



**EBORA ACADEMY TRUST**

**Policy Number**

**37**

**Recruitment Policy**

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## **1. INTRODUCTION**

1.1 Ebor Academy Trust is committed to attracting, selecting and retaining employees who will successfully and positively contribute to providing the highest possible levels of service to ensure the best education to its children. The Trust recognises that a motivated and committed workforce with the appropriate knowledge, skills, experience and abilities to do their jobs is critical to the Trust's performance.

1.2 Ebor Academy Trust recognises that the safeguarding and wellbeing of children is an essential prerequisite to effective learning. The Trust therefore requires all its staff and volunteers to be committed to upholding the highest possible standards of practice in regards to pupil safeguarding and wellbeing; this starts in the recruitment process, and ensuring safer recruitment practices are in place is a key aim of this policy. When making recruitment decisions, the Trust ensures the children, young people and any adults at risk across the Trust are safeguarded from harm by:

- Making sure the Trust/academy's commitment to safeguarding children and vulnerable people is strongly promoted in order to deter unsuitable people.
- Having robust safeguards in place throughout the recruitment process to flag up candidates who may be unsuitable to work with children and vulnerable people and reject them.
- Taking up references and completing all relevant pre-employment checks for shortlisted candidates to prevent unsuitable people from being appointed; and
- Monitoring new employees during the induction period to observe their behaviours and attitudes and, following induction, implementing an appropriate system of supervision and appraisal.

### **1.3 Relevant legislation and guidance**

- Keeping children safe in education (DfE 2021)
- Safeguarding Vulnerable Groups Act 2006
- Education (Health Standards) (England) Regulations 2003
- Education Act 2002
- Equality Act 2010
- Protection of Freedoms Act 2012
- DBS Code of Practice (amended 2016)
- Rehabilitation of Offenders Act 1974 (exceptions order 1975) (as amended 2013 & 2020)
- UK General Data Protection Regulations (UK GDPR) 2018

## **2. PURPOSE, SCOPE AND PRINCIPLES**

### **2.1. Purpose**

The purpose of this Recruitment Policy is to set out the Ebor Academy Trust's recruitment process. The policy aims are to:

- Recruit and develop outstanding practitioners.
- Ensure that the recruitment of all staff and volunteers is conducted in a fair, effective and efficient manner.
- Ensure that recruitment processes are inclusive and that all relevant equalities legislation is adhered to.
- Ensure that the Trust is presented in a positive way to all candidates and prospective candidates at all stages of the process.
- Ensure that all those involved in the management and administration of the recruitment and selection process understand their responsibilities. This is set out in Appendix 1.

## **2.2. Scope**

This policy applies to all employees, governors, trustees and members of the Trust who are responsible for and involved in the recruitment and selection of all staff.

## **2.3. Policy Principles**

The following principles are encompassed in this policy:

- All applicants for jobs will receive fair treatment and a high quality service.
- The job description and person specification are essential tools and will be used throughout the process.
- Employees will be recruited on the knowledge, experience and skills needed for the job, as outlined in the person specification for the role.
- Selection will be carried out by a panel with at least two members. At least one panel member will have received Safer Recruitment training on the recruitment and selection process as recommended by the Department for Education (DfE).
- Appointment will be based on a minimum of a completed application form, short listing and interview, social media checks and receipt of at least two suitable references.
- Internal opportunities within the same school will be advertised for a minimum of 48 hours.
- All external opportunities will, wherever possible, be advertised for a minimum of 7 calendar days.
- The Equality Act (2010) makes it a requirement to make reasonable adjustments to the recruitment process if an applicant makes the employer aware that they have a disability. This applies to the entire recruitment process, from advertisement to appointment.
- The process followed will encompass the safer recruitment practices as outlined in the latest version of the Government's Keeping Children Safe in Education document.

### **3. INCLUSIVITY IN THE RECRUITMENT PROCESS**

3.1 Ebor Academy Trust is committed to providing equality of opportunity for all applicants, ensuring that at all stages of recruitment and selection are fair. Recruitment and Selection procedures will be reviewed on a regular basis to ensure that applicants are not discriminated against on the grounds of any protected characteristic. Protected characteristics include age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation). The Trust acknowledges that unfair discrimination can arise on occasion and therefore will ensure that the equalities legislation is the foundation for all its activities.

