



BROADLEAF

PARTNERSHIP TRUST

A growing family built on collaboration

Recruitment and Selection Policy & Procedure

Published date:

July 2023

Associated documents:

- Child Protection & Safeguarding Policy
- Equality, Diversity & Inclusion Policy
- Records Management and Data Protection Policy
- Keeping Children Safe in Education
- All other relevant professional standards

Contents

1. <u>Introduction</u>	3
2. <u>Delegation of Appointments and Constitution of Appointments Panels</u>	3
3. <u>Advertising</u>	3
4. <u>Information for Applicants</u>	4
5. <u>Short Listing and Reference Requests</u>	4
6. <u>Interviews</u>	5
7. <u>Offer of Employment by the Selection Panel</u>	6
8. <u>Personnel File and Single Central Record</u>	7
9. <u>Start of Employment and Induction</u>	8
<u>Appendix 1 - Recruitment Privacy Notice</u>	9
<u>Appendix 2 – Conducting Online Checks Guidance</u>	11
<u>Appendix 3 – Social Media Declaration</u>	16

1. Introduction

- 1.1. Broadleaf Partnership Trust is committed to safeguarding and promoting the welfare of children and young people and requires all staff and volunteers to demonstrate this commitment in every aspect of their work.
- 1.2. The appointment of all employees will be made on merit and in accordance with the provisions of Employment Law, Keeping Children Safe in Education and the Trust's Equality and Objectives policy.
- 1.3. We will ensure that people are treated solely on the basis of their abilities and potential, regardless of race, colour, nationality, ethnic origin, religious or political belief or affiliation, trade union membership, age, gender, gender reassignment, marital status, sexual orientation, disability, socio-economic background, or any other inappropriate distinction.
- 1.4. We will comply with the requirements of Keeping Children Safe in Education with regard to DBS and other pre-employment checks.
- 1.5. We will ensure compliance with the Data Protection regulations and the more stringent requirements contained within the General Data Protection Regulations (GDPR). The GDPR encompasses the core principles of the DPA and provides more onerous responsibility and accountability for fair and transparent processing. Our Recruitment Privacy Statement provides specific details in accordance with the GDPR principles.

2. Delegation of Appointments and Constitution of Appointments Panels

- 2.1. The Chief Executive Officer will lead the recruitment and selection of all Leadership scale posts. At least one Trustee will be involved in the selection of a Headteacher and, where possible, at least one local Governor for all other leadership posts.
- 2.2. School Headteachers will lead the recruitment and selection for all posts within their school below leadership level. Whilst the interview process may be delegated to a relevant line manager within the school structure, the Headteacher cannot delegate their authority to formally offer employment.
- 2.3. Recruitment and selection of all Trust operational posts is delegated to the CEO or relevant Executive Leader with the exception of the recruitment of a CFO where Trustees retain responsibility.
- 2.4. Selection panels will comprise a minimum of two people (normally three). In accordance with the statutory requirement, every selection panel will have at least one member who has undertaken Safer Recruitment Training.

3. Advertising

- 3.1. All vacant posts will be advertised to ensure equality of opportunity and encourage as wide a field of candidates as possible. This will normally mean placing an advertisement externally. However, where there is a reasonable expectation that there are sufficient, suitably qualified internal candidates, or staff are at risk of redundancy, vacancies may be advertised internally before an external advertisement. In these circumstances, the selection panel may decide that certain parts of the recruitment process may be omitted but all candidates will be subject to a formal interview, the satisfactory reference requirements and any other necessary checks.
- 3.2. Roles will be advertised for a minimum of one week, however, usual practice is that roles are advertised for at least two weeks. If the field of applicants is felt to be strong, the post may be closed early.
- 3.3. The advert will include the level of DBS check required depending on the role being recruited for and whether the role will involve working in regulated activity.
- 3.4. The advert will specify whether the post is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020, which means certain spent

convictions and cautions are ‘protected’, so they do not need to be disclosed to employers. If they are disclosed, they will not be taken into account.

