

# Safe and Fair Recruitment and Appointment Policy and Guidance

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**This is a Trust wide policy that applies to all staff and workers**

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## Safe and Fair Recruitment and Appointment Policy

Bright Futures Educational Trust's (the Trust) Strategy underpins all aspects of this policy and the way in which it will be applied. These elements are:

- Our vision, the best **for** everyone, the best **from** everyone;
- All three of our values; **Community**: We work together for a common purpose acknowledging our diversity as strength **Integrity**: We do the right things for the right reasons and **Passion**: We take responsibility, work hard and have high aspirations;
- Six of our commitments: Collaboration and strong relationships; supportive, challenging and fair; strong governance and accountability, united behind decisions: effective communication and equality, diversity and inclusion.

### What is the Policy for?

The over-arching purpose of this Policy is to:

- To create and maintain a culture of safer recruitment
- Promote equality, diversity and inclusion in our recruitment and selection practices, including enabling the rigorous and unbiased appointment of staff
- To ensure that recruitment and selection policies are legally compliant and follow best practice in terms of employment, safeguarding and equal opportunities
- To provide systems and procedures for safe practice in recruitment, in order to safeguard and promote the welfare of all, and particularly children and young people
- To ensure the best staff available are appointed and deployed in the most effective way to the benefit of our students, staff and communities

### Who is the Policy for?

The policy applies to all staff employed by Bright Futures Educational Trust (The Trust), as well as Members, Board Trustees and academy local governors.

### Our Equality, Diversity and Inclusion commitment –recruitment and selection

Bright Futures is committed to providing equal opportunity in recruitment and employment to all individuals. We will consider candidates without regard to race, ethnicity, gender, religion, sexual orientation and identity, national origin, age, military or veteran status, disability or any other legally protected status; and without discrimination based on socioeconomic, marital, parental or caregiving status, or any of the previously listed characteristics or statuses.

We value the diversity of our staff and reject any form of harassment, discrimination or victimisation. Our vision is: 'the best for everyone, the best from everyone'. To achieve this, we create and maintain a work environment and culture where people from different backgrounds, and with varying lifestyles, interests,

opinions and responsibilities, treat each other with dignity and respect. It is a climate in which our staff feel safe and are inspired and motivated to be their best.

Our trust is dedicated to sustaining and promoting diversity with respect to recruitment, promotion, training and general treatment during employment. We are actively seeking to extend the diversity of our staff.

We aim to ensure that our recruitment processes set up all candidates for success. At interview our aim is to provide a positive experience. We don't want to catch anyone out, but rather to provide the opportunity for all candidates to be themselves and show us what they are capable of.

## Roles and Responsibilities

**The Principals/Heads of School and other senior leaders** involved in recruitment will:

- Ensure that each academy operates safe, fair recruitment and selection procedures which are regularly reviewed and up-dated to reflect any changes in Trust policy, legislation and statutory guidance;
- Ensure that all appropriate checks are carried out on staff and volunteers in the academy;
- Monitor the compliance of any contractors and agencies used by the academy;
- Promote the safety and wellbeing of children and young people at every stage of this process.
- Ensure the appropriate staff have completed the safer recruitment training and that the training is updated every two years.

**Bright Futures Educational Trust** will:

- Ensure that the relevant policies and procedures are up to date, support best practice and promote equality, diversity and inclusion
- Through various audit and review procedures, ensure that all academies within the Trust follow the guidance set out in this policy;
- Ensure the safe and fair recruitment and selection of all leadership positions equivalent to assistant vice principal and above.

The **local governing body** of each academy will:

- Through reporting received from the senior leadership team and occasional audits, monitor the academy's compliance with this policy.

## Delegation of Appointments and Selection Panels

The Trust's Delegation Framework gives authority to the Principal/Head of School to offer employment for all posts in the academy below Assistant Vice Principal (AVP). The Principal/Head will therefore have the authority to advertise, select and appoint to all positions within their academy below the post of AVP.

Positions within the academy of AVP or above will be Trust appointments and the Trust's Director of People and Strategy and/or Director of Education will work in conjunction with the Principal and the local governing body to advertise, select and appoint in to such posts.

Selection panels will comprise a minimum of two people. In accordance with the statutory requirement, every selection panel will have at least one member who has undertaken Safer Recruitment Training. It is expected that safer recruitment training will be refreshed every two years.

## Regulated Activity

In accordance with Keeping Children Safe in Education (KCSIE) regulations there are legal requirements that the Trust must undertake when appointing individuals who engage in regulated activity relating to children. This includes ensuring the correct pre-appointment and level of DBS checks are carried out and the recording of these on the academy or Central Trust Single Central Record (SCR) as appropriate.

A person will be engaging in regulated activity with children if, as a result of their work, they:

- a) will be responsible, on a regular basis in a school or college, for teaching, training instructing, caring for or supervising children
- b) will be working on a regular basis in a specified establishment, such as a school, for or in connection with the purposes of the establishment, **where the work gives opportunity for contact with children;** (this does not include work done by supervised volunteers)
- c) engage in intimate or personal care or healthcare or any overnight activity, even if this happens only once.

Work under a) and b) is regulated activity if undertaken regularly, defined as carrying out the activity by the same person at least once per week or on 4 or more days in any period of 30 days.

