



Safer Recruitment Policy

Rationale

This policy sets out the principles and procedures required both legally and morally in order to recruit the best candidate for any vacancy, ensuring that the safeguarding of students is prioritised in any decision that is made. The detail within this document is based upon the Keeping Children Safe in Education Document which is updated annually in September and sets out recruitment best practice, some underpinned by Legislation.

Why Good Recruitment and Selection is Important

It is vital that schools adopt recruitment and selection procedures and other human resources management processes that help deter, reject, or identify people who might pose a significant risk to children and Young People and are unsuitable to work with them.

This policy provides advice about practice that should be followed in order to achieve that.

People are our most important asset and in recognising this fact, considerable time and money is spent on recruitment and selection.

The recruitment process is often the first experience an individual has of an organisation. It is therefore important that the experience is positive.

This policy aims to assist managers and employees in the implementation of a recruitment and selection procedure which is:

- effective - attracting suitable candidates
- efficient - using the most cost-effective advertising and recruitment methods
- fair - dealing with potential and existing employees in a fair, professional and courteous manner

These processes and procedures aim to ensure, as far as possible, that the right person is selected for the job.

Although this document is intended for Schools to use when recruiting staff, it is crucial that in addition to referring to this document, the Headteacher and at least one member of every appointment panel must have passed Safer Recruitment Training, either by attendance at a Local Authority training session or completion of the online training.

All Schools are expected to have an explicit statement about the organisation's commitment to safeguarding and promoting the welfare of children which should be used on all recruitment material.



Legal Requirements

The Recruitment and Selection Policy and Procedures must comply with the following Acts:

- Trade Union and Labour Relations (Consolidation) Act 1992
- Rehabilitation of Offenders Act 1974
- Local Government & Housing Act 1989
- Education Reform Act 1988
- Data Protection Act 2018
- Employment Rights Act 1996
- The Asylum & Immigration Act 1996
- Equality Act 2010

The Good Work Plan 2020 requires a full statement of contractual conditions to be given to all employees prior to or on the first day of employment. The employer must provide the principal statement and the wider written statement within this timeframe.

The Equality Act 2010 prohibits direct or indirect discrimination on grounds of any of the protected characteristics.

Guidance from The Trust HR Adviser must be sought before designating a post as exempt from anti discrimination legislation on grounds of statutory provisions for genuine occupational qualifications.

The Equality Act prohibits discrimination against people with disabilities in relation to offers of employment, terms of employment, promotion, training or other benefits. It requires employers to make 'reasonable adjustment' to the working environment and arrangements for people with disabilities. This could include making adjustments to equipment, duties, working hours and/or providing special support, training and facilities.

'Closed Shop' provisions introduced by the Employment Act 1990 and included within the Trade Union and Labour Relations (Consolidation) Act 1992 make discrimination in employment on grounds of membership or non - membership of a Trade Union unlawful.

The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (SI 1975 No. 1023) as amended by the Amendment Orders 1986 (SI 1986 Nos.1249 and 2268) provide for certain categories of persons being considered for work involving access to children, to be exempt from the main Act and subject to police checks on their criminal records before appointment. Accountants and Lawyers are also excluded categories of employment.

The Education Reform Act 1988 specifies the powers of Trustees to make decisions about the recruitment of Schools teaching and non teaching employees.

The Data Protection Act 2018 Act requires computerised records of job applicants to be

registered with the Data Protection Controller and provides for subject access. .

The Asylum and Immigration Act 1996 makes it a criminal offence for any employer to employ a foreign national, aged 16 or over, who does not have permission to work in the UK.

The Prevention of Illegal Working

A foreign national must produce satisfactory documentation proving their legal freedom to work. It is necessary to take a copy of any relevant documentation and keep it on file in line with the Trust Data Retention Policy.

Examples of documentation that could be accepted as proof of a candidate's right to work are:

- passport [with valid current endorsement]
- Home Office letters
- Settled or pre-settled status confirmation for EU colleagues

In the event of a prosecution for employing 'illegal' employees, it is not just the employer who could be liable. Any Head Teacher, etc. may also be called to account on a personal basis if they have been involved in the employment of 'illegal' employees.

Should you be in any doubt as to a candidate's right to work in the UK, seek advice in the first instance from HR.

Decision to recruit

Once a vacancy arises, the need to fill the post must be considered. The position should be analysed to ascertain:

- if it is essential that the post be filled
- what would be the impact on service delivery if the vacancy is frozen or the post deleted
- are there any organisational changes that might affect the post
- whether a reallocation of duties could be achieved, making it unnecessary to fill this post
- whether the post could be filled at different hours, grade or under more flexible arrangements, e.g. job share
- whether the post should be ring fenced. (When employees are redundant or in a potential redundancy/redeployment situation a post can be ring fenced, which means that the affected employees are given the first opportunity to be considered for any new or revised jobs within the section affected). If the vacancy is only be temporary, it can be filled by another member of staff 'acting up' or under secondment arrangements

- is there a suitable redeployee who could be considered for the post.
- If the vacancy arises because of the creation of a new post the following must be considered:
 - is it permanent or temporary
 - limited short-term
 - part-time
 - Is there available budget for the position

Positive Action in Recruitment

Although positive discrimination is unlawful, there is nothing to prevent the school from encouraging and helping under-represented groups, e.g. people with disabilities or ethnic minority groups, to apply for a job.

The following actions can be taken to encourage specific groups of people to apply for job vacancies:

- liaising with local disability groups to publicise the vacancies
- using other languages as well as English on adverts
- placing job adverts to target particular groups
- state in the advert that candidates from a particular group are under-represented within the school

These actions should not discourage other suitable candidates who are not in this particular group from applying, but should encourage candidates from the specific groups to apply.

From the equal opportunities monitoring form it may be possible to establish that a candidate has a disability. If the candidate is short-listed they should be asked for any details of aids, adaptations or modifications that might be required to assist at the interview or to fulfil the duties of the post. This will enable the recruitment panel to make any reasonable adjustments.

Job Description

There must be an accurate and up to date job description available for every post. A job description not only enables the school to be sure that the post meets its requirements, but is also essential when preparing the person specification. For the potential employee, it enables them to understand what their role would be in the organisation and will form part of their employment contract should they be appointed.