- 3.5. The Application pack will state the requirement for a certificate of good conduct where applicable. In addition, for teaching posts, a letter of professional standing from the professional regulating authority in the country in which the applicant has worked.
- 3.6. Within the application materials, the applicant will be provided with a link to the school’s policy in relation to safeguarding and promoting the welfare of children.
- 3.7. In accordance with Keeping Children Safe in Education, the school will consider carrying out an online search as part of the due diligence on short listed candidates. This is indicated to candidates in the application materials.

4. Information for Applicants

All applicants for all vacant posts will be provided with:

- 4.1. A job description outlining the duties of the post and an indication of where the post fits into the organisational structure of the School. A person specification may also be provided. This will also include a statement on behalf of the Trust of their commitment to safeguarding and promoting the welfare of children and young people.
- 4.2. Further information including:
 - A description of the School relevant to the vacant post
 - Reference to the Trust’s policy on Equality, Diversity and Inclusion.
 - Reference to the Child Protection/Safeguarding Policy
 - DBS and other pre-employment checks required
 - The closing date for the receipt of applications
 - An outline of the terms of employment including salary
 - Reference to the Trust’s policy on recruitment and selection
- 4.3. Applications will only be accepted via the Trust’s applicant tracking system. CVs and paper/emailed application forms will not be accepted, except in the case of particular internal vacancies, at the discretion of the Headteacher, CEO or Executive Leader.

5. Short Listing and Reference Requests

- 5.1. The selection panel will shortlist candidates using criteria consistently applied to all applicants based on the essential and desirable criteria for the post. The selection panel will agree the candidates to be called for interview.
- 5.2. The selection panel will take up at least two references on each short listed candidate. If a candidate for a post working with children is not currently working with children, a reference will be sought from the most recent employment working with children to confirm details of their employment and their reasons for leaving.
- 5.3. Reference requests will ask the referee to confirm:
 - The referee’s relationship with the candidate
 - Details of the applicant’s current post and salary
 - Performance history
 - All formal time-limited capability warnings which have not passed the expiration date
 - All formal time-limited warnings where not relating to safeguarding concerns which have not passed the expiration date
 - All disciplinary action where the penalty is “time expired” and relate to safeguarding concerns
 - Details of any substantiated allegations or concerns relating to the safety and welfare of children

- Whether the referee has any reservations as to the candidate's suitability to work with children. If so, the Trust will ask for specific details of the concerns and the reasons why the referee believes the candidate may be unsuitable to work with children.
- 5.4. References will be provided to the selection panel and treated in the strictest confidence. Employer testimonials or 'bearer references' i.e. those provided by the candidate and/or marked 'to whom it may concern' will not be accepted. References must be in writing and be specific to the job for which the candidate has applied. The selection panel will not accept references from relatives or people writing solely in the capacity as a friend of the candidate.
 - 5.5. References will be checked against information on the application; any discrepancy/issue of concern noted to take up with applicant at interview.
 - 5.6. Where the school has carried out an online search on shortlisted candidates as part of their due diligence, any concerns which arise must be discussed with the applicant at, or prior to, the interview stage. **See appendix 2 for Conducting Online Checks Guidance.**
 - 5.7. All shortlisted candidates will be required to complete a self-declaration of their criminal record or information that may make them unsuitable to work with children. For example:
 - If they have a criminal history
 - Whether they are included on the barred list
 - Whether they are prohibited from teaching
 - Whether they are prohibited from taking part in the management of an independent school
 - Information about any criminal offences committed in any country in line with the law applicable in England and Wales, not the law in their country of origin or where they were convicted,
 - If they are known to the police and children's social care
 - If they have been disqualified from providing childcare (Childcare Disqualification Regulations 2018)
 - Any relevant overseas information
 - 5.8. Applicants will be asked to digitally sign a declaration confirming that the information they have provided is true. The shortlisted candidate will be asked to physically sign a hard copy of the declaration at the point of interview.
 - 5.9. If the field of applicants is felt to be weak, the post may be re-advertised.