## The Recruitment Procedure

### A. Advertising and the application form

1. Before an advertisement is placed, all relevant documentation i.e. job description, person specification will be in place. These should be reviewed before an advert is placed to ensure that the content and requirements are valid, non-discriminatory and up to date.
2. All advertisements of any position, wherever they are published will include the following safeguarding statement:

***“Bright Futures Educational Trust is committed to safeguarding and promoting the welfare of children and young people and we expect all staff and volunteers to share this commitment. This post is exempt from the Rehabilitation of Offenders Act 1974; pre-employment checks will be carried out and references will be sought for shortlisted candidates and successful candidates will be subject to an enhanced DBS check and other relevant checks with statutory bodies.”***

3. Place a positive statement about flexible working in the advert and or information pack, for example “Flexible working will be considered, please ask at interview”.
4. In addition, all relevant documentation, including the job description and person specification will make specific reference to the statement at point 2 and 3.
5. To ensure equality of opportunity, each academy will advertise all vacant positions to encourage as wide a field of candidates as possible; normally this will entail an external advertisement. However, where there is a reasonable expectation that there are sufficient qualified internal candidates or where staff are at risk of redundancy, an internal advertisement will be considered. In addition, where a temporary post and or temporary TLR opportunity is being made permanent and the original temporary position was advertised, it may be appropriate to appoint the temporary post holder.

6. Posts will be advertised on the academy website, the Trust website, the government's teaching vacancies website where appropriate (associate staff posts can also be advertised on this site): [Gov Teaching Vacancies](#) and in other relevant publications/bulletins as deemed appropriate. In determining where to advertise, the academy will choose publications/websites that offer the most opportunity to be seen by a diverse pool of applicants. It is Trust policy to avoid using recruitment agencies wherever possible.
7. Prospective applicants will be supplied, as a minimum, with the following:
  - A job description and person specification;
  - An application form or access to an online platform to apply;
  - Information about Bright Futures Educational Trust;
  - Information about the academy which has a vacancy.
8. All prospective applicants must complete, in full, and return a signed application form or use the on-line application platform provided. Candidates submitting an application form on line will be asked to sign the application form if called for an interview or complete a formal online verification of their submitted application.
9. Curriculum vitae cannot be accepted in place of a completed application form.
10. An additional range of questions regarding convictions and working with children, will be asked of all candidates and will make it clear that the post is exempt from the provisions of the Rehabilitation of Offenders Act 1974 (exemptions 1975) 2013 and 2020 updates. Candidates will be required to complete a declaration to this effect. This information is only shared with the recruiting panel for shortlisted candidates.

It is a requirement for employers to direct candidates to guidance on what declarations they should and should not make. There have been changes in some youth charges/reprimands that no longer need to be disclosed. Therefore the following information is now contained in our application process: There are two national charities that can provide advice for job applicants on disclosing criminal records:

**Nacro:** <https://www.nacro.org.uk/criminal-record-support-service/support-for-individuals/disclosing-criminal-records/%20disclosing-criminal-records-employers/>.

By email: [helpline@nacro.org.uk](mailto:helpline@nacro.org.uk), or by phone 0300 123 1999

**Unlock:** <https://www.unlock.org.uk/>. Or phone 01634 247350, or text 07824 113848

11. The application form will also state that providing false information is an offence and could result in the application being rejected or summary dismissal if the applicant has been selected. The matter may also be referred to the police, other professional regulatory bodies and the Disclosure and Barring Service (DBS). The application form also advises applicants that it is an offence to apply for the role if the applicant is barred from engaging in regulated activity relevant to children.

## **B. Recruitment of staff from overseas**

Following the UK leaving the European Economic Area (EEA), the legal requirements for recruiting outside of the UK have changed. In order to recruit overseas applicants who do not have settlement status or otherwise have the appropriate immigration status to being in the UK that does not prevent them doing the work in

question, Bright Futures must hold a sponsor licence from the Home Office. There are particular requirements regarding holding a sponsor licence, which posts an employer can fill with overseas workers and how employers access pre-employment checks. The Trust holds a sponsorship licence for skilled workers. Please contact the Trust HR Manager for more information on any vacancies that may be eligible, prior to advising candidates or placing this in an advert. HR will determine whether the post meets the Home Office's criteria.

### **C. Short Listing**

Applicants will be shortlisted against the Job Description, Person Specification and advertisement for the post. The criteria for selection will be consistently applied to all applicants and a record kept of the outcomes for each candidate against this criterion.

If the field of applicants is felt to be weak, the post may be re-advertised.

### **D. References**

The purpose of seeking references is to obtain objective and factual information to support appointment decisions. References should be scrutinised and any concerns resolved satisfactorily before any appointment is confirmed. On receipt, references should be checked to ensure that all specific questions have been answered satisfactorily. The referee should be contacted to provide further clarification as appropriate and the answers should be compared for consistency with the application form.

