason to believe that an individual is barred, it is an offence under section 9 of the Safeguarding Vulnerable Groups Act (SVGA) 2006 for the Trust to allow the individual to carry out any form of regulated activity.
- 17.5. The Trust will check if a proposed Member, Trustee or Academy Committee Member is barred as a result of being subject to a section 128 direction.
- 17.6. Checks for all prohibitions, directions, sanctions and restrictions will be carried out by using the secure access portal on the Teacher Services' [web page](#).

Volunteers:

- 17.7. If volunteers are engaging in regulated activity and are new to the Trust, an enhanced DBS check with a barred list check will be required.
- 17.8. Existing volunteers in regulated activity do not need to be re-checked if they have already had a DBS check conducted by us (including barred list information); however, the Trust may decide to conduct a repeat DBS check.
- 17.9. If a volunteer is not in regulated activity, the Trust will use its professional judgement, after conducting a risk assessment, to determine whether to seek an enhanced DBS check, but no barred list check will be required.

Candidates who have lived outside the UK:

- 17.10. From 1 January 2021, the Teaching Regulation Agency will no longer maintain a list of EEA teachers with sanctions. All schools must continue to carry out safer recruitment checks on all candidates and must make any further checks they think relevant.
- 17.11. For candidates who have lived outside the UK, all mandatory checks outlined in this policy will be carried out, along with additional checks where necessary.
- 17.12. For candidates who have lived or worked outside the UK, the Trust will make further checks where necessary, including, but not limited to:
- Obtaining an enhanced DBS certificate with barred list information, including for candidates who have not been to the UK before.
 - For teaching staff, obtaining proof of their past conduct as a teacher from the professional regulating authority in the country in which they worked, where available.
 - Obtaining an overseas criminal record check.

Agency and third-party staff:

- 17.13. In the case of any employee working within the Trust who is sourced from an agency or third-party organisation, confirmation must be obtained from the organisation, in writing, that all necessary checks have been completed. This includes all checks to be in place as the Trust would otherwise perform on any individual working in the school or providing education on the school's behalf.
- 17.14. Confirmation will also be obtained that the individual who presents for work is the same person on whom all checks have been completed. A copy of photographic identification will generally be kept where appropriate.

Trainee/student teachers:

- 17.15. The Trust will ensure that enhanced DBS certificates and barred list checks are obtained on all salaried applicants for initial teacher training who are in regulated activity.
- 17.16. Where trainee teachers are fee-funded, it is the responsibility of the initial teacher training provider to carry out the necessary checks.
- 17.17. The Trust will obtain written confirmation from the agency that the checks have been carried out.

Existing staff:

- 17.18. If a member of staff moves from a post that was not regulated activity to one that is, the relevant checks will be carried out.

Contractors:

- 17.19. The Trust's Estates Team will ensure that any contractor, or any employee of the contractor, has been subject to the appropriate level of DBS check. Contractors engaging in regulated activity will require an enhanced DBS certificate (including barred list information).

- 17.20. For all other contractors who are not engaging in regulated activity, but whose work provides them with an opportunity for regular contact with children, an enhanced DBS check (not including barred list information) will be required. Under no circumstances will a contractor in respect of whom no checks have been obtained be allowed to work unsupervised or engage in regulated activity.
- 17.21. If a contractor is self-employed, the Trust will consider obtaining the DBS check, as self-employed people are not able to make an application directly to the DBS on their own account.
- 17.22. The Trust will set out its safeguarding requirements in the contract between the contractor's organisation and the Trust.
- 17.23. The Trust will always check the identity of contractors and their staff on arrival.

Adults who supervise children on work experience:

- 17.24. If the Trust is organising work experience placements, it will ensure that the placement provider has policies and procedures in place to protect children from harm.
- 17.25. Barred list checks by the DBS might be required on some people who supervise a child under the age of 16 on a work experience placement. In such cases, the Trust will consider the specific circumstances of the work experience. Consideration will be given in particular to the nature of the supervision and the frequency of the activity being supervised, to determine what, if any, checks are necessary. These considerations will include whether the person providing the teaching/training/instruction/supervision to the child on work experience will be:
- unsupervised themselves;
 - providing the teaching/training/instruction/supervision frequently (more than three days in a 30-day period or overnight).
- 17.26. If the person working with the child is unsupervised and the same person is in frequent contact with the child, the work is likely to be regulated activity. In this case, the Trust will ask the employer providing the work experience to ensure that the person providing the instruction or training is not a barred person.
- 17.27. If the activity undertaken by the child on work experience takes place in a 'specified place', such as the academy and gives the opportunity for contact with children, this may itself be considered regulated activity. In these cases, and where the child is 16 years of age or over, the work experience provider will consider whether a DBS enhanced check should be requested for the child/young person in question. DBS checks cannot be requested for children/young people under the age of 16.