6. Interviews

- 6.1. The format, style and duration of the interviews are matters for the interview panel to decide, but the following will be adhered to:
 - 6.1.1. Briefing:

All candidates will be given relevant information about the Trust and School(s) to enable the candidate to make further enquiries about the suitability of the advertised job.
 - 6.1.2. The formal interview:

Before the interviews, the selection panel will agree on the interview format including any other assessment methods. The questions asked will be aimed at obtaining evidence of how each candidate meets the requirement of the job description and the person specification and each candidate will be assessed against all of the criteria for the post. 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.

The selection process for every post will include exploration of the candidate's understanding of child safeguarding issues and motivations for working with children. Questions will include:

- Finding out what attracted the candidate to the post being applied for and their motivation for working with children
- Exploring their skills and asking for examples of experience of working with children which are relevant to the role
- Probing any gaps in employment or where the candidate has changed employment or location frequently, asking for the reasons for this.

The interview will also explore potential areas of concern to determine the applicant's suitability to work with children. Areas that may be concerning and lead to further probing include:

- Implication that adults and children are equal
- Lack of recognition and/or understanding of the vulnerability of children
- Inappropriate idealisation of children
- Inadequate understanding of appropriate boundaries between adults and children
- Indicators of negative safeguarding behaviours

Any information about past disciplinary action or allegations will be considered in the circumstances of the individual case.

The interview will also include a discussion of any convictions, cautions or pending prosecutions, other than those protected, that the candidate has declared and are relevant to the prospective employment.

- 6.2. The recruitment documentation for all candidates will be retained. Applicants have the right to request access to notes written about them during the recruitment process. After 6 months all information about unsuccessful candidates (including interview notes) will be securely destroyed, although the applicant tracker system will retain the application for a period of 12 months from date of submission.

7. Offer of Employment by the Selection Panel

- 7.1. The offer of employment by the selection panel and acceptance by the candidate is binding on both parties subject:
- Verification of identity (including birth certificate)
 - Verification of right to work in the UK
 - Proof of relevant qualifications.
 - Satisfactory DBS Enhanced Disclosure
 - A certificate of Good Conduct (if applicable) which may include EEA sanctions and Restrictions and/or a letter of professional standing from the professional regulating authority in the country in which the applicant has worked (if applicable)
 - Barred list check
 - Teacher prohibition (if applicable)
 - Section 128 check (if applicable)
 - Pre-employment medical screening
 - Satisfactory references
 - Disqualification under the Childcare Disqualification Act 2006, as amended (where applicable)

- Online searches & Social Media Declaration (Appendix 3)

The successful candidate will be informed, normally by offer letter, that the appointment is subject to satisfactory completion of these checks.

7.2. Unsuccessful candidates will be notified either via telephone or email, and will be offered the opportunity to receive feedback.

8. Personnel File and Single Central Record

8.1. Recruitment and selection information for the successful candidate will be retained securely and confidentially for the duration of his/her employment with the Trust including:

- Application form
- Interview notes – including explanation of any gaps in the employment history
- References – minimum of 2
- Proof of identity
- Proof of right to work in the UK
- Proof of relevant qualifications
- Certificate of Good Standing (where applicable) and/or a letter of professional standing from the professional regulating authority in the country where the applicant has worked (where applicable)
- Evidence of medical clearance from the Occupational Health service
- Evidence of DBS clearance and barred list check
- Teacher prohibition checks
- Evidence of Section 128 direction (where applicable)
- Evidence of Online Check (appendix 2) & Social Media Declaration (appendix 3) *For candidates interviewed after 1 September 2022*
- Offer of employment letter and signed contract of employment
- Disqualification under the Childcare Disqualification Act 2006, as amended (where applicable)

8.2. Retention of personal information for the successful candidate following the end of their employment will be in accordance with the Trust's data retention policy, which is compliant with relevant Data Protection Act. When retained documents have reached their data retention limit, they will be securely destroyed.