1. Where possible, references will be taken up after shortlisting and before the selection stage so that any discrepancies can be probed during the selection stage.
2. References will be sought directly from the referee. The referee provided should be a senior person in the organisation and not a peer colleague. Open references will not be accepted. References provided by the candidate will not be accepted.
3. A minimum of two references will be obtained, one of which should always come from the most recent or current employer. More than one reference should not be sought from the same employer. Current employment referees will only be approached when the candidate consents.
4. Where a candidate is not currently employed, verification of their most recent period of employment and the reason for leaving should be obtained from the employer.
5. Referees will always be asked specific questions about:
  - employment dates, post held and reason for leaving
  - the candidate's suitability for working with children and young people;
  - any disciplinary warnings, including time-expired warnings, that relate to the safeguarding of children;
  - the candidate's suitability for the post
6. Any information about past disciplinary action or allegations should be considered carefully when assessing the applicant's suitability for the post.
7. Where necessary, previous employers who have not been named as referees will be contacted in order to clarify any anomalies or discrepancies. A detailed written note will be kept of any such exchanges.

8. Where two referees are provided from the same employment, previous employers should be contacted instead, where a previous employment was within five years.
9. If an applicant is not currently employed in a post working with children, an additional reference will be sought from the most recent employment in which the applicant has worked with children to confirm details of the applicant's employment and his/her reasons for leaving.
10. Where the individual has not had two employers, suitable alternatives need to be sought as an alternative for the second reference where it is practical to do so. For example, for a recently trained teacher, the training provider may be approached. It is important, wherever possible, that all references are supplied in a professional capacity. Where the information supplied on a reference is limited, for example, just provides confirmation of employment dates; then additional information should be sought from a further referee.
11. All employees are entitled to see and receive, if requested, copies of their references, unless they have been provided in strictest confidence. In these instances, the candidate should be referred to the reference provider to request a copy. Any queries regarding this should be referred to the Trust's Data Protection Officer by emailing: [dataprotection@bright-futures.co.uk](mailto:dataprotection@bright-futures.co.uk)
12. Where a reference is received by email, it should be checked to ensure it's from a legitimate source. The covering email along with its electronic signature should be retained with the reference as evidence of its authenticity.

## **E. Interview and Selection**

1. Candidates will be provided, in advance, with an overview of the selection activities to be used throughout. In addition, candidates should also be provided with further detail of the selection activities on the day of the selection, to give candidates, where appropriate, time to prepare.
2. Selection activities are likely to include a range of assessment situations which are deemed to be relevant, for example:
  - Appointments to teaching posts will include a lesson undertaken by the applicant and observed;
  - Leadership appointments may include the applicant observing a lesson and then providing feedback to the teacher;
  - Candidates for school-based roles will have the opportunity to tour the academy or see their normal work areas and facilities;
  - Pupil/Student panels will usually be incorporated into the interview process for school leadership posts.
  - Practical tasks relevant to the vacancy may be incorporated into the selection processes for all posts. For example, teaching a lesson, handling a difficult phone call or classroom situation, analysing financial data, a maintenance/facilities task, chairing a team meeting or administration task.
3. The questions asked by the panel will be aimed at obtaining evidence of how each applicant meets the requirements of the Job Description and the Person Specification. The same areas of questioning will be covered for each applicant and no questions which would discriminate directly or indirectly on protected characteristics under the Equality Act 2010 will be asked. Appendix 1 contains some helpful tips for all panel members on avoiding bias in the selection process. It is recommended that the chair of the selection panel shares this with the panel ahead of the selection commencing.



4. Candidates will be required to:
  - Explain any gaps in employment;
  - Explain satisfactorily any anomalies or discrepancies in the information available to the panel;
  - Declare any information that is likely to appear on the DBS disclosure.
  
5. In addition, all interviews will explore issues relating to safeguarding and promoting the welfare of children and young people including:
  - Motivation to work with children and young people;
  - Ability to form and maintain appropriate relationships and personal and professional boundaries with children and young people;
  - Emotional resilience in working with challenging behaviour/situations;
  - Attitudes and approaches to maintaining discipline.

Appendix 2 contains some top tips for managers who are involved in a recruitment and selection process.

## F. Pre-employment Checks

1. An offer of appointment to a successful candidate will be conditional upon the successful completion of all pre-employment checks. Where a prospective candidate/contractor has worked for Bright Futures previously and they have a gap in employment service of 30 **working** days or more, pre-employment checks need to be redone. Where the gap is less than 30 days, the Principal/Head of School needs to be satisfied, by the provision of evidence, of the reasons for the gap.

When appointing new staff, the people leading the appointment process will:

- Have obtained two **references**, which are deemed to be satisfactory. The references must be from two different employers. Please remember to determine if they are satisfactory. Considerations should include content such as previous disciplinary record, any allegations made, the standard of performance in post, confirmation of employment dates etc. See section D page 7 for details;
- Verify a candidate's identity, preferably from current photographic identification and proof of address. It is recommended that this check is carried out as part of the selection process. Care should be taken where a person has changed their name. It is recommended that the birth certificate is used as part of the identification verification process. More information can be found on the government's website for DBS checks: <https://www.gov.uk/government/publications/dbs-identity-checking-guidelines/id-checking-guidelines-for-dbs-check-applications-from-3-september-2018>;
  - And also more general government guidance on verifying someone's identity: [How to prove and verify someone's identity - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/how-to-prove-and-verify-someone-s-identity)
- Obtained an enhanced DBS disclosure certificate with a barred list check where the candidate will be engaging in a regulated activity, which is likely to be all employed posts. Copies of the DBS documentation provided should not be retained unless they serve the purpose of the required identity check or right to work checks. See DBS checks for further detail on page 11-
  - In **exceptional** circumstances, with agreement from the Principal/CEO/COO, an academy or central team may allow a candidate to start prior to receipt of a full DBS if they obtain a

separate barred list check and if, after carrying out a risk assessment, an individual is judged as suitable to start work in a regulated activity before the DBS certificate is available. In these circumstances the candidate will be appropriately supervised until DBS clearance is received.