Children staying with host families:

- 17.28. The Trust may make arrangements for a child to have learning experiences where, for short periods, the child may be provided with care and accommodation by a host family to whom they are not related. In these circumstances, the LA will be consulted.

Members, Trustees and Academy Committee Members:

- 17.29. The Trust Board may request an enhanced DBS certificate without a barred list check on an individual as part of the appointment process for Members, Trustees and Academy Committee Members. An enhanced DBS certificate (which will include a barred list check) will only be requested if the Trustee will be engaging in regulated activity; this also applies to Academy Committee Members.
- 17.30. Trustees and Academy Committee Members will be subject to a section 128 check.
- 17.31. Newly appointed Chairs of Trustees will be subject to a suitability check, which includes:
- an identity check;
 - confirmation of the right to work in the UK;
 - an enhanced DBS check;
 - where required, additional information if the individual has lived outside the UK for a period of 12 months or longer.
- 17.32. Please see appendix 2 for flowchart of disclosure and barring service criminal records checks and barred list checks.

18. Right to work checks

- 18.1. EU, EEA, or Swiss citizens need to provide evidence of lawful immigration status in the UK. Individuals from these areas will no longer be able to use their passport or national ID as proof of right to work. Academies will need to check candidate's right to work online. The UK operates a points-based immigration system which affects how academies employ teachers who are not UK or Irish nationals. All overseas nationals, including those from the EEA and Switzerland, arriving in the UK from 1 January 2021 come under the new system.
- 18.2. The academy will obtain evidence that all candidates for a position have the right to work in the UK by either conducting a manual document-based check, or by using the government's [online portal](#). This will be done before a candidate is offered a position.
- 18.3. When conducting a manual, document-based check, the academy will ensure that the documents received from candidates are acceptable in line with government guidance: [Right to work checks](#).
- 18.4. The academy will obtain proof of candidates' immigration status in the UK.
- 18.5. The academy will contact the Home Office in the event that a statutory excuse must be established in the following circumstances:
- The candidate provides a document confirming receipt of an application to EUSS on or before 30 June 2021
 - The candidate provides a non-digital certificate of application confirming receipt of an application to the EUSS on or after 1 July 2021
 - The academy has checked a digital certificate of application and has been directed to the Home Office's Employer Checking Service

- The candidate provides an Application Registration Card stating the holder is permitted to undertake the work in question
- The academy is satisfied it has not been provided with any acceptable documents because the candidate has an outstanding application with the Home Office made before their previous permission expired, or has an appeal or review pending against the Home Office's decision and cannot provide evidence of their right to work as a result
- The academy considers that it has not been provided with any acceptable documents, but the person presents other information indicating they are a long-term resident of the UK, i.e. having arrived before 1988.

18.6. The academy will not make assumptions about a person's right to work in the UK, or their immigration status, on the basis of their race, ethnicity, nationality, length of residence in the UK or background. All candidates, including British citizens, will have their right to work in the UK checked.

18.7. Where a candidate's right to work is time-limited, the academy will conduct a follow-up check in advance of its expiry.

19. Identification checking process

19.1. When checking the validity of identifying documents, the HR Academy Lead will ensure that this is done in the presence of the holder in possession of the original documents. The Trust will only accept valid, current and original documentation in its physical form. The Trust will not accept photocopies or documentation printed from the internet e.g. internet bank statements.

19.2. The HR Academy Lead will request documents with photographic identity, such as a passport, and compare this against the candidate's likeness. The Trust will not accept documents that are not in the candidate's current name as recorded on the application form.

19.3. The Trust will request a copy of the candidate's birth certificate and ensure that the candidate declares all previous name changes and provides documentary evidence to support the name change. If the candidate is unable to provide evidence to support the name change, the HR Academy Lead will hold a discussion with the candidate about the reasons why, before validating their identity.

19.4. The HR Academy Lead will compare the candidate's address history with any other information the candidate has provided, such as their CV.

19.5. The HR Academy Lead will ensure that all letters and statements provided by the candidate are recent e.g. within a three-month period.