8.3. The Trust will destroy information obtained by a vetting exercise as soon as possible or within six months. A record of the result of the vetting or verification of the successful candidate will be retained on the employees file and the Single Central Record.

8.4. The Trust will normally collect personal information from you only where we have your consent to do so, where we need the personal information to perform a contract with/involving you, or where the processing is in our legitimate interests and not overridden by your data protection interests or fundamental rights and freedoms. In some cases, we may also have a legal obligation to collect personal information from you or may otherwise need the personal information to protect your vital interests or those of another person. The Trust will retain a record of consent as evidence that we have obtained consent to collect and process the data and that applicants have been advised of the purpose of the collection and processing.

8.5. You have the right to withdraw your consent at any time and can do so by informing the Trust's Data Protection Officer, with the exception of the documents that are required for a statutory requirement.

8.6. The Trust will maintain a Single Central Record of employment checks in accordance with Keeping Children Safe in Education.

9. Start of Employment and Induction

- 9.1. The pre-employment checks listed in paragraph 8.1 above must be completed before the employee starts work. Exceptions will only be made in circumstances where a risk assessment has been undertaken. Exceptions will never be made in the case of the barred list and teacher prohibition checks.
- 9.2. All new employees will be provided with an induction programme which will cover all relevant matters of Trust policy but in particular safeguarding and promoting the welfare of children, this will include:
- Safeguarding/Child Protection policy
 - Behaviour policy
 - Staff Code of Conduct
 - Role of the designated safeguarding lead (including the identity of the designated lead and deputies).

All policies and a copy of Part one of KCSIE will be made available electronically to all staff at induction.

Appendix 1 - Recruitment Privacy Notice

The categories of information that we collect, process, hold and share for recruitment purposes are:

- personal information (such as name, DOB, contact details)
- special categories of data including characteristics information such as gender, age, ethnic group, criminal record information if relevant
- previous employment information (such as post, roles and salary information and referees)
- relevant qualifications (and, where relevant, subjects taught)
- documents submitted as proof of identity and right to work on interview day
- medical check to indicate fitness to work
- if you are a teacher, we will check the Teaching Regulation Agency (“TRA”) Teachers Services about your teacher status, whether you are subject to a prohibition from teaching order and any other relevant checks (for example Section 128 direction for management posts).

Why we collect and use this information

We use candidate data to:

- shortlist applicants
- to verify candidate identity under safeguarding regulations, check right to work and a DBS with barred list check where applicable
- to monitor equality of opportunity in recruitment and selection as part of the Equality Information and Objectives Policy
- inform the development of recruitment and retention policies

The lawful basis on which we process this information

- By law we have to process your data to make sure we meet the requirements of [The Education Act 1996](#)
- We need to process your data to ensure that we comply with [Keeping Children Safe in Education Guidance](#)
- So that we are able to monitor applications for posts at Broadleaf Partnership Trust to ensure that we are fulfilling our obligations under the public sector equality duty under the Equality Act 2010.

We use your data:

- We will process your personal data during your application process for the purpose of complying with safeguarding and statutory obligations, carrying out tasks which are in the public interest, and taking steps with a view to entering into an employment contract with you. For successful candidates, without it you would not meet your contractual obligations.

Collecting this information

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis e.g. car registration details, next of kin etc. In order to comply with data protection legislation, we will inform you whether you are required to provide certain information to us or if you have a choice in this.

Storing this information

Successful applicants: We hold school workforce data until your employment ends +6 years as detailed in our Retention Guidelines, a copy of which is available on the Trust website:

Unsuccessful applicants: we retain application data including electronic files for up to 12 months after the completion of the process after which data will be deleted or disposed of securely, either by in-house shredding or by using an accredited confidential waste disposal company, depending on volume.

Right of Erasure This is also known as the 'right to be forgotten'.

In certain circumstances, you have the right to request that personal information we hold about you is erased e.g. if the information is no longer necessary for the purposes for which it was collected or processed or our processing of the information is based on your consent and there are no other legal grounds on which we may process the information.