- Require the candidate to provide proof of professional status and actual certificates of qualifications as appropriate for the post, for verification. If the original documentation is not available, the academy/central operations team will require sight of a properly certified copy. It is recommended that this check is carried out as part of the selection process;
- Verify the candidate's evidence of the right to work in the UK, in accordance with government guidance. <https://www.gov.uk/government/publications/right-to-work-checks-employers-guide>. On this webpage there is a link to a detailed employer guide on right to work checks: [An employer's guide to right to work checks \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/guidance/anonymous-duplication-an-employers-guide-to-right-to-work-checks) and here is a government employer right to work checklist
  - <https://www.gov.uk/government/publications/right-to-work-checklist/employers-right-to-work-checklist-accessible-version#step-1-obtain>
    - For British citizens this evidence will usually be a passport, or birth certificate and national insurance card. For other applicants with effect from 6<sup>th</sup> April 2022 employers can no longer accept biometric residence cards or permits and the applicant will need to provide evidence of their right to work by sharing with Bright Futures Educational Trust an online 'share' code provided by the Home Office, along with their date of birth so that the Trust can undertake an on line check. Full details are in the above link. The link to the online service is: <https://www.gov.uk/view-right-to-work>
    - **This identification then has to be held as a copy of the staff file of the candidate appointed. The copy should be signed and dated by the person who saw the original document or undertook the online Home Office check;**
- Have successfully completed the online screening process and found no areas of concern. This search will review content attributed to the prospective employee on Google, Facebook, LinkedIn, Twitter and their current employers' website. The search will be looking for any 'safeguarding or suitability potential concerns' such as content relating to harm or low level concerns as defined by KCSIE; evidence which might imply links to, or support of terrorism; potential concerns relating to the Equality Act; or inconsistencies in employment or education history supplied on the Bright Futures' application form.
- Verify that a candidate to be employed as a teacher is not subject to a Prohibition Order by the Secretary of State using the DfE employer access: [Access DfE services \(education.gov.uk\)](https://www.gov.uk/government/services/education/education-services)
- For leadership and management posts, including TLR responsibilities, ensure that the 'Prohibition from management' (Section 128) check is completed, using the same DfE Portal. This check will therefore be needed for some internal promotions, as it may not have been necessary at the initial appointment stage.

This Section 128 prohibition check is also required for all members, trustees and governors;

- Receive a completed medical questionnaire from the candidate and agreement that the candidate will attend an occupational health appointment if necessary, in order to understand any recommended adjustments;

- Individuals who have lived or worked outside the UK must undergo the same checks as all other staff. This includes obtaining (via the applicant) an enhanced DBS certificate (including barred list information, for those who will be engaging in regulated activity) even if the individual has never been to the UK.

In addition, academies and central operations teams must make any further checks they think appropriate so that any relevant events that occurred outside the UK can be considered. Further details are available [Keeping children safe in education 2024 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk). This includes requesting that individuals who have lived or worked abroad to provide an overseas criminal record check from that country where available. Further details can be found on the Home Office: Criminal records checks for overseas applicants - GOV.UK (www.gov.uk). The government does not stipulate any timeframes, however Bright Futures stipulates that we should endeavour to seek criminal records checks for anyone who has worked abroad in the last 10 years for a period of 3 months or more.

Please refer to the Director of People & Strategy for further information should this apply.

2. All checks will be:

- Confirmed in writing.
- Documented and retained on the individual's personnel file.
- Recorded on the appropriate systems within academies or the central operations team.
- Followed up if they are unsatisfactory, or if there are any discrepancies in the information received.

3. Employment will only commence once all the checks and procedures have been satisfactorily completed.

4. Ahead of any start date, any concerns or gaps in the pre-screening should be raised with the Principal/Head of School, or in the case of central operations appointments, with the recruiting senior manager. Risk assessments should be undertaken ahead of the appointment date and documented, where there are gaps and/or concerns. The owner of this policy, the Director of People and Strategy, is the escalation/referral person if Principals/Heads of School or recruiting managers have any queries.

## **G. Disclosure and Barring Service (DBS) checks**

1. All staff, local governors, members and trustees and volunteers appointed will be required to undertake an Enhanced DBS check with barred list information, on the children's barred list, prior to commencing their employment/appointment. This applies to all those engaged in regulated activity and those with unsupervised access to children, which is likely to be all staff employed in an academy and the central trust teams including Trustees and Governors who may attend school in connection with their duties.
2. In addition to the above in 1, our Educational Psychologists have an adults barred list check as they provide healthcare to adults i.e. pupils aged 18 and above and staff.
3. Contractors and employees of contractors, who work on our premises, where their work allows them an opportunity for unsupervised contact with children, will be required to have an enhanced DBS check, ahead of commencing work. The onus is on the contractor to undertake this and provide evidence to the academy. Further information is provided on pages 5 (regulated activity), section 4 on page 15 and pages 16-17 (scenarios).