3.2 There is a significant body of employment legislation which impacts on the Trust's Recruitment and Selection processes. This includes The Equality Act 2010.

#### **3.3 Discrimination against applicants**

An applicant can allege discrimination against an employer even though there is no direct employment relationship. This is particularly pertinent in the recruitment process whereby a potential applicant, applicant, or selected candidate may claim discrimination on the grounds of a protected characteristic. All actions and documents involved in the process must be free of any criteria that could be interpreted as being discriminatory within the terms of legislation, this includes indirect discrimination.

#### **3.4 Types of discrimination**

**Direct Discrimination** occurs when someone is treated less favourably than others would be treated in the same, or similar, circumstances on the grounds of a protected characteristic as outlined in The Equality Act.

**Indirect Discrimination** occurs when a requirement or condition is applied which has a disproportionately adverse effect on a group of people on the grounds of a protected characteristic as outlined in The Equality Act. Examples include:

- Insistence on British qualifications without consideration of equivalents may disadvantage those born in another country.
- A requirement that candidates must have 10 years continuous employment/service would exclude more women than men due to the likelihood of women taking time away from work to raise a family.

#### **3.5 Liability for discrimination**

Liability for unlawful discrimination rests with the employer and/or any workers who are found to have discriminated. For example, anyone participating in the recruitment process, including panel members, could be liable if an allegation of discrimination is proven.

Applicants have up to 3 months, following the recruitment process, to make a complaint. The fact that a person may not have intended to discriminate against someone is irrelevant and would not constitute a defence.

### **3.6 Dealing with complaints**

If a complaint is received by the Trust it should be dealt with in line with the Trust's Complaints Procedure (available on the Trust's website). Advice can be sought by from the HR team. It is important to bear in mind that a complaint of discrimination may lead to a claim against an individual, the process or a claim to an employment tribunal and should the employment tribunal decide that the complaint is well founded, damages may be awarded against the employer.

In cases of discrimination the amount awarded is unlimited.

### **3.7 Burden of proof**

It is important to note that if a complainant establishes facts that they were treated less favourably on the grounds of a protected characteristic, the employer will have to prove that the difference in treatment was not due in any way to unlawful discrimination. If the employer cannot do this, the employment tribunal will uphold the claim.

### **3.8 Genuine Occupational Requirements (GOR)**

As a general rule it is unlawful to specify that an employer requires somebody of a particular sex or race, however, in exceptional circumstances there may be a genuine occupational requirement (GOR) for the position. Such requirements are acceptable in instances, for example:

- Where the job needs to be held by a man or woman to preserve privacy and decency.
- Where the essential nature of the job calls for a man or woman by reason of his or her physiology.
- Where being of a particular racial group is a genuine occupational qualification e.g., providing care/welfare services to a racial group and those services can be best provided by a member of that racial group.
- The religious character of the school.

In the event of the GOR rule applying, this must be stated on the advertisement and job details.

GORs are always open to challenge and if an employer is challenged, the burden of proof lies with the employer to show that a GOR applies to the job at issue, but it is only an Employment Tribunal who can give an authoritative ruling as to whether or not a GOR is valid.

Advice and approval must be sought from the HR Director before proceeding with any plans to advertise a post using the GOR provisions.

## **4. PREPARING TO RECRUIT**

- 4.1 Prior to recruitment activity taking place, the vacancy should be reviewed to ensure that the proposed role will best meet the needs of the school. This includes the recruiting manager reviewing the job description, person specification (see para 7 below), hours and pattern of work, rate of pay and contract length. The HR team are available to advise on this.
- 4.2 All recruitment is subject to approval. This is done via the online “request to recruit” process and ensures that the new recruitment proposal is costed, affordable, and that external recruitment is deemed to be necessary and in the best interests of the school and Trust. More information is contained in the guidance notes at appendix 1.
- 4.3 Once a request to recruit is approved by all approvers, the HR team will draft an advert and post it online, ensuring that all recruiters have access to the applications for the post. Schools then manage their own shortlisting and interview processes (see appendix 1).
- 4.4 The objective of the recruitment process is to attract, select and retain staff who will successfully and positively contribute to the future development of the Trust and its children’s learning. The first experience an individual has is important, therefore all those responsible for recruiting will endeavour to:
- Engage professionally and positively with all applicants.
  - Ensure applicants are provided with a clear outline of the post and what is expected of them.
  - Ensure the process provides a high quality of candidates.
- 4.5 Before advertising a vacancy, the activity should be planned, including determining the shortlisting and interview panel and the dates for the selection process.