The job description should include the purpose of the post and a summary of the main activities rather than each and every task to be performed.

A job description is an essential tool for evaluating posts. It is important to remember this



when preparing a new job description or amending an existing one and for support staff profiles, they must be sent to the Trust HR for evaluation.

The job description and person specification should specifically include reference to the responsibility the role has for safeguarding and promoting the welfare of children and the qualities – whether that be ability, experience, training or attitude, or a mixture of these – that the person will need to fulfil that responsibility.

Person Specification

A person specification describes the skills, knowledge and characteristics which the candidate must possess to fill the vacant post. It is an essential part of the recruitment process, and drives the information used for:

- assessing a person's ability to undertake all the duties and responsibilities in the job description
- advertising the post
- short-listing the candidates for the final selection process
- the final panel decision on appointment

The person specification should contain only objective and measurable criteria on which to assess the applicants. This ensures that applicants are treated solely on merit and without reference to irrelevant material that could result in direct or indirect discrimination.

The person specification should indicate how each aspect of the criteria will be assessed i.e. from the application form, the interview, tests or a combination of these. It is good practice to include at least one criterion that relates to the safeguarding of children.

Assimilation

This rule is used almost exclusively in re-structures and re-organisations, when current posts are deleted and new posts created or posts are redesigned.

If an employee is undertaking 65% or more of the duties of a new post in their old job, then that employee can be assimilated to the new post. There will be, in this case, no need for a selection process.

However if there are a number of employees in the same position and there is a reduction in the number of new posts then a selection process would have to be undertaken.

Please see the Organisational Change Procedure for details.

Advertising the Post

An advert is intended to attract suitable applicants to apply for a post. Therefore adverts should be clearly written and based on key aspects of the job description and the person specification. It should enable the reader to make a judgement as to whether it is appropriate for them to apply.

An advert that is vague and refers to general functions of the post, rather than key functions and precise skills, tends to generate lots of interest from unsuitable applicants. It is important to choose wording carefully so as to avoid discrimination and also not to use terms which are difficult to test objectively. It is also best practice to include the policy statement with regards to safeguarding to deter unsuitable applicants.

The advert should include the following:

- post title
- salary package plus benefits
- location
- key duties & functions of the post
- skills/knowledge/experience/qualifications needed to undertake the post
- whether it is a temporary or permanent contract
- weekly hours
- if it is, or can be available as a job share
- closing date
- interview dates (week commencing dates are sufficient if exact dates are unknown)
- application details. It is important to state that a CV is unacceptable and that only the stated application form can be used to apply.
- safeguarding and equal opportunities statement
- that an online search of social media will be carried out for all shortlisted candidates
- equality and diversity statement
- the school's commitment to safeguarding and that safeguarding checks will be undertaken
- that the post is exempt from the Rehabilitation of Offenders Act (ROA) 1974.

It is important to phrase adverts in a non discriminatory way in order to encourage applications from a diverse range of candidates.

Teacher vacancies are advertised through TES, Jobs Go Public and through Social Media Links. Associate roles are advertised through Havering and uploaded to Jobs Go Public and the Havering portal. All adverts are on the individual school and Trust websites.

If a post quickly becomes vacant and has been advertised in the previous 6 month period, it is possible to approach any appointable candidates from that selection process. Starting with the highest scoring candidate the role can be offered if the individual remains interested in being considered. It will be necessary, in order to have a full chronology of employment and training, to capture the details of any employment or training carried out since the original interview. New referees may also need to be sought.

External or Internal Advertising

Regulation 15 of the School Staffing (England) (Amendment) Regulations 2012 specifies that maintained schools must advertise any headteacher vacancy unless there's a "good reason" not to. Whilst this requirement does not apply to academies the Trust has chosen to advertise such vacancies, except in exceptional circumstances, as it is good practice to do

so. Any advertising MUST comply with the articles of association and funding agreements.

Deputy headteacher posts must be advertised in such a manner as the governing board considers appropriate unless it has good reason not to advertise because, for example, the school is re- structuring.

For all other positions there is no set requirements on whether a vacancy is advertised internally or externally although it is considered good practice to advertise externally to attract the widest possible audience for permanent roles.. Internal advertising only may be appropriate if the school is restructuring or the vacancy is of a temporary nature for example.

Method of Application

An application form must be used to obtain a common set of core data from all applicants. The online application form requests the required information. CV's will not be accepted.

All roles at the Trust are regarded as regulated activity and the application form guidance notes specify that it is an offence to apply for the role if the applicant is barred from engaging in regulated activity relevant to children.

Candidate Information Pack

The pack should include (this can be uploaded to the website to accompany the advert):

- the application form, and explanatory notes about completing the form
- the job description and person specification
- any relevant information about the establishment and the recruitment process, and statements of relevant policies such as the policy about equal opportunities and the recruitment of ex-offenders
- the school's Child Protection Policy
- a statement of terms and conditions relating to the post
- that it is an offence to apply for the role if the applicant is barred from engaging in regulated activity relevant to children

Internal candidates will receive the same information as external candidates if this is requested and must ensure that they inform either their Headteacher or the Trust CEO if centrally employed, of their application.

Shortlisting

The purpose of a shortlisting process is to decide which candidates meet the requirements of the job, i.e. those whose skills and abilities match the essential requirements of the job. It will be these candidates who are invited to attend an interview or the next stage of the recruitment process.

The shortlisting process should take place as soon after the closing date as possible, and should be done by at least two people, preferably three, who will be on the interview panel. At least one member of every panel must have current safer recruitment training. The shortlisting should initially be undertaken separately and then a consensus reached as to

the candidates to be shortlisted. Appendix 1 is a template shortlisting grid

Shortlisting should be an objective process. It is achieved by comparing the essential criteria on the person profile with the candidate's application form. Any candidate who meets the essential requirements should progress to the next stage of the recruitment process.

There should not be a determined number of candidates to progress to the next stage. However, if there are too many candidates, the scores against the highly desired elements of the person specification could be compared or the 'desirable' requirements could be considered to refine the shortlist and this may reduce the number of candidates to a manageable number.

All applications should be scrutinised to ensure that they are fully and properly completed, that the information provided is consistent and does not contain any discrepancies, and to identify any gaps in the candidate's history. Gaps in the candidate's history (employment or other activity) should be identified. All applications should be signed or the declaration box ticked in the case of online forms.