4. All information regarding the DBS and barred list including Name, Date, DBS number and person who checked the DBS must be recorded on the academy's, or central Trust's Single Central Record.
5. Where a DBS check identifies a concern, this should be referred to the Principal/Head or Director of People for the central operations team. This person will risk assess the situation. If it is decided that the individual can have DBS clearance, he or she will email the person responsible for the Single Central Record (SCR) confirming that they have conducted a risk assessment and are satisfied to confirm employment. (No details of the content of the risk assessment will be sent to or held by the SCR holder). The SCR will hold a field confirming that the Principal has seen the outcomes of the DBS check.
6. As an organisation using the Disclosure and Barring Service (DBS) to help assess the suitability of applicants for positions of trust, the Trust must comply fully with the Code of Practice regarding the correct handling, use, storage, retention and disposal of certificates and certificate information.
7. The government's guidance on DBS checks for existing staff is set out in Keeping Children Safe in Education revised guidance 2023 (The link is in the further information section on page 17). If a person moves from a post which is not regulated, to a regulated post, then a DBS check or a barred list check will be undertaken at this time.
8. Once in our employment, there is no requirement to undertake routine DBS checks on existing staff however it is important that 'active safeguarding' takes place and any observed concerns are reported to the Principal/Head or appropriate senior manager in the central teams and investigated and documented; annual safeguarding refresher training takes place and staff are vigilant at all times.
9. The DBS offers an update service; which individuals can join at the point of application for a new DBS check. This enables future status checks to be carried out to confirm that no new information has been added to the certificate since its issue. This allows portability of a certificate across employers. Academies can use this service with the consent of the applicant and once they have confirmed that the certificate matches the individual's identity. Prior to the DBS update check the certificate against which the update check is made must be checked for the appropriate level of workforce and level of check i.e. enhanced including barred list information.
10. DBS certificates should **not** be retained on a staff file due to data privacy regulations. The letter of confirmation received from the electronic service should be retained on the file, with a note of the initials of the member of staff who verified the original certificate and the date it was seen.

## **H. Disqualification under the Childcare Act**

1. These regulations apply to early years' provision within academies and include education and any supervised activity for a child from birth until the 1 September following their fifth birthday. It applies to all provision for children in that age range during and outside academy hours. This means it is for all staff working in nursery and reception classes. The regulations also apply to later year's provision (i.e. children under age 8) in the more limited circumstances of 'childcare' that is provided outside of academy hours including breakfast clubs and after academy care. This means that it applies to all staff working in breakfast clubs and after school care. As such all these staff complete the declaration detailed in point 4 below.
2. Recruiting staff need to be made aware of the document 'Disqualification under the Childcare Act July 2018 update – statutory guidance for schools' in order to understand its potential impact on the

recruitment process and in particular within a primary academy setting. [Disqualification under the Childcare Act 2006 - GOV.UK \(www.gov.uk\)](#)

3. In brief, academies may not employ people to work in these early or later years' settings or allow them to be directly concerned in their management, if they are "disqualified". The grounds for disqualification are not only that a person is barred from working with children (included on the children's barred list) but also include, in summary, that:
  - They have been cautioned for, convicted of or charged with certain violent and sexual criminal offences against children and adults, at home or abroad
  - Other orders have been made against them relating to their care of children.
  - They have had their registration cancelled in relation to childcare or children's homes or have been disqualified from private fostering.
4. In line with the relevant regulation and as part of the pre-advertising preparation, the academy should determine if the role to be advertised falls under the remit of the regulations. Where the role is captured by the regulations a disclosure should be included in the application pack, for completion by all candidates. HR contacts in academies should ensure all staff in these setting complete the declaration and that this is noted on the Single Central Record. [Disqualification under the Childcare Act staff declaration Aug 18.docx \(sharepoint.com\)](#)
5. Members of staff should be informed that they are not required to disclose the spent cautions.
6. All academies must keep a record of those appointments covered by the regulations, and the date disqualification checks were completed. This should be held on the Single Central Record.
7. Personal information that is relevant to disqualification will be retained on the member of staff's personnel file.

## Record Retention/Data Protection

1. Each academy will retain the following information which will make up part of the personnel file, for the successful candidate:
  - Completed and signed Application Form
  - References
  - Copies of the proof of identity, right to work in the UK and academic qualifications
  - Verification of suitability (i.e. assessment outcomes)
  - Evidence of the DBS clearance (the DBS number, date of issue, not the actual DBS form or certificate)
  - Single Central Record of Recruitment Vetting checks-see below
  - A completed proforma demonstrating that online screening has taken place
  - A signed statement of particulars, by both parties
2. Each academy/the central operations team will retain all interview /selection notes on all applicants for a six- month period, after which the notes will be shredded.
3. The six-month retention period allows the academy to deal with any data access request or recruitment complaint.

4. Under the Data Privacy Act 2018, applicants have a right to request access to notes written about them during the recruitment process. Applicants who wish to access their interview notes must make a subject access request in writing to the Principal/Head of School/Senior Manager within six months of the interview date.