## **5. ADVERTISING POSTS**

All advertisements for posts will include information on DBS requirements based around the following statement:

*“We are committed to safeguarding and promoting the welfare of children. We follow safer recruitment practices and appointments are subject to an enhanced DBS check and checks of the relevant barred list and prohibition lists”*

## **6. APPLICATION FORMS**

- 6.1 All applications should be completed electronically through the Trust’s recruitment website where possible. If an applicant cannot do this then they may be given a paper copy of the relevant application form which, once completed and returned, must be scanned and save it onto the online recruitment system.

- 6.2 All application forms must be completed in full. CVs alone will not be accepted either electronically or by post as they present only the information the candidate wants to be seen and can omit important details. CVs also make it difficult to compare candidates because they are all individual in both content and layout.
- 6.3 The Trust application form contains the following:
- A section to enable the full identity of the individual concerned
  - A full employment history plus qualifications obtained, with dates and awarding bodies
  - A section asking applicants to state how they meet the criteria from the person specification
  - The names and contact details of at least two referees (and a statement to the effect that referees will be asked about whether the applicant has been the subject of any safeguarding concerns).
- 6.4 Where agency staff wish to apply for roles within the Trust, they must follow the standard process outlined above and submit an application via the Trust's recruitment website, ensuring all pre-employment checks are completed prior to appointment with the Trust.
- 6.5 Where posts are advertised for internal applicants only, existing employees will be requested to complete an expression of interest form as long as a previous full application form is already on file and all clearances for the individual have previously been undertaken.

## **7. JOB DESCRIPTION AND PERSON SPECIFICATION**

### **7.1. Job description**

An accurate job description is required for all posts. Before any post is advertised, an up-to-date job description should be prepared. It should describe fully and in plain, non-discriminatory language, the responsibilities and duties of the post. Job descriptions should be prepared using the Trust template, to ensure all relevant sections and clauses are completed; this is available from the HR team who will also assist in the preparation of new job descriptions.

- 7.2 If a new role is created in the Trust, or an existing role changes significantly, so that there is uncertainty about the correct salary for it, then the role may be job evaluated. The HR team is responsible for ensuring this process is correctly carried out and the appropriate salary grade assigned to the role.

### **7.3 Person specification**

A person specification is required for all posts and should be prepared alongside the job description.

A person specification describes the knowledge, qualifications, experience and skills needed to perform the role in relation to working with children and young people and whether they are essential or desirable specifications.



7.4 Care should be taken to ensure that the person specification is free of any criteria that could be interpreted as being discriminatory such as age limits, physical requirements etc. The HR team can advise on this.

**7.5 An up-to-date person specification is an essential feature of the recruitment process and should be produced for all vacancies. It is essential in enabling a shortlist of applicants to be drawn up and a final selection to be made, based on fair, equitable and consistently applied criteria. It will ensure, as far as possible, that the right person is appointed to the position.**

## **8. REFERENCES**

8.1 The purpose of seeking references is to obtain objective and factual information to support appointment decisions. A minimum of two references will be taken.

8.2 References will always be sought and obtained directly from the referee and preferably from a senior person with appropriate authority, not just a colleague. One reference must be the applicant's current or last employer and should cover the last 5 years. If that reference does not cover the past 5 years, the previous employer should be asked to provide a reference. Where it is not possible to obtain two employment references, the recruiting manager will seek to obtain one employment reference and one personal reference from a person of standing.

8.3 References will be requested via the Trust's recruitment website following the applicant being shortlisted, provided that the applicant has given permission to do so prior to an offer of employment being made. Where the applicant has not given consent, reference requests will be automatically triggered following an offer of employment being made and accepted. Any concerns or questions arising from a reference received prior to interview will be discussed in the interview process.

8.4 Open references will not be relied upon. References will only be accepted from legitimate email addresses and these will be checked and verified.

8.5 References will be scrutinised, and any concerns will be resolved satisfactorily before the appointment is confirmed. The information received will be compared to that provided in the application form. This applies equally to internal appointments as it does to external appointments.

8.6 Only the Trust's reference form will be used. These collect information about:

- The candidate's suitability for working with children and young people.
- Any disciplinary action, including time-expired warnings that relate to the safeguarding of children and young people.
- Any proceedings under the capability procedure.
- The candidate's suitability for the post.