Incomplete applications should not be accepted and if possible should be returned for completion. Any anomalies or discrepancies or gaps in the candidate's history should be noted so that they can be taken up as part of the consideration of whether to shortlist. This may highlight a Safeguarding concern.

Gaps in employment, reason for leaving and the reasons for a history of repeated changes in employment without any clear salary or career progression/development, or mid-career move from permanent to supply teaching or temporary work, also need to be explored and verified. If you decide to shortlist candidates with such anomalies, these should be explored prior to, or at the interview and captured on Appendix 3.

Criteria for selection/rejection should be applied equally to all candidates. A candidate who has been rejected for a job and believes the rejection to be on the grounds of a protected characteristic, can take their case to an Employment Tribunal. If it is then shown that the selection criteria was applied inconsistently, it leaves the employer exposed to allegations of unfair and unlawful discrimination.

Where the candidate has declared a criminal caution or conviction, this information **MUST NOT** be used as a reason to not shortlist to ensure equality of opportunity. However, the disclosure can be explored at interview and a decision can then be made based on the information obtained. Prior to any offer of employment the risk assessment at Appendix 3 must be completed. The DBS must be compared with the self disclosure before confirmation of appointment to ensure consistency.

The outcome of the shortlisting process must be documented, stating the reasons for selection and non selection. This can help to demonstrate that all the candidates were treated fairly and assessed against the same criteria. The Trust may be asked to produce this documentation as part of an investigation of unfair discrimination and failure to do so could weaken the employer's defence against a claim of unfair discrimination. Please see Appendices 1 and 2 for an example short-listing and interview grids.

Where only one candidate has satisfied the shortlisting requirements, they can be

interviewed. The relevant comparison is between the requirement of the person profile and applicant and not between the applicants although it is unusual to interview only one candidate.

Checks before Interview

Shortlisted candidates must be asked to complete a self-declaration of their criminal record or information that would make them unsuitable to work with children.

Receiving References

The purpose of seeking references is to obtain objective information to support appointment decisions. They should always be sought and obtained directly from the referee. Employers should not rely on references or testimonials provided by the candidate, or on open references and testimonials, i.e. "To Whom It May Concern". There have been instances of candidates forging references and open references might be the result of a settlement agreement and are unlikely to include adverse comments.

Candidates should be given the opportunity to ask that their current employer not be approached at this stage for a reference as they may be unaware that they are seeking alternative employment. For any post where the candidate currently teaches in a school or works term time only, it is not expected that such a request will be made as the candidate will have had to ask for time off to attend an interview. It is up to the person conducting the recruitment process to decide whether to accede to a candidate's request to postpone obtaining their references but it is not recommended for teaching posts.

Ideally references should be sought on all shortlisted candidates, including internal ones, and should be obtained before interview so that any issues of concern can be explored further with the referee, and taken up with the candidate at interview. Further to the introduction of the Equality Act 2010, references sought prior to interview should no longer request information regarding absences. A second reference requesting absence information should be sought after the conditional offer of employment has been made.

References should be sought from two referees (three for Headteacher posts) in respect of all external candidates, one of whom should be the present employer, or the last employer if the candidate has asked that their current employer is not approached at that stage. Prior to interview, a reference should be secured from the relevant employer from the last time the applicant worked with children (if not currently working with children), if the applicant has never worked with children, then ensure a reference from their current employer. References should not be for any employer over five years unless the current/previous employment lasted more than five years.

In exceptional circumstances it might not be possible to obtain references prior to interview, either because of delay on the part of the referee, or because a candidate strongly objects to their current employer being approached at that stage.

In any case where a reference has not been obtained on the preferred candidate prior to interview, the employer must ensure that it is received and scrutinised, and any concerns are resolved satisfactorily, before the person's appointment is confirmed. If it is the candidate's first job it is acceptable to request a reference from another suitable source. For

example from a university course, a placement or a voluntary role they may have undertaken

When requesting references it is important to supply the referee with a copy of the job description and person specification (the referee is asked their opinion as to the suitability of the candidate for the post). All references are requested using the school's standard form which is available from HR.

Upon receipt, references should be checked to ensure that all specific questions have been answered satisfactorily. The information should be compared to the application form to ensure consistency. Any discrepancy should be followed up with the candidate and any concerns raised with the referee and documented.

All references should be verified, either by ensuring that they have been returned on a professional letterhead, or requested and returned via a credible business/organisation email address. It is not good practice to accept references that have been supplied via a personal email account, nor those without a professional letterhead. In this event, it is good practice to follow this up and request proof of establishment. In this event, this should be followed up and evidence of establishment obtained.

All references should seek objective viable information, not subjective opinion and should ask as a minimum:

- about the referee's relationship with the candidate, how long have they known them for and in what capacity
- details of length of employment, present post, duties, level of pay
- whether the referee is satisfied that the person has the ability and is suitable to undertake the job in question, and for specific comments about the applicant's suitability for the post
- whether the referee is completely satisfied that the candidate is suitable to work with children
- specific viable comments about the applicant's performance and conduct; this will include specific criteria for teachers, relating to the expectations of the level of post applied for
- details of current disciplinary procedures the candidate has been subject to
- details of unconcluded disciplinary investigations currently being undertaken
- details of all (current and expired) disciplinary procedures the candidate had been subject to involving issues related to the safety and welfare of children or young people, and the outcome
- details of any substantiated or founded allegations or concerns that have been raised with the candidate that relate to the safety and welfare of children and young people or behaviour towards children or young people and the outcome of those concerns
- details of any concerns over capability in the past 2 years

Where a reference is from a school it will usually be from the Headteacher, where a reference is not from the Headteacher they should be asked to countersign the reference to confirm the accuracy of the content and specifically to comment on any disciplinary/capability proceedings in the preceding 2 years.



Providing References

References must always be true, fair and accurate. It is crucial when providing a reference to stick to facts that can be evidenced or documented and that the employee is aware of. It is possible to provide what may be perceived as a negative reference, as long as it can be documented or evidenced and provides an accurate and balanced view of the person. Any unsubstantiated, unfounded or malicious concerns should not be included in any reference.