## Single Central Record (SCR)

1. In line with the DfE requirements, each academy and the Trust's central office will keep and maintain a single central record of recruitment and vetting checks. The list will record:
  - All staff, including salaried trainee teachers, who are employed at the academy
  - Any casual staff, supply agency staff whether employed directly or through an agency. The agency/employer of these staff is responsible for undertaking the relevant checks. The SCR should contain a note of the date that the agency confirmed that the checks has been completed, clearance obtained and the relevant DBS certificate seen and a copy of the letter of confirmation held.
  - Volunteers
  - Local Governors
  - Those who provide additional instruction/support for the children/young people who require a DBS check as per regulated activity guidance
  - The trust's central team's SCR will include staff employed in the central team, along with trustees and members
2. The Single Central Record will indicate whether or not the following have been completed:
  - Identity checks
  - Qualification checks
  - Checks of right to work in the UK
  - Evidence of enhanced DBS clearance
  - Evidence of a barred list check where appropriate
  - Any Disqualification under the Childcare Act declaration (where appropriate)
  - Prohibition from teaching check
  - On line screening checks
  - A section 128 check (for management positions, governors, trustees and members).
  - Further checks on people who have lived or worked outside of the UK, where appropriate
  - Dates of all checks
  - Person who completes the checks

## Probationary Periods

All staff, support staff, leadership and teaching staff, who are new appointments to the Trust will be subject to a probationary period during which their performance, conduct and suitability for employment will be monitored. The Statement of Particulars provides the detail. This does not apply to internal transfers from one academy/central team to another.

## Induction

All staff will be invited to attend an induction to the Trust, these sessions are offered at the start of each term.

All staff and volunteers who are new to an academy as part of their local induction, will receive information on the academy's safeguarding policy and procedures and guidance on safe working practices as part of their induction training.

All successful candidates will have the opportunity to attend any appropriate training/CPD.

## **Adults working with us who are not directly employed by the Trust**

1. Supply Staff – Academies must check with the relevant supply agency that the required checks have been carried out to the extent relevant to that person: identity, enhanced disclosure, right to work in the UK, barred list, prohibition, qualifications, overseas checks. Written confirmation from the supply agency that all relevant checks have been satisfactorily completed must be obtained. The single central record (SCR) must show that all these checks have been carried out to the extent relevant and, in addition that the academy has carried out its own identity check when the supply staff member arrived at the academy.
2. Volunteers – Academies will carry out DBS and pre-start vetting checks appropriate to the particular post and require regular volunteers to provide details of two referees. References will be taken up as detailed in the policy above. Volunteers who help on an occasional basis (eg trips/PTA events) are supervised, in accordance with legislation.
3. Trustees and Local Governors- As these volunteers are likely to be undertaking regulated activity when attending school in connection with their duties, The school or central team will carry out Enhanced DBS checks with barred children list checks as well as the prohibition form management check (S128 check) as outlined on page 10. If their role means they are not undertaking regulated activity an enhanced DBS check is required but without a barred check list, as this is legally prohibited as well as the S128 check.
4. Contractors – Academies will ensure that contractors (including those “workers” on payroll, self - employed contractors, or any employee of a contractor), working for Bright Futures has been subject to the appropriate level of DBS and identity checks relevant to the tasks they are undertaking. The individual school/central team will decide what work is deemed regulated activity (see page 5), the appropriate level of DBS check and information that is required. This will be shared with the contractor as part of the contract procurement discussions before commencement of any work.

For any contractor undertaking regulated activity written confirmation from the contractor's employer that all relevant checks have been satisfactorily completed must be obtained ahead of them working in the premises. This should include reassurance about contractors undertaking regular safeguarding training. Anyone undertaking work for the Trust that is regulated activity must be subject to the same pre-screening requirements as for employees as detailed in Section F prior to commencing the work.

The responsibility for conducting pre-screening checks will depend on the employment status of the individual and type of work they are undertaking – please see table below. Please refer to the Regulated Activity section on page 5 for guidance on this type of work. The academy/central team will check the identity of contractors and their staff on arrival.

**All those attending schools for whom no checks have been obtained must be supervised.**

Individual academies/central team are responsible for determining the appropriate level of supervision depending on the circumstances. This will include wearing the appropriate visitors badge and being

escorted by a member of staff whilst on the school/trust premises from arrival to departure from the site. Please see the Trust’s Visiting Speakers policy [here](#).

The table below outlines examples of the DBS and pre-screening requirements for contractors and workers. Where the table states the “school to determine”, this means the Head/Principal and the DSL.

Scenario	Regulated Activity	Level of DBS required	Statutory pre-employment checks*
A contractor/worker regularly attends a school with opportunity for unsupervised access to children for any duration	Y	Enhanced with children’s Barred List check	Y*
A contractor/worker regularly attends a school with supervised access to children that does not meet the condition related to frequency/duration defined on page 5 of this policy	N	School to determine if basic or enhanced without children’s barred list check	N except Identity check /sign in process
A contractor/worker attends a school to provide unsupervised support to adults more than 4 times in a 30 day period.	Y	Enhanced with Children’s Barred check	Y*
A contractor/worker attends a school with adequate supervision to provide support to adults less than 4 times in a 30 day period	N	School to determine level of supervision ie if basic or enhanced without a children’s barred list check is required	N except identity check/sign in process
A contractor/worker attends a school to provide training to adults with appropriate level of supervision	N	School to determine level of supervision and if basic or enhanced without children’s barred list check is required	N except Identity check/sign in process
A contractor/worker attends site working in a designated area that is segregated from children	N	School to determine level of DBS (likely to be basic) and contractor to provide details to school before works commence	N
A contractor/worker provides remote support to Adults (online or off school site)	N	N	N
SLE or NLE attends a school to provide unsupervised support to adults more than 4 times in a 30 day period	Y	School to determine level of supervision and if basic or enhanced with children’s barred list check is required	Y* provided by employer to the Professional Development Institute
ITT trainees attend school with opportunity for unsupervised access to children	Y	Enhanced with children’s Barred List check	Y* undertaken by provider and assurance shared with the placement school
*written assurance of these checks including the appropriate DBS check to be provided by 3 <sup>rd</sup> party employer or if self-employed undertaken by the Trust Central/school HR and if attending school regularly to meet the definition of regulated activity are recorded on the Trust/or relevant school SCR.			