All appointments must be made subject to appropriate references and DBS checks.

## **9 SOCIAL MEDIA CHECKS**

- 9.1 In accordance with Keeping Children Safe in Education 2022, a check on main social media platforms (LinkedIn, Twitter, TikTok, Instagram and Facebook) will be undertaken on all applicants shortlisted for interview. The purpose of these checks is to ascertain whether there is anything apparent from approximately the last five years that gives a cause for concern in relation to the individual working with children, for examples, expressions of extremist or racist views. Should anything arise from these checks, this will be discussed with the candidate to obtain further information.

## **10 SHORTLISTING**

- 10.1 Shortlisting of candidates will be against the job description and person specification for the post. There must be consistency between members of the interview panel and those involved in the shortlisting process. A record form for this purpose is attached at appendix 3.
- 10.2 All materials for shortlisting exercises for both successful and non-successful shortlisted candidates must be completed and stored securely in the event of successful and non-successful candidates requesting feedback.
- 10.3 A separate self-declaration of convictions and cautions which are not 'protected' (as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013 & 2020) will be issued to all shortlisted candidates to be completed and returned to the Trust prior to, or at, interview.
- 10.4 Unsuccessful candidates' feedback must be stored securely within the school (or Business and Training Centre for central roles), for six months before being securely destroyed in line with the Trust's Data Retention Policy.

## **11 INVITATION TO INTERVIEW**

- 11.1 Candidates called to interview will receive:
- Written (email) correspondence confirming details of the interview/assessment and any other selection techniques as well as asking whether the Trust needs to make any reasonable adjustments in order to facilitate the candidate attending and participating in the interview and selection process.
  - An opportunity for candidates to ask any questions prior to the interview.
  - A Pre-Employment Disclosure Form to complete (Appendix 2). This collects information about any spent and relevant unspent disclosures and also the candidates user names on social media platforms they may use, so that they may be checked prior to interview. Any concerns arising from these checks will be discussed between the HR team and recruiting manager, so the recruiting manager can ask questions of the candidate at interview accordingly. Concerns becoming apparent at this stage do not mean that the individual may not be considered suitable for employment with the Trust.

## **12 THE SELECTION PROCESS**

### **12.1 Interview panel**

At least one person on any interview panel must have completed safer recruitment training. Safer recruitment training must be refreshed every three years. The Central Support Team will usually identify when this is needed, but if that does not happen for some reason, the individual or school should contact the Training Adviser in order to arrange for training to be arranged.

### **12.2 Selection process**

Selection techniques will be determined by the nature and duties of the post, but all vacancies will require a minimum of an interview of shortlisted candidates.

All interview questions asked by the school or Trust will be recorded on an Ebor interview question and scoring matrix template (Appendix 4).

Scoring will be carried out objectively, with the highest scoring candidate being offered the position in the first instance.

Interviews will always be face-to-face. This can include the use of technologies to facilitate this process when necessary. During the interview, the panel will ask candidates to:

- Explain satisfactorily any anomalies or discrepancies in the information available to the panel which has not been explained already on their application form.
- Discuss any information they have provided in relation to relevant cautions / convictions, or social media checks.
- Declare any potential conflicts within the recruitment process such as relationships to panel members / Trustees of the Board.
- Demonstrate their ability to safeguard and protect the welfare of children and young people. This will include safeguarding and PREVENT questions asked by the interview panel.
- All candidates will be subject to the same interview questions and assessment tasks specific to the role. Candidates may also be asked individual questions relating clarifying a response to a set question, or regarding any gaps in their employment history, relevant criminal history or information in their references that require clarification.

The HR team provides a bank of questions for a variety of roles which may be used at interview, including a range of questions relating to safeguarding.