Mark the reference as confidential even when completing a tick sheet reference. At the bottom of the reference add that the reference is being given in good faith based on all of the information available at the time, but neither the writer nor the employer accept any responsibility or liability as a result or reliance being placed on it.

Trust references must come from a senior leader with the authority to provide that reference and if not from the Headteacher, the reference should be countersigned as being accurate by the Headteacher. Personal references may be provided but must not be sent from a work email address or contain any school or Trust logos that may lead to it being interpreted as a professional reference.

If a live warning is on file in relation to either a disciplinary or capability concern it must be disclosed. If there is a question about whether there is an ongoing investigation or if the applicant was ever subject to a disciplinary investigation, it is important to answer accurately. If the individual resigns before the investigation has reached a conclusion you may wish to disclose this in a balanced way. Regardless, the information provided needs to be true, fair and accurate.

If there is a live capability warning on file in relation to performance this must be disclosed in the reference. The School Staffing Regulations require the school to provide details of any formal capability process from the previous two years. This information includes how the concerns arose, the nature of the concerns and what was done to address these. This is likely to go beyond any current live warning if it expired due to the passage of time and the required improvement in performance.

If a settlement agreement or COT3 (a form of settlement agreement) was agreed with an employee the reference provided must use the specific wording which was agreed as part of that process. Headteachers new in post should check with HR in case there were any formal processes carried out prior to their appointment which need to be disclosed.

Unless a post has been offered to a candidate, the Equalities Act 2010 does not allow for sickness absence information to be provided. If a reference request is received for a member of staff prior to interview, sickness data must not be disclosed.

Interviews

The interview is the most commonly used selection tool. The purpose of the interview is to select the most appropriate person for the job based upon an objective assessment of each candidate's skills, knowledge, experience etc. against the person specification. It is important to remember that the interview is not only about the employer assessing a potential employee but also about the candidate assessing the school as a potential

employer.

Where possible other assessment methods should be used to triangulate the information provided in the application form and during the interview. The weighting and scoring framework for all assessed tasks and the interview should be determined prior to the selection day.

It is recommended that there is a minimum of 2 people on the interview panel, the same two people who have conducted the shortlisting process and where possible the panel members should reflect diversity. For example not having an all male panel.

There is a statutory requirement that at least one person of every interview panel for school based posts, has undergone and successfully passed the Safer Recruitment Training, either online or by attending the Local Authority training session or completing the online training provided by the NSPCC.

The panel should agree on a set of questions they will ask all candidates relating to the requirements of the post and the benchmark answer to each question. A candidate's response to a question will determine whether and how this is followed up.

The first question in the interview will be, where necessary, a chance to ask each individual questions about their application, such as questions about gaps/anomalies in their history (employment or other activities) and if references and/or social media checks highlight any concerns.

Before the interviews take place it is also important to ensure that the panel members are clear on how the interviews are to be recorded, the assessment system to be used, and the intended timescale for making a decision and who will give the feedback to the candidates at the end of the process.

The environment the interviews are to take place needs to be considered carefully to avoid disturbance and interruptions. The furniture may need to be arranged to ensure that it is comfortable for all those participating and it is not intimidating for the candidate. It is also important to take into account any specific needs, for example access requirements.

There should be someone to greet the candidates when they arrive for the interview.

The questions must be designed to extract the evidence/information from the candidates to enable an assessment against the requirements stated in the person specification. All candidates must be asked the same questions to ensure equality and therefore questions must be standardised. It may be necessary to probe further in response to a candidate's reply, and this is acceptable.

Where possible, it is best to avoid hypothetical questions because they allow theoretical answers. It is best to ask competency based questions that ask a candidate to relate how they have responded to or dealt with an actual situation, or questions that test a candidate's attitudes and understanding of issues, including attitude towards safeguarding. Questions specifically relating to safeguarding should also be included. Candidates should also be asked if there is anything they wish to declare in light of the requirement for a DBS disclosure and online checks, and where references are not yet obtained, references

requested.

Candidates should not be asked questions about their personal circumstances or family commitments. Neither should candidates be asked about:

- their ability to understand/converse in English
- desire to return to their country of birth
- how they would react to being the only woman, man, black, white person in a team
- intentions of getting married
- plans for a family

Whilst it is not unlawful to ask questions about domestic responsibilities, how the information is used, may be. It is therefore recommended that this type of question is avoided where possible.

Where a candidate is disabled, the Equalities Act does not prohibit the employer from seeking information about a disability, but it must not be used to discriminate against the candidate. A question about the disability should only be asked if it is, or may be, relevant to the candidate's ability to do the job, or for considering reasonable adjustments or monitoring purposes. Asking about the effects of a disability will be important in deciding what adjustments ought to be made.

During an interview notes should be made as to whether the candidate meets the requirements stated in the person specification. The grid at Appendix 2 should be completed by all panel members during or immediately after the interview and before the next candidate.

Candidates must be given the opportunity to ask questions at the end of an interview. They should also be told when a decision will be made and how they will be notified of the outcome.

The checklist at Appendix 4 should be completed before the end of each interview to ensure that all the relevant safeguarding checks have been fully completed. The signed form should be returned to HR with the interview grid and interview notes along with any assessed tasks and scores.

Information for Candidates

The candidates need to be informed of the time, date and location of the interviews. They should be asked to bring with them confirmation of their relevant qualifications, and proof of their right to work in the UK, as well as a second form of identity e.g. a utility bill or driving licence. Ideally a copy should be taken, although it is acceptable to indicate on the application form that they have been seen. Candidates must also be told the format of the process. For example, will they be required to attend a preliminary interview, will there be tests involved before the interview. It is important to supply the candidates with as much information as possible prior to the interview, to allow them to prepare and to minimise the risk of job offers being rejected.

Candidates should be interviewed in alphabetical order unless there are travelling or there

are domestic difficulties. Internal candidates should be interviewed consecutively if possible. All candidates should be allotted the same period of time.

It may be helpful if candidates are able to visit the work area before the interview. To ensure that all candidates have the same opportunity and receive equal treatment any arranged visits should be with the same designated officer.

Tests

To encourage a wider range of evidence to support demonstration of competence, a test may be appropriate to support any selection decision. Any test must be considered to ensure it demonstrates key abilities and requirements that are identified in the person specification and/or job description. All teaching vacancies must include an observation of their teaching.