19.6. The HR Academy Lead will keep a dated record of every document that has been checked for the duration of the candidate's employment and for a further two years after they have left the academy. This will be either as a hard copy or in a scanned format which cannot be manually altered, e.g. JPEG or PDF document, and will be made available to the appropriate

authorities if and when requested.

20. Online searches

- 20.1. The Trust is committed to ensuring that safeguarding is a top priority; therefore, in line with KCSIE, an online search will be conducted on all candidates who have been offered a position as part of their pre-employment checks.
- 20.2. The online search is undertaken to identify any issues or incidents that have happened, and details of which are publicly available online, in order to identify candidates who may not be suitable to work with children.
- 20.3. Online searches will only examine data that is publicly available. The online search process will include searching for the candidate by name via search engines. Staff will not 'follow' or submit a friend request to shortlisted candidates on social media platforms to access further details or information.
- 20.4. When carrying out searches, the Trust will look for indicators of concern such as:
 - Inappropriate behaviour, jokes or language
 - Discriminatory comments
 - Inappropriate images
 - Drug or alcohol misuse
 - Anything that suggests a candidate may not be suitable to work with children
 - Anything that could harm the reputation of the Trust
- 20.5. Any concerns will be discussed with the Principal (for academies) or Director (for Trust) and HR Partner and raised with the candidate to address and respond to any concerns raised by the search.

21. After the Pre-appointment Checks

- 21.1. Once the pre-appointment checks for employees have been completed, the HR Academy Lead will:
 - confirm the start date with the candidate;
 - ensure contractual paperwork, including a record of the completed DBS check, copies of identification, references, proof of qualifications, pre-employment medical enquiry form, P45, application/equal opportunities, emergency contacts, signed letter of offer, job description and contract are on the personnel file;
 - add the required details of the checks carried out to the academy's or Trust's SCR;
 - issue a Declaration of Interest form, where applicable to the position;
 - set up new employee on payroll and MIS systems;
 - arrange relevant access to all IT systems issuing the ICT Acceptable Use details
 - issue fob, lanyard, keys, equipment as required.
- 21.2. Once the pre-appointment checks for Members, Trustees and Academy Committee Members have been completed, the Clerk will:
 - Confirm the start date and term of office;

- Complete the Governance Induction Process.

22. Single Central Record (SCR)

- 22.1. All provisions across the Trust will maintain and regularly update the SCR.
- 22.2. All new employees will be added to the record, which will include:
 - all staff (including supply staff) who work at the Trust;
 - all others who work in regular contact with children across the Trust including volunteers.
- 22.3. The bullet points below set out the minimum information that must be recorded in respect of staff members (including teacher trainees on salaried routes). The record will indicate whether the following checks have been carried out or certificates obtained, and the date on which each check was completed/certificate obtained:
 - an identity check;
 - a barred list check;
 - an enhanced DBS check;
 - a prohibition from teaching check;
 - further checks on people living or working outside the UK, including checks for European Economic Area (EEA) teacher sanctions and restrictions;
 - a check of professional qualifications;
 - a check to establish the person's right to work in the UK;
 - for those in management, Member, Trustee or Academy governance roles, a section 128 check.
- 22.4. For supply staff, the Trust will include whether written confirmation has been received that the employment business supplying the member of supply staff has carried out the relevant checks and obtained the appropriate certificates, and the date that confirmation was received and whether any enhanced DBS check certificate has been provided in respect of the member of staff.
- 22.5. Checks carried out on volunteers will be recorded in the SCR.
- 22.6. The Trust will keep separate SCRs for each academy; it will ensure that all those who need to see the central SCR can easily do so.
- 22.7. The details of individuals will be removed from the SCR once their employment with the Trust ends.

23. Safer Recruitment Training

- 23.1. At least one member of the interview panel will have completed formal safer recruitment training. The HR Academy Lead will have completed formal safer recruitment training and be present at all interviews to take notes and answer queries relating to safer recruitment.
- 23.2. As a measure of good practice, the Trust will ensure that this training is renewed every three years.