## **13 PRE-EMPLOYMENT CHECKS**

- 13.1 An offer of appointment will be conditional, and all successful candidates will be required to:

- Verify their identity.
  - Obtain an enhanced DBS certificate (including children’s barred list information for those engaged in regulated activity) and receive satisfactory clearance (even when using the DBS update service, the original physical certificate should still be provided).
  - Present the original DBS certificate within 28 days of issue for review before they commence their post or as soon as practicable afterwards.
  - Provide proof of professional status, if applicable.
  - Provide original certificates of relevant and required professional qualifications.
  - Complete a confidential health questionnaire (in accordance with KCSIE) to verify their mental and physical fitness to carry out their work responsibilities and submit this directly to the Occupational Health provider.
  - Provide proof of right to work in the UK, including EU nationals.
  - If successful candidates have worked/lived abroad for 12 months consecutively in the past 10 years they must provide a certificate of good conduct from the foreign country they worked. For more information on this, please refer to <https://www.gov.uk/government/publications/criminal-records-checksfor-overseas-applicants> (Note it is the individuals responsibility to provide this information).
  - All Teachers and any support staff whose posts fall within the remit of the Teacher Prohibition Order will be checked against the relevant restricted list.
  - Persons appointed to a post involved in the management of a school (management position as an employee, trustee of the Trust or governor with delegated management responsibilities) will have a section 128 direction check completed.
  - If the post falls within the Childcare Regulations, confirm that they are not disqualified from early- or later-years childcare under the Child Care Act.
- 13.2 All checks will be documented and retained on the personnel file in line with the Trust’s data retention requirements and recorded on the school’s (or CST’s) Single Central Record.
- 13.3 Any unsatisfactory results will be followed up, similarly if there are any discrepancies in the information received.
- 13.4 Employment will not normally commence until all checks and procedures have been satisfactorily completed – see para 13.5.

### **13.5 DBS checks**

Individuals appointed by the Trust will be required to have an Enhanced DBS with barred list check carried out as part of the pre-employment checks. This process provides information about convictions, cautions, reprimands and warnings held on the Police National Computer (PNC) regardless or not of whether they are spent under the Rehabilitation of Offenders Act 1974. In addition, an enhanced check will also include any approved information held by the police which a chief officer reasonably believes to be relevant and considers ought to be disclosed to the employer. The barred list check also enables the Trust to see whether the individual appears on the children's barred list and is therefore unsuitable to work with children.

The original DBS certificate must be seen by the Trust and the certificate number recorded on the SCR prior to the individual commencing employment.

Where the individual has not received their DBS certificate prior to their start date, the Trust must complete a risk assessment with the individual and ensure they are appropriately supervised in their role and all other pre-employment checks have been completed, including a separate children's barred list check. This must remain in place until the DBS certificate has been received and the Trust has seen the original certificate.

Where information is contained within the DBS, this will be discussed with the individual in order to carry out an assessment of any risk this poses. Information contained within the DBS certificate does not automatically mean that an individual is unsuitable for employment. A decision on suitability will be made following a risk assessment being completed with the individual in order to record the discussion and the outcome reached. It is important to consider what information was disclosed by the individual at each stage of the recruitment process as part of this process, as well as the role that the individual has applied for.

DBS checks will be repeated every 10 years at Ebor Academy Trust and all staff will be reminded annually that any arrest or criminal conviction received must be disclosed immediately to their line manager.

### **13.6 DBS update service**

Individuals can register for the DBS Update Service at the point they are issued with their DBS certificate. This enables future status checks to be carried out to confirm that no new information has been added to the certificate since its issue and provides portability across employers. There is an annual fee for this service which is the responsibility of the individual to pay.

Before checking the DBS update service, the Trust must obtain consent from the individual, confirm the certificate matches the individual's identity and see the original certificate to ensure it is at the appropriate level of check.

Following this, the Trust is able to complete a free online check which would identify whether there has been any change to the information recorded since the initial certificate was issued. Individuals will be notified each time an organisation accesses their records.

Where applicants are already signed up to the DBS Update service, and providing the individual consents, the Trust can access the update service in order to check the individual is suitable for employment with children. The date this check was completed should be recorded on the SCR.

A new enhanced DBS certificate would only be required if the original DBS was not at the required level previously.

### **13.7 Teacher Prohibition Checks**

Teacher prohibition orders prevent a person from carrying out teaching work in schools and other specified settings. A person who is prohibited must not be appointed to a role that involves teaching work in such establishments. Teacher prohibition orders are made by the Secretary of State following consideration by a professional conduct panel convened by the Teaching Regulation Agency (TRA). The Secretary of State is able to issue an interim prohibition order if it is considered to be in the public interest to do so.

The Teachers' Disciplinary (England) Regulations 2012 define each of the following activities as teaching work:

- Planning and preparing lessons and courses for pupils.
- Delivering lessons to pupils.
- Assessing the development, progress and attainment of pupils.
- Reporting on the development, progress and attainment of pupils.