Selection Decision

The final selection decision must be made on merit and based upon the information gathered from the whole recruitment process, which includes the application form, interview(s) and any tests that the candidates have been required to do.

The selection decision is made as to the candidate who best meets the criteria that has been specified in the person profile. The job should be offered to the candidate who meets all essential requirements. If there is more than one candidate who meets the essential requirements then the scores of the more highly weighted elements of the interview selection scoring grid must then be taken into account.

The selection must be done as objectively as possible and based on the evidence gathered throughout the process and not by 'gut instinct'. The panel members need to initially record their own decisions and then come to a consensus of opinion and record the panel's decision. The school may find that a decision is challenged so we must ensure the process has been undertaken fairly, objectively and has been recorded in writing. The forms at Appendices 1 and 2 provide a format for a fair and evidence based selection.

Subjectivity and bias must be avoided. For example:

- own image recruiting - this is where selection decisions are influenced by the fact that an applicant displays attitudes and characteristics similar to that of the interviewer or previous post holder
- fitting in - this is where selection decisions are influenced by concerns about whether a candidate's race, colour, gender, sexual orientation, age, disability is likely to be acceptable to existing employees
- stereotyping - this is where selection decisions or questions during interviews are based on pre-conceived assumptions about the capabilities of a person because of that person's protected characteristics, qualifications, appearance etc. Applicants stereotyped in this way may be seen unfairly as performing badly in the interview. Alternatively, interviewers may be more apt to test such applicants more rigorously than others.



Employment Offer

An oral offer of appointment can be made subject to medical clearance, satisfactory references and DBS. Care must be taken when making offers of appointment as anything said may be contractually binding.

Candidates offered appointments, subject to medical clearance, satisfactory DBS and on line check and satisfactory references, must be advised that they should not resign from their current employer until they have received confirmation that satisfactory reports/references have been received. This offer should be confirmed in writing.

All appointments are subject to the receipt of the pre-employment checks detailed in this policy that are satisfactory to the school in the context of the role being offered. All checks should be confirmed in writing before a contract of employment is issued which must be issued prior to the first day of employment.

Start Date - Once the candidate has formally accepted the post, the start date can be agreed. New appointments should not begin without DBS clearance; however, in exceptional circumstances the school can risk assess the new staff member and arrange for the employee to work under constant supervision if every other check has been completed, until the DBS is received.

Medical clearance

Anyone appointed to a post involving regular contact with children or young people must be medically fit (see the Education (Health Standards) (England) Regulations 2003). It is the statutory responsibility of employers to satisfy themselves that individuals have the appropriate level of physical and mental fitness before any appointment is confirmed.

The Equality Act October 2010 has made it illegal to ask for medical or sickness absence data prior to an offer of employment being made nor can information around sickness absence cannot be requested from current or previous employers. Therefore, a medical questionnaire must be completed by successful candidates once they have been made an offer of employment – including verbal. From this questionnaire the Occupational Health provider will decide whether a medical examination is necessary.

When a candidate is offered a post they must be told that they should not resign before being informed that they have been medically cleared.

Verification of qualifications and/or professional status

Employers must always verify that the candidate has actually obtained any qualifications legally required for the job and claimed in their application e.g. asking to see the relevant certificate or diploma, or a letter of confirmation from the awarding institution. If original documents are not available, employers should see a properly certified copy.

Pre-Employment Checks

Until all pre-employment checks are satisfactorily completed the candidate will not be able to start at the School/Trust. In exceptional circumstances the headteacher may conduct a risk assessment to allow an individual commence employment prior to all checks being received and this must be agreed with the CEO.

All checks should be confirmed in writing and documented on the personnel file (subject to the DBS, Code of Practice and data protection arrangements) before a contract of employment is issued.

All references should ideally be sought and received prior to interview on all shortlisted candidates. In any event, at least two references (one being the most recent employer) should have been sought and scrutinised prior to confirming the appointment. Only one reference will be required for internal candidates who already have 2 references on file.

An online search will be carried out for successful candidates to help identify any incidents or issues that have happened, and are publicly available online. Candidates will be required to provide publicly available social media handles and user names for appropriate checks to be carried out.

Verification of identity and right to work in the UK - It is important to be sure that the person is who they claim to be. The employee must be asked for proof of identity such as birth certificate, driving licence or passport, combined with evidence of address, before an appointment is made. Some form of photographic identity is required in connection with an application for a DBS Enhanced Disclosure. In summary, what is required for a DBS is evidence of name, date of birth, address and photographic identity.

In accordance with the recommendations in Keeping Children Safe in Education and the Safer Recruitment Consortium, there is a requirement for applicants to also provide their birth certificate if this is not one of the documents relied on for their DBS check. This document will be checked against current documentation to track any name changes through marriage/civil partnership or name changes through deed poll.

If an employee is provided by a third party, such as an Employment Agency, the school must check that the person who comes to the interview is the person referred by the employment business or agency by carrying out the identity checks as above.

Verification of qualifications and/or professional status (where required) - Employers must always verify that the candidate has actually obtained any qualifications legally required for the job and claimed in their application e.g., asking to see the original copy of relevant certificate or diploma, or a letter of confirmation from the awarding institution. If original documents are not available, employers should see a properly certified copy. Employers can now 'claim' teachers working at their school for ease of checking the DfE Prohibition list via the Employer Access Service.

Please note, if a candidate has a DfE reference number this does not necessarily mean that they have QTS. The Teaching Regulation Agency's (TRA) Employer Access Service should be used to verify any award of QTS, and the completion of teacher induction.



It is a further requirement of Multi Academy Trusts to check all staff with management responsibility against the Section 128 list on the Employer Access Service. All governors/members and trustees, must also be checked against the Section 128 list.

Early years staff, and those who will manage early years staff only: The individual should make a self-declaration that they have not been disqualified under the Childcare Act 2006 (exception would be for non-payment of fees).

Disclosure of Criminal Background

All new school based staff must undergo a DBS Enhanced Disclosure check which includes a Barred List check.

There are now two levels of Enhanced Disclosure that school staff and volunteers are eligible for:

- Enhanced check with barred list which all paid employees should hold, including all teachers, support staff, applicants for teacher training courses and trainee teachers (ECTs).
- Enhanced check without Barred List which is applicable to 'supervised volunteers' only.
Unsupervised volunteers should have the Enhanced Check with Barred List Check.