All personal data held on applicants and employees is kept securely with restricted access to relevant personnel only.

Who we share this information with?

We will not share information gathered during your application process with third parties, other than professional advisors such as legal as HR advisors.

If an applicant is successful and commences employment with us, they become subject to the Privacy Notice for Staff provided in the staff handbook.

Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, contact Jayne Adamson, Data Protection Lead at j.adamson@broadleafpt.co.uk. Please also refer to our Data Protection Policy for further details on making requests for access to personal data.

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with the Trust in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Appendix 2 - Conducting Online Checks Guidance

Introduction

Keeping Children Safe in Education (KCSIE) states that schools “should consider” carrying out an online search as part of due diligence on shortlisted candidates. This applies for all recruitment and selection activities taking place from 1 September 2022.

Online checks are useful to identify any safeguarding or suitability issues. They are not, however, a replacement or an alternative for other recruitment checks.

It is our trust policy to carry out online checks for all staff working in ‘regulated activity’ (as defined by KCSIE). The Headteacher/Executive leader should undertake a risk assessment with assistance from the HR department, to determine whether an online check is necessary for any staff who will not work in regulated activity.

Data protection

Data protection law applies to online searches in the same way as any other part of the application process. Searching for, and collecting information about a candidate counts as a data processing activity, meaning that we must comply with the seven principles of data processing, as set out under the UK General Data Protection Regulation (UK GDPR) and Data Protection Act (2018).

There must be a lawful basis (legal reason) to justify the processing of personal data. In this instance, the lawful basis is ‘public task’ or ‘legal obligation’ as personal data is being processed to carry out our duty of safeguarding and safer recruitment, which is a statutory requirement to fulfil our safer recruitment obligations, and is in the public interest.

Equality and fair hiring practices

The Equality Act (2010) protects people from discrimination in the hiring process, and it is therefore important that decisions relating to the recruitment of staff members is fair, transparent and non-biased. Online searches must be conducted by someone who is not involved in shortlisting or interviewing the candidates, and the checker must not share any irrelevant personal information from the search with the interviewers. They should only share information that suggests the candidate:

- Is unqualified for the role
- Poses a potential safeguarding risk
- Risks damaging the reputation of your school or trust

Online searches must be consistent with the same search scope and process applied to all shortlisted candidates. No decisions about hiring should be based solely on the personal information found via an online searches, and candidates must always be given the opportunity to discuss and address any inconsistencies or concerns raised by online search at or prior to interview.

Guidance

How should an online check be conducted?

The online search should be used to confirm the shortlisted candidate’s eligibility, and to identify any potential safeguarding concerns or risks to the school/trust’s reputation. The search should be carried out in accordance with the Online Search Record Form (Part A) which includes a clear list of searches to conduct. These should be the only searches used.

There is no guarantee that searches will find the same amount of information on every candidate, as different people will have different privacy settings and online presences. However, it is important to carry out the same checks on every candidate, to ensure that everyone is treated in the same way.

Only public profiles (accounts that anyone can view) should be reviewed. At no point should checkers attempt to 'connect' to, 'follow' or 'friend' candidates in order to access restricted profiles.

Things to look out for include:

- A work or education history that doesn't match the application and references provided
- Anything that suggest the candidate is unsuitable for working with children,
- Anything that suggests the candidate risks damaging the school's reputation, for example articles about malpractice and/or criminal activities or posts expressing discriminatory opinions

Be cautious, because the results of an online search may be misleading. Be aware that any information you find may be out of date or context, untrue or relating to someone else (especially if the candidate has a common name).

Who should conduct a search?

The person doing the search must have no involvement in shortlisting, conducting interviews or making decisions about recruitment.

How should the search be recorded?

The search should be recorded on the Online Search Record Form – Part A. If the search renders concerns, Part B should also be completed.

What should be shared with the interview panel?