The regulations provide that these activities do not constitute teaching work if they are carried out under the direction or supervision of a qualified teacher or other person nominated by the Headteacher to provide such direction and supervision.

When appointing to a Teaching Assistant post or if an existing employee's role changes, this check will not normally be required unless they are undertaking unsupervised and undirected teaching work (e.g., HLTA). Should they be doing so, this check will be required to be completed.

In addition, the Trust chooses to undertake additional checks to those required by legislation to ensure an individual's suitability. This applies when an individual indicates they have qualified teacher status and/or have worked as a teacher previously but are applying for a support staff post such as a Teaching Assistant. In such circumstances, a teacher prohibition order check will be completed.

N.B. A prohibition order would not necessarily prevent someone from being considered for a Teaching Assistant role. This would be discussed with the individual as part of the risk assessment process.

To complete this check, the authorised person in the school will log into Teacher Services on the Secure Access Portal and conduct a 'teacher status check'. This process will also verify the teacher's Qualified Teacher Status (QTS) and the completion of the teacher induction.

Providing this check is satisfactory, the person responsible in the school will record the date this check was completed on the SCR. Where issues are raised, this will be brought to the attention of the Headteacher at the earliest opportunity. The Headteacher will arrange to discuss the concerns with the individual and will make a record of this discussion and the outcome reached.

### **13.8 Section 128 Direction checks**

A section 128 direction prohibits or restricts an unsuitable individual from taking part in the management of a school.

An individual who is subject to a section 128 direction is unable to:

- Take up a management position in a school as an employee.
- Be a trustee of a school trust.
- Be a governor on any governing body in a school that retains or has been delegated any management responsibilities.

13.9 Individuals involved with management as part of their duties include Executive Heads, Headteachers, any teaching positions on the senior leadership team (SLT) and any teaching positions which carry department leadership. When recruiting for other posts such as teachers with additional responsibilities, these may fall under the requirements of section 128, but it depends on the facts of each case. In such cases, advice should be taken from HR to ensure appropriate pre-employment checks are completed in advance of employment commencing.

13.9 A section 128 direction will show on an enhanced DBS check with barred list information, provided that 'children's workforce independent schools' is specified in the parameters for the barred list check. However, the Teacher Services' system via the Secure Access Portal should also be checked as the DBS route cannot be used for individuals not involved in regulated activity (e.g. governor on a governing body in a school, or trustee of an academy trust).

13.10 Providing this check is satisfactory, the person responsible in the school will record the date this check was completed on the SCR. Where issues are raised, this will be brought to the attention of the Headteacher at the earliest opportunity. The Headteacher will arrange to discuss the concerns with the individual and will make a record of this discussion and the outcome reached.

### **13.11 Overseas checks**

Where an individual has worked or lived outside of the UK for extended periods of time (usually for 12 months or more in the last 10 years), the Trust must complete the standard pre-employment checks as outlined above, but in addition must also make further checks so that any relevant events that have occurred outside of the UK can be considered when making a recruitment decision. Consideration must also be given to what the individual has been doing during the period of time outside of the UK and what they have been doing since their return to the UK.

- 13.12 If a restriction has been imposed by another EEA regulating authority, it does not prevent an individual from taking up a teaching post in England, but the Trust must consider the circumstances that led to the restriction/sanction being imposed when considering the individual's suitability for employment.
- 13.13 Since 1 January 2021, following the UK's exit from the EU, professional regulators in the EEA (EU, Iceland, Liechtenstein and Norway) no longer share information about sanctions imposed on EEA teachers with the Teaching Regulation Agency (TRA). The TRA therefore no longer maintain a list of EEA teachers with sanctions.
- 13.14 The Trust is required to seek information from an individual's criminal history from their country of origin or in which they have been working and/or travelling. The individual must provide a certificate of good conduct (or similar) form the relevant authorities. It is often sensible and most time effective for the individual to apply for/obtain this from the country prior to returning to the UK as it sometimes needs to be requested in person.
- 13.15 N.B. Overseas checks must be completed prior to an individual commencing employment.

The Home Office has published guidance on criminal checks for overseas applicants and guidance on employing overseas trained teachers. This can be accessed via the [www.gov.uk](http://www.gov.uk) website.

#### **13.16 Qualifications from overseas**

Where an individual has obtained qualifications from outside of the UK, it is important to ensure that they meet the required standards within the UK. This is not always a straightforward process and relevant checks must be made prior to the confirmation of any appointment being made.