Staff that move within the Trust will not be subject to a DBS recheck.

Staff that move from the Trust and any other school or academy will not be subject to a DBS recheck as long as they satisfy the criteria:

- they belong to the DBS update service;
- they have not had a break in service between schools;
- they are moving to a role of similar responsibility. Headteachers moving between schools will need to be re-checked;
- their previous Headteacher has raised no specific concerns in relation to their conduct.

This will include ECT teachers, staff that have been appointed to a different school (other than where their placement has been) at the end of their training.

It is, however, at the discretion of the Headteacher if they wish to re-check a member of staff who is transferring from another Havering school or academy.

Supply Staff and Invigilators

All internal supply staff and invigilators must be subject to an enhanced DBS check and barred list. With regard to agency supply staff, schools must make sure they see evidence that they have an up to date DBS check and corresponding ID. It is strongly recommended that supply agencies are used with the Government Charter Mark. This Quality Mark is only awarded to supply agencies that have undergone rigorous vetting to ensure their policies and procedures meet quality safeguarding standards set by the DFE. It is an Ofsted Safer Recruitment Policy (v.4) CH/CM

requirement that schools employing supply teachers through an agency must obtain a letter from that relevant agency, confirming that all relevant checks, including up to date DBS checks have been undertaken. The school will ask to see a copy of the DBS certificate to ensure that there are no convictions leading to any safeguarding concern. The DBS number and name of the individual plus a copy of their ID will be retained on file for any future visits.

Volunteers

Volunteers are subject to the same level of checks as staff in relation to enhanced DBS checks and references. It is expected regular and long term volunteers will be subject to a selection process by completing an application form and having an interview. Exceptionally, volunteers who help with one off events and will not have unsupervised access to children, will not be asked to apply for a disclosure. Where supervision at all times cannot be guaranteed the role being undertaken will be regarded as regulated activity and will be subject to an enhanced DBS with barred list check.

Trustees/Member/Governors

This group of stakeholders will be subject to the same checks as volunteers. SFAET imposes that all Trustees and Governors are subject to an enhanced DBS with barred list check and must also be checked against the S128 list on the DfE secure access website. Any person acting in one of the above positions must not carry out work at The Trust or a Trust school in contravention of a prohibition order or interim prohibition.

In accordance with the latest model Articles and DfE guidance, regardless of whether or not the chair of trustees is in regulated activity, an enhanced DBS certificate, countersigned by the Secretary of State, will need to be provided.

Under the Standards, to the extent that the chair of the trustees is not engaging in regulated activity, there is no requirement to carry out a barred list check on the chair. However, the Standards do require the Secretary of State to make checks regarding the individual's identity and right to work in the UK.

Contractors

The Head Teacher must ensure that a contractor has carried out a DBS check on all their staff who may come into contact with pupils. Such checks can be carried out through a registered 'umbrella body'. The school should set out their safeguarding requirements in the contract with the service provider, they should have written confirmation that the service provider understands the safeguarding requirements.

Wherever possible, contract work should be arranged so that the contract workers have no direct contact with children. Discussions should take place with the management of the company contracted to carry out the work. The company should assume the responsibility for ensuring that their staff are aware of the guidelines set within the school about contact with the pupils and that they do not have an unsuitable criminal background. The contractor will need to agree not to use anyone the authority or establishment advises to be unsuitable. Particular attention should be given to the monitoring of access of such visitors

who are undertaking work on the site. Photographic ID will be required for each contractor on site.

Overseas Candidates

The DBS does not have access to overseas criminal records although some limited data may be held in respect of people who have substantial periods of overseas residence. However some countries do provide their citizens with certificates of good conduct to give to prospective employers.

The DBS can only access criminal records (convictions, cautions, reprimands and warnings) held on the Police National Computer in England, Wales and those recorded from Scotland.

Overseas criminal records checks should be made for any staff member who has spent a 3 month continuous spell or 6 aggregated months or more abroad in the last 10 years.. The employee will be asked to apply for the certificate as employers cannot normally apply for a certificate for an employee.

Country by country information is available here

<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>

The school will receive notification of the return of the DBS certificate. The school ensures the certificate is viewed before any duties are undertaken.

In the event that the disclosure shows additional information, HR will discuss this with the Head Teacher. The Head Teacher will need to carry out a risk assessment (Appendix 3) in order to make a decision as to whether to confirm a job offer or to invite the applicant for further discussion.

A self declaration as to the existence and content of a criminal record must be requested before a person has been selected for appointment, and a DBS enhanced check before they take up a position.

DBS certificates are usually returned to the candidate quickly, however a period of at least 4 weeks may be expected before the completed DBS is received, which will be returned to the candidate after which they should present it to their new employer.

Normal recruitment procedures, i.e. taking up of references etc., should not be held up because of the requirement to undertake a DBS check.

The candidate should be advised that if the DBS check reveals any conviction, caution or charge which has not been disclosed, or where offences have not been honestly or correctly disclosed, this could lead to their summary dismissal, or withdrawal of the conditional offer of employment. All information on the returned DBS disclosure should be checked against the self disclosure on the application form.

While any conviction etc. disclosed by the DBS check may be discussed with the individual concerned, the actual DBS Check, whether positive or negative, should not be retained on the individual's personal file, although the risk assessment linked to the DBS check will be recorded, kept confidentially in a sealed envelope (or similar measure) in the personnel file. .



It should be noted that the Police are indemnified against any liability or civil claim arising from the provision of such information, and, in any event, they will only confirm that the subject of the check appears to be identical with the person whose record of previous convictions has been supplied.

All information on the self disclosure (requested on the application form) and the returned DBS disclosure should be compared. Ultimately, it is down to professional judgement as to whether the contract of employment is confirmed, however, all information should always be considered in terms of:

- the nature of the offence
- how long ago it occurred
- circumstances surrounding the offence
- whether it was a 'one off' or part of a pattern
- the relevance of the offence to the job role
- the seriousness of any conviction
- changes in the candidates circumstances
- remorse
- decriminalisation
- country of conviction/caution
- whether it was an allegation or conviction

Where a candidate would otherwise be appointable but for a prior conviction or caution the appointing manager should complete a risk assessment covering the points above and ensure that this is counter signed by the Head Teacher and the Trust HR department. The risk assessment will identify the risks of continuing with the appointment and any mitigating measures that the school can put into effect.