The searcher must not share any irrelevant personal information from the search with the interviewers. They should only share information that suggests the candidate:

- Is unqualified for the role
- Poses a potential safeguarding risk
- Risks damaging the reputation of your school or trust

If there are no concerns raised the interviewers can be told verbally as such, and Part A should be retained with any other application paperwork.

If there are concerns raised, Part B should be completed by the checker and shared with the interviewers who must discuss the concerns with the candidate at interview.

Are candidates made aware of online searches?

Candidates are informed in Section 11 (Declaration) of the Application Form that by signing the application they acknowledge and consent to online checks being conducted as part of the shortlisting process.

Candidates should always be informed at interview if the online search has raised any concerns, and must be given the chance to comment as part of the interview process. This discussion must be recorded in Part B of the Online Search Record Form.

Online Search Record Form (Part A)

Candidate Name:	
Role Shortlisted for:	
Checker's Name*:	
Date of online search:	

* Checker should not have any involvement in shortlisting, conducting interviews or making decisions about recruitment.

Search Parameters - These parameters must be adhered to for all checks to ensure consistency of process	Check complete	
	No concerns	Concern raised (complete Part B)
Google searches (The following terms, looking at the <u>first page</u> of results)		
'Candidate name'		
'Candidate name' + 'current location' (Town name)		
'Candidate name' + 'current school/employment'		
'Candidate name' + 'previous school/employment'		
'Candidate name' + 'job title' (where possible make this generic, ie. 'teacher', 'teaching assistant', 'HR', 'Finance', 'Administrator')		
(Repeat the searches with any other names the candidate has disclosed)		

Signature of Checker	
-----------------------------	--

If anything of concern is found, checker must complete Part B.

If no concerns are raised the checker can inform panel that there are 'no concerns' and keep this record with other application information.

Online Search Record Form (Part B)

Detail of Concerns: Only record information that suggests the candidate:

- Is unqualified for the role
- A work/education history which does not match their application/references provided
- Is potentially unsuitable to work with children or poses a potential safeguarding risk
- Risks damaging the reputation of the school/trust

Do not include any irrelevant personal information.

(Attach screen shots of relevant websites / search results)

After completion of the above, this form should be submitted by the checker to the interview panel.

Interviewer name(s):	
Date of Interview:	
Any concerns described above must be discussed with the applicant at interview. Please use box below to make notes of conversation.	
Signature of interview	
Signature of applicant	

Appendix 3 - Social Media Declaration

Candidate Name:	
Role:	

Broadleaf Partnership Trust hold their staff to high professional standards in relation to their use of social media. In accordance with our Staff Code of Conduct and eSafety policy, we specifically expect all employees to adhere to the following rules and guidance;

- 1) All staff are strongly advised to set all privacy settings to the highest possible levels on all personal social media accounts to prevent parents or children from the school community accessing photo albums or other personal information.
- 2) Staff are personally responsible for what they communicate in social media and must bear in mind that what is published may be read or viewed by us, pupils, parents and carers and the public. As such, staff must ensure that their online profiles are consistent with the professional image expected by us.
- 3) Staff should not post material which may damage the reputation of the Trust or which would cause us concern about their suitability to work with children.
- 4) Staff should not invite, accept, 'follow' or engage in communications/'friendships' with parents/carers or children from the school community via any personal social media. If contacted is attempted, this should be reported to the Headteacher/CEO.
- 5) Staff should not have any online friendships with any young people under the age of 18, unless they are family members or close family friends.
- 6) Staff should avoid posts or comments that refer to specific, individual matters related to the Trust and members of its community on any social media accounts.

Declaration:

I have read the above rules, and will ensure to abide by these throughout my employment with Broadleaf Partnership Trust.

Signed:		Date:	
----------------	--	--------------	--

If you have a pre-existing personal relationship with a parent/carer or a pupil, who you are 'friends' with on social media, you must disclose this to the Headteacher, using the form below.

Name	Please specify if they are a pupil or a parent/carer	Nature of relationship (eg. Friend, family member, daughter/son of friend, etc.)