Full guidance on the presence of non-employees on academy sites can be obtained from the HR contact in academy.

## Due diligence for contractors as part of the procurement process

Where the Trust/Academy use contractors (either employed by a third party or self-employed) to provide services, they should set out their safeguarding requirements in the contract with the organisation/individual (KCSIE 2023) and undertake due diligence by:

- a) assessing their suitability to undertake the work required including checking qualifications, financial risk, evidence of service delivery and for self-employed contractors their past employment history including references and
- b) for self-employed contractors, undertaking a IR35 assessment in conjunction with Finance to determine employment status. This assessment may determine that the person has to be placed on Bright Futures' payroll and taxed as a worker.

## Further Information

**Safer Recruitment training.** Details of current face to face training and on line training opportunities can be found on the website of The Safer Recruitment consortium. The NSPCC offer an on-line course:

<https://www.nspcc.org.uk/what-you-can-do/get-expert-training/safer-recruitment-training/>

**Proof of right to work in the UK.** Current and full details on the academy's responsibility for checking and holding the relevant documentation for appointees can be found on the government's website:

<https://www.gov.uk/government/publications/right-to-work-checks-employers-guide>

**Disqualification under the Childcare Act July 2018 update.** For full details on roles this applies to see the government website:

<https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006/disqualification-under-the-childcare-act-2006>

**Keeping Children Safe in Education.** This guidance sets out safer recruitment responsibilities which form the basis of this Policy:

[Keeping children safe in education - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/keeping-children-safe-in-education)

## Appendix 1 –avoiding bias in the selection decision making

Panel members are subject to influences from their background, experiences and training and decision-making is not a mechanical process but based on judgment; therefore, we are all potentially susceptible to unconscious bias, distortion or stereotyping. The risk is that this could lead to decision-making that is potentially discriminatory. Below are some things to remember to help you avoid this and ensure your decision is an informed one:

- **The primacy and recency effects** - If you are interviewing several candidates then the first or the most recent will be clearer in your memory than those seen earlier in the day. This may magnify the good or bad points of the most recently seen at the expense (or benefit) of those seen earlier. Good notes and making sure you refer back to them can help to avoid this.
- **Accuracy of recall** - Similarly, your memory of who said what can become blurred and distorted as the day progresses. Again, your notes will help to ensure you counteract this effect.
- **The 'halo-horns' effect** - Sometimes one particular element, whether positive or negative, can influence your overall judgment of a candidate. Try to avoid this by checking the candidate's performance against the full range of your selection criteria.
- **The 'like me/us' syndrome** - It may often be tempting to favour people who seem similar to you or those already in the team. If this feeling is based on an objective judgement that the person best fits the selection criteria, then fine. But make sure that other factors are not influencing your decision and remember that the best teams have a range of people with different personalities and skills sets.
- **Personal liking bias** - Similarly you may find yourself feeling a preference for someone because they seemed the nicest person or someone you would have a lot in common with. Again, you need to focus on whether they are the person who best meets the selection criteria and will do the best job.
- **Interpreting information differently** - Different panel members may interpret the same information in different ways. This is why it's so important for the whole panel to have a full and detailed discussion about each candidate to identify and discuss any differences in interpretation.
- **Unconscious prejudices and stereotypes** - If you or other panel members have any generic concerns and feelings ("*gut feeling*", "*not sure they would fit in*" etc), try to identify the evidence this is based on and the selection criteria it relates to. If you can't then this may indicate that some element of unconscious bias or stereotyping is creeping into your judgment.
- **Avoid making assumptions** about people based on personal appearance, name, how long ago they were at school or university, family or caring responsibilities etc. – focus on assessing each candidate objectively on how well they meet your selection criteria based on the evidence they provide to you.

## Appendix 2

### Top tips for Managers involved in recruitment and selection

#### Planning

- Take time to develop or review any previous job description and person specification to make it as clear and concise as possible, avoiding jargon. Person specifications should encourage as diverse a pool of talent as possible. For example, consider whether communication skills is essential or desirable as this could dissuade neurodivergent applicants. Job descriptions, person specifications and adverts should use gender neutral terminology and avoid any that may be linked to protected characteristics and may be potentially discriminatory, such as reference to mobility, personality traits and gender.
- A great way of developing your own talent pipeline is by advertising the role as an apprenticeship opportunity using the Trust's apprenticeship levy.
- Design the selection process using the key criteria from the person specification, identifying the selection methods that best assess these and develop a scoring matrix. Interviews are often a test of social competence more than ability to perform a specific task or role. To ensure you make a successful appointment and recruit the best person for the role, the selection process should involve at least one job related task as well an interview. Senior leadership roles will usually require a number of tasks, some which should involve stakeholders such as pupil panels and staff.