24. Safeguarding

- 24.1. For references provided to the academy, the candidate's suitability will always be assessed with particular regard paid to their suitability to work with children. The DSL will be consulted where appropriate.
- 24.2. The DSL will recognise the academy's duty to disclose safeguarding concerns overrides any other duties to an employee, and ensure the academy complies with its safeguarding obligations. The DSL will ensure records are kept of all allegations against staff in line with the most up-to-date version of KCSIE.
- 24.3. For all safeguarding allegations, excluding those proven to be malicious, a clear and comprehensive summary of the allegation, details of how the allegation was followed up and resolved, and a note of any action taken, and decisions reached, will be kept on the confidential personnel file of the accused member of staff. Accurate information based on these records will be given in response to future requests for a reference, where appropriate. Safeguarding information will not be given in circumstances where the allegation was found to be false, unsubstantiated or malicious – this includes if it is a history of repeated concerns or allegations which have been found to be false, unsubstantiated or malicious. The member of staff providing the reference will make no comments about their own personal views on the veracity of allegations.

25. Monitoring and Review

- 25.1. This policy is reviewed annually by the CEO and Directors.
- 25.2. Any changes made to this policy will be communicated to all members of staff and relevant stakeholders.

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APPENDIX 1: RECRUITMENT CHECKLIST

HR Academy Lead to ensure the correct procedure is followed and all relevant documentation is completed and stored on the individual's personnel file – in order.

Employee Details			
Name		Job Title	
Start Date		Type of contract	

Safer Recruitment Checks			
Please initial to confirm the check is complete or clearly mark items not applicable as required.			
Check	Complete (Initial)	Check	Complete (Initial)
Reference 1 requested <i>Current/most recent employer</i>		Reference 1 received <i>To be countersigned by principal</i>	
Reference 2 requested		Reference 2 received <i>To be countersigned by principal</i>	
Additional references required?		Additional references received <i>To be countersigned by principal</i>	
Offer letter sent		Signed offer letter received	
Pre-employment health questionnaire completed		Occupational Health Report received, if required <i>(Log on OH Tracker)</i>	
Identity documents copied & certified <i>Must include birth certificate</i>		Original Qualifications checked <i>Must include all essential qualifications as stated on the Person specification</i>	
New DBS requested		DBS Update Service Check Completed	
DBS outcome received		Online Check form complete	
Right to Work checklist complete		Overseas check complete, if required	
Childcare disqualification declaration completed		Prohibition of Teacher checks via DfE <i>Claim Teacher for your Academy List</i>	
Section 128 Check – To be completed via DfE Sign-in For SLT and above in Academies, AAC Members, Trustees and Deputy Directors and above at Trust Office <i>Important: For the Section 128 check, please confirm date check completed alongside your initials.</i>			
Contract and JD Issued		Signed contract & JD received and saved with a copy of the PS	

Additional items for Personnel File			
Document	Complete (Initial)	Document	Complete (Initial)
Job advertisement and copy of complete staffing Request email <i>Email agreement from CEO & Principal on file if variation from advert / SR / Grade base point</i>		Application form <i>Candidate to sign application form</i> <i>Any gaps in employment explained in writing</i>	
Interview Notes		New Starter form received	
Completed payroll forms received		Print MyNewTerm Declarations form	

New Starter Reminders

Action	Complete (Initial)	Action	Complete (Initial)
Add to DES		Payroll forms sent to Payroll	
IT Access requested <i>Including email distribution groups, as required</i>		Add to SIMS/Integris	
Add to SCR		Add to National College & relevant watchlists	
ID Badge requested		Move to recruited stage on MyNewTerm	
Issue Induction Checklist to Line Mgr		Update Staff list on Academy Website	
Declaration of Interest link to be sent to the following staff members: <i>Principals, Vice Principals and Assistant Vice Principals, All budget holders, All Trust office staff, All Finance Staff</i>			
Ensure all identity documents, copies of qualifications and the DBS outcome/update service printout are verified with the statement "Original Document Seen" with the signature of the verifier and the date the documents were obtained.			

Diary Reminders – Enter dates

Induction - First day Calendar time with Line Manager; ideally on arrival and confirm expectations for induction		Induction - First week Calendar time with HRAL to go through the induction presentation	
Support Staff: Probation review dates	1 Month: 3 Months: 6 Months:		

HRAL Sign off of Recruitment Checklist

Under no circumstances is an employee to be engaged without the full completion and sign off this form.

If you are having difficulties with any aspect of the procedures you must contact your HR Partner for advice.

Acknowledgement

I confirm all required checks are in place and the attached documentation has been verified.

Signed:

Name:

Dated:

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APPENDIX 2: Flowchart of DBS & Barred List Checks

Disclosure and Barring Service Criminal Record Checks and Barred List Checks