Current DFE guidance states that the Head Teacher is still able to exercise their discretion to allow a member of staff to start in school prior to the receipt of a satisfactory DBS Disclosure. This is as long as all other pre-employment recruitment checks have been carried out and an appropriate risk assessment undertaken. This should only be in situations where the DBS has not been able to process the disclosure prior to the staff members' appointment date. It is, however, strongly recommended that no member of staff commences work until a satisfactory DBS Disclosure has been received.

Induction

The programme of induction should include:

- A full explanation of their role and responsibilities and the standard of conduct and behaviour expected.
- A full explanation of the Trust procedures relating to disciplinary issues.
- Information about the Trust's complaints, conflict resolution and whistle-blowing policies.
- Information about safe practice and the arrangements in place to support staff in their work.
- An introduction to the Trust's safeguarding child protection policies and procedures, including information about how any concern will be raised.



- An introduction to the schools' Designated Safeguarding Lead and team, and an explanation of their role.
- Safeguarding and Child protection training for all staff (KCSIE requirement)
- New staff members should be required to sign a declaration that they have read and agree to abide by the school's code of conduct.
- New staff members will be required to familiarise themselves with safeguarding policies e.g., safeguarding and child protection (including peer on peer), anti-bullying, anti-racism, physical intervention/positive handling/restraint, intimate care, online safety and any local child protection/safeguarding procedures.

Senior managers should ensure that their staff are adequately and appropriately supervised and that they have ready access to advice, expertise and management support in all matters relating to safeguarding and child protection.

Regular review meetings between the appointee and responsible manager should be convened, by the manager, throughout the induction period ensuring that the appointee has ready access to advice, expertise and management support in all matters relating to safeguarding and child protection.

Single Central Record of Recruitment and Vetting Checks

In addition to the various staff records which are kept as part of normal business, schools must also keep and maintain a single central record of recruitment and vetting checks.

Under paragraphs 69 and 78 of the September 2021 Ofsted handbook, schools will be inspected on their Single Central Record of Recruitment and Vetting checks.

Schools must have a record of the following people:

- All staff who are employed to work at the school, including teacher trainees on salaried routes; and
- All staff who are employed as agency and third-party supply staff, whether employed directly by the school, or local authority or through an agency.
- All members and trustees of the academy Trust.

The record should also include all others who have been chosen by the school to work in regular contact with children. This will cover volunteers, governors who also work as volunteers within the school, and people brought into the school to provide additional teaching or instruction for pupils but who are not staff members, e.g. a specialist sports coach or artist, contractor.

For the purposes of creating the record of checks for supply staff provided through a supply agency (whether local authority or commercial), the school will need written confirmation from the supply agency that it has satisfactorily completed the checks. The school does not need to carry out or see the checks itself except where there is information contained in the DBS Disclosure when the Headteacher will need to be provided with sufficient information to undertake a risk assessment. However, identity checks must be carried out by the school to confirm that the individual arriving at the school is the individual that the agency intends

to refer to them.

The central record must indicate whether or not the following have been completed:

- Identity checks
- 2 References
- Medical Check
- Prohibition Check
- Barred List Check
- S128
- Qualification checks for any qualifications legally required for the job e.g. those posts where a person must have QTS and/or NPQH. Additionally, for those applying for teaching posts, registration check with the GTC where appropriate;
- Checks of right to work in the United Kingdom;
- List 99 checks
- DBS Enhanced Disclosure
- Further overseas records checks (police check, teacher standards) where appropriate

The record must also show the date on which each check was completed or the relevant certificate obtained, and should show who carried out the check.

Review:

This policy will be reviewed biennially and amended as necessary.

Date of this policy: 15th May 2015
 Last review date: 1st September 2023
 Next review date: 1st September 2024
 Review by: Mrs C. Holmes, Trust HR

Signature of CEO: 

Date: 19 October 2023

Signature of Chair of Trustees:.....

Date:.....

APPENDIX 1 - Shortlisting Grid

Each panel member complete grid. Panel agree scores at the end of the shortlisting process. **Agreed scores and notes to be sent to HR**

Post	
Panel Member	
Date	

Enter the key criteria (and competencies if appropriate), together with the weighting before shortlisting (**Scores 5 = Excellent, 4 = Good, 3 = Satisfactory, 2 = Adequate, 1 = Unsatisfactory/no evidence**)

Weighting: High (H), Medium (M) or Low (L)

Key Criteria Required from Person Specification	Weighting H/ M/L	Candidates Initials/Number						



APPENDIX 2 - Interview Grid

Each panel member completes the grid and panel to agree scores at the end of the interview. **Agreed scores and notes to be sent to HR.**

Post / Panel Chair	
Panel Member & Signature	
Date	

Enter the questions together with the weighting considered to be appropriate before the interview. Weighting: High (H), Medium (M) or Low (L). Scores 5 = Excellent, 4 = Good, 3 = Satisfactory, 2 = Adequate, 1 = Unsatisfactory/no evidence

Question from key criteria in Person Specification	Weighting H/ M/L	Candidate Initials/Number:
Total		

Appendix 3 Criminal Record Risk Assessment

Criminal record check risk assessment form

This form is to be completed and used for the following purposes:

- 1 When an applicant is successful following a selection process and before a role is offered.
- 2 When a successful candidate or trustee/governor/member has been offered a role.
- 3 When an existing member of staff notifies the school on their annual criminal declaration form of information requiring a risk assessment

- Where required, the risk assessment needs to be completed before candidates can commence employment or governance
- Once completed this form should be stored on file in accordance with the retention periods set out in the Trust Retention Policy.