#### Advertising

- When advertising consider how you can best increase the diversity of pool of applicants. This can be done at no additional cost by using various school social media platforms, reaching your local communities through advertising on retail, community centres notice boards and through existing parental communication channels, such as parent mail.

#### Selection Process

- We ask candidates on the application form to let us know if they require assistance or adjustments in the selection process. Following shortlisting your HR contact will identify these applicants and discuss with you whether and how these can be made, for example, assistive technology, extra time for tasks or in certain formats, interpreter, etc. Please note to ensure applicants are offered the role based on merit and to avoid potential discrimination claims, questions about an applicant's health should not be asked at interview stage. Further reasonable adjustments may be identified by an individual on their pre employment health questionnaire following a conditional offer and it is at this

stage you can discuss their medical condition with them. If necessary, take advice from Occupational Health.

- Selection processes can be a stressful process for candidates. To give all candidates a positive recruitment experience and an opportunity to perform at their the best it is recommended candidates are informed in advance of what the process will entail and how long it will last. Brief details should be given when invited for interview and on arrival at school/central team issue candidates with a timetable for the day including tasks undertaken and with whom, together with a sample list of the interview questions. The latter should exclude any safeguarding related questions. This may be particularly helpful for neurodivergent applicants.
- Challenge any unconscious bias that may be shown by members of the shortlisting and interview panel. See Appendix 1 for more detail). This helps increase awareness of unfair and potentially discriminatory judgements they may be unconsciously be making in their thinking and decisions. The Trust's anonymous shortlisting process removes personal characteristics as well as names and dates of attending educational establishments. Take care not to penalise applicants for patchy educational or work experience when there may be plausible explanations.
- On the interview day:
  - be aware of the bias of first impressions,
  - avoid penalising unconventional body language and apparent lack of social skills
  - ask direct specific questions and avoid multiple and rapid fire questions
  - be prepared to facilitate the interview, gently bring along answers to a close by thanking them, informing that you have enough information and move candidates onto the next question

### Appendix 3

#### Bright Futures Recruitment Process Flowchart. (To be read in conjunction with The Safe and Fair Recruitment Policy)

A vacancy arises:

<b>Day number</b> <i>(Working days)</i>	<b>Action</b> <i>(assumes we are working in our new ATS system-so info packs are replaced with careers site)</i>	<b>needed</b>	<b>Who leads on this</b> <i>Note differences for different types of roles)</i>	<b>Page ref in the SAFR policy</b>
1	Vacancy arises			
1 & 2	Review if a replacement is needed or a changed role			5
2&3	Review existing JD and Person Spec-or write from scratch			5
4	Draft an advert wording			5&6
4	Agree who is shortlisting, what the shortlisting criteria will be and when-diary noted.			7
4	Request a PO number for advertising (where needed)			
4	Agree who is involved in the selection and what tasks will take place, who is involved in what, who will 'host' the candidates? Who will chair the interview? Agree dates and diaries noted and rooms booked.			8
4	Cover to be arranged for staff involved			
5	Approve JD/PS and advert wording and who is to be involved and dates of selection			
6	Place advert on website, job boards etc (min 14 calendar days, 10 working days) advertising period) -using ATS. This includes the section dates.			
7-14	Design tasks and questions and draft timetable			8
15	Approve tasks, questions and timetable			
16	Set up Teams folder with tasks, shortlisting matrix. Anon application forms available to hiring manager on ATS. Are these saved by HR to Teams folder or not?			
17	Closing date			
17 or 18	Shortlisting meeting-one selection matrix per vacancy completed and held by HR. Identify gaps in employment to be explored at interview for shortlisted candidates and anything other questions not clear eg pay/notice period (Someone with up to date safer recruitment to oversee this)			7

17 or 18	Email invites to shortlisted candidates-via ATS system, including tasks to be completed beforehand		
18	Email references for shortlisted via ATS (first check referees are appropriate against our policy requirements)		7&8
19	Email those not selected via ATS		
20,21&22	Notify reception and other relevant staff of visitors, book refreshments etc. Print materials for selection day. Save references received so far in Teams folder.		
23	Selection day/s. The 'host' to see ID and copy relevant info.		
23	Start of the selection day Chair to brief selection team on fairness of process using extracts of SAFR policy		18,19,20,21
23	Selection day-retention of all notes and scoring for tasks/interviews for all candidates-who doing this?		
23	Selection day- end of process-review all candidates and notetaker assigned to keep summary notes on behalf of all those involved. CHECK AGAINST REFERENCES		
23	End of selection day Determine if an offer is to be made - Chair. Agree the verbal offer to be made-Pay, provisional start date, anything else? This is to be noted on the interview sheet and immediately passed to HR		
24	Phone call to make verbal offer		
24	Written conditional Initial offer letter to be sent by email via ATS system		
24+	Additional pre- screening undertaken	HR	9,10,11&12
25	Form completed and signed for full contract of employment and associated docs to be issued	HR/ signature	Head
26	School induction date booked and Bright Futures' induction date booked		
	Review of what went well, not so well		