Section A - Details of the offence or DBS soft data

Name of applicant:	
Post applied for/current post:	
Date of Assessment:	
Name of assessor (HT):	
Name of assessor (Trust HR):	

Question	Yes/No	Please provide details
Has the applicant declared any cautions, convictions, reprimands, final warnings or bind overs in the UK or any other country, or are they under police investigation?		
Is this a single offence or has there been more than one offence?		
Has any police intelligence been disclosed at chief police officer discretion on a DBS which causes concern (if applicable)?		
Nature of conviction(s) or police intelligence disclosed (Continue on separate sheet if		



necessary)	
Offence(s):	
Date of conviction(s) & sentence(s):	
Age at time of offence(s):	
Length of time since conviction(s):	

Section B - Contextual Information

Question (Please provide details)		
Seriousness of the offence or soft data?		
What were the circumstances surrounding the offence(s)?		
Attitude to the offence(s)		
Efforts made to not reoffend		
Question	Yes/No	Please provide details
Are the offence(s) relevant to the post?		
Did or is the individual taking part in a specific remedial/action programme?		
Does the nature of the role present any opportunities for the post-holder to reoffend in the place of work?		
Does the post involve regular one-to-one/unsupervised contact with vulnerable people? (This will always be yes for any student facing role)		
Does the post involve direct responsibility for finance or items of value?		
Were suitable references obtained and ID checked? (If references gave cause for concern please state details)		

Section C - Assessing and Mitigating the Risk(s)

Please record below any organisational risk of harm and existing or proposed measures to mitigate the risk. This should relate specifically to the impact on the organisation and not the individual.

<p>Nature of hazard? e.g. reputational risk, risk of sexual harm, risk of theft</p>
<p>Who might be harmed?</p>
<p>What is already/will be done to minimise/mitigate the risk?</p>
<p>Likelihood of hazard/risk occurring? Please select from: 1 = Very unlikely 2 = Fairly unlikely 3 = Fairly likely 4 = Very likely</p>
<p>Impact of hazard/risk? Please select from: 1 = Minor impact 2 = Fairly serious impact 3 = Very serious impact</p>
<p>What is the remaining risk based on likelihood & impact? e.g. low 2-3, medium 4-5, high 6-7</p>

Section D - Decision and Actions

The information above has been considered and we are/are not satisfied that it is safe to allow the named applicant/employee to commence/continue work.



If employment is not to continue or be offered please specify rationale below:

If employment is to continue or be offered, detail any actions to be taken, the responsible person and deadlines:

HT Signature:		
Print Name		Date:
Trust HR Signature		
Print Name		Date:



Appendix 4 Interview Checklist - Safer Recruitment

This checklist is based on Trust Safer Recruitment processes and the current DfE KCSIE document. Please confirm that the following requirements have been met and return the signed form to HR@sfaet.co.uk. If the checks have not been completed please do not submit this form as it will be returned.

Candidate	Job Title	Interview Date
Name of panel member with safer recruitment training		

1	Has the application form been fully completed and signed? If not or there is only an electronic signature, ask the candidate to sign the form.	Yes/No/NA
2	Is the Criminal record declaration form completed and signed? Complete if not done.	Yes/No/NA
3	Has the applicant confirmed if they have the right to work in the UK? If not, clarify.	Yes/No/NA
4	Is there a full chronology of work, study and unemployment since the age of 18? Any gaps MUST be explored and verified with the candidate.	Yes/No/NA
5	If the reasons for leaving employment are not stated, explore and verify these.	Yes/No/NA
6	Where there is a history of repeated changes in employment without any clear salary or career progression/development, or mid-career move from permanent to supply teaching or temporary work has this been explored and verified?	Yes/No/NA
7	If references have been received are these from the current and last employers? If no, explore and verify. References cannot be from the same employment.	Yes/No/NA
8	Are school references from the Headteacher/Principal? If not, has this been explored?	Yes/No/NA
9	Have references been sent via a credible business email address that corresponds with the employment details on the application form or contain a company stamp?	Yes/No/NA
10	Have references been scrutinised and any concerns been explored with the candidate?	Yes/No/NA
11	If the candidate has declared a criminal conviction or caution has this been explored?	Yes/No/NA
12	Have you asked if social media online checks will highlight any concerns?	Yes/No/NA
13	Has the candidate been advised that any offer of employment is subject to pre-employment checks that are satisfactory to the Trust?	Yes/No/NA
14	Advise candidate if the DBS check reveals any conviction/caution/ charge which has not been disclosed, or if offences have not been honestly/correctly disclosed, this could lead to their summary dismissal, or withdrawal of the conditional offer of employment	Yes/No/NA



Name of Panel Chair:

Signature of Panel Chair:

Date:

Notes

Please ensure that the interviewing scoring grids, assessed tasks and panel notes are sent to HR. This is an audit requirement.

Appendix 5 Safeguarding Children and Safer Recruitment in Education

All employers in education should be committed to supporting a safer working environment for Children; the principles of which are outlined "Safeguarding Children and Safer Recruitment in Education (Jan 2007) ".

The questions and information requested below are the minimum requirements to help the recruiter make an assessment that the person, who is making an application for employment, is suitable to work with children. Failure to provide all the information requested may delay or potentially jeopardise the person's application..

Please note that referees have a responsibility to ensure that references are accurate and do not contain any material misstatement or omission; and that the relevant factual content of the reference may be discussed with the applicant.

Can you please respond in full to the following questions.

Q1. What is (was) your relationship with the candidate e.g. did you have a working/ professional/ personal relationship etc?

Q2. Can you also confirm how long you have known the candidate and in what capacity?

Q3. Are you satisfied that the person has the ability and is suitable to undertake the job in question? Please provide some specific questions about the applicant's suitability for the post and how s/he has demonstrated that they meet the person specification.

Q4. As a referee are you completely satisfied that the candidate is suitable to work with children, and, if not, please provide specific details of the your concerns and the reasons why you believe the person might be unsuitable;

In addition to the questions above regarding the person's suitability to work with Children can you also confirm:

- confirmation of details of the applicant's current post, salary,
- specific verifiable comments about the applicant's performance history and conduct;
- details of any disciplinary procedures the applicant has been subject to in which the disciplinary sanction is current;
- details of any disciplinary procedures the applicant has been subject to involving issues related to the safety and welfare of children or young people, including any in which the disciplinary sanction has expired, and the outcome of those; and
- details of any allegations or concerns that have been raised about the applicant that relate to the safety and welfare of children or young people or behaviour towards children or young people, and the outcome of those concerns e.g. whether the allegations or concerns were investigated, the conclusion reached, and how the matter was resolved.