Useful sources of information are [www.gov.uk](http://www.gov.uk) and [www.naric.org.uk](http://www.naric.org.uk) (early years). Advice from the HR team should be sought if there is any doubt over whether a qualification is officially recognised within the UK especially where this is an essential criterion for the post.

## **14 INDUCTION**

- 14.1 All staff and volunteers who are new to the school or CST will receive information and training on the relevant safeguarding policy and procedures, data protection and guidance on safe working practices as part of their induction training. This will incorporate:
- Keeping Children Safe in Education (KCSIE).
  - Level 2 Safeguarding of Young People.
  - The PREVENT duty.
  - Data Protection Act 2018 and the UK General Data Protection Regulations (UK GDPR).
  - Equality and Diversity.

Additionally, all staff will be given access to mandatory online training specific to their role.



- 14.2 Support staff are subject to a 6 month probationary period, during which they will have meetings to discuss how they are settling into their role and any additional learning and development required. See the Trust's Probation Policy for more information.

## **15 AGENCY STAFF (SUPPLY STAFF) and PERIPATETIC STAFF**

- 15.1 The Trust will only use those agencies which operate Safer Recruitment procedures. The Trust must obtain written confirmation from any agency, third party organisation or contractor to assure itself that all relevant safeguarding and pre-employment checks have been satisfactorily completed. Any information disclosed as part of the DBS checks will be treated confidentially.
- 15.2 In relation to an enhanced DBS certificate, the written confirmation must confirm a certificate has been obtained by the employer (e.g. the agency). Where a position requires a barred list check (where an individual will be engaged in regulated activity), this must also be included in the confirmation from the agency, third party organisation or contractor.
- 15.3 All of the above checks must be confirmed in writing to the Trust prior to the individual arriving at the relevant site for work.
- 15.4 The school will carry out identity checks when the individual arrives on site in order to ensure the person presenting to them is the same person that the checks have been confirmed for. This will involve checking the individual's identification by seeing a driving licence (photo card) or passport or other official photo ID card.
- 15.5 School must notify HR immediately if there are any safeguarding issues with supply staff.

## **16 SELF EMPLOYED STAFF**

- 16.1 Where an individual is required to work in the Trust and has self-employed status, it will be necessary for relevant checks to be completed prior to them providing their services to the Trust. This includes identity checks and ensuring they have the right to work in the UK.
- 16.2 If they are going to be engaged in regulated activity, working unsupervised or could fall within the categories of frequent or intensive, consideration should be given to obtaining a DBS certificate for the individual as self-employed individuals are not able to make an application directly to DBS. However, the Trust recognises that this process will provide an individual with a DBS certificate in the name of the Trust which potentially could be taken elsewhere.

## **17 VOLUNTEERS**

- 17.1 All voluntary recruited staff must complete a Volunteer Application form explaining the reasons behind why they would like to complete voluntary work and why they feel they would be suitable to do so. In addition, schools in the Trust will require that all necessary checks and DBS requirements have been satisfactorily completed for voluntary staff.

- 17.2 A volunteer is usually eligible for a DBS certificate where the fee is waived. In order for this to be possible, the volunteer must not benefit from the position, receive any payment for the role (except for approved expenses), be on a work placement, be on a course requiring the role to be fulfilled or be in a trainee position that will lead to a full time role/qualification.
- 17.3 A volunteer must still provide the standard identity documents as per other employees.
- 17.4 A volunteer who teaches unsupervised or looks after children without supervision on a regular basis (e.g., a reader) or provides personal care on a one-off basis in a school will be in regulated activity. They must therefore have an enhanced DBS certificate with barred list information completed prior to commencing this role.
- 17.5 Where volunteers are not engaged in regulated activity, risk assessments should be completed to decide whether to obtain an enhanced DBS certificate or a standard DBS certificate. Advice should be obtained from the HR team.
- 17.6 A volunteer who is not engaging in regulated activity but has the opportunity to come into contact with children on a regular basis (e.g., a supervised volunteer) must have an enhanced DBS certificate, but there is no requirement for this to include barred list information. The Trust is not legally permitted to request barred list information on a volunteer who, because they are supervised, is not in regulated activity.
- 17.7 Volunteers that have not been checked against the relevant DBS barred list will not be permitted to undertake regulated activity. More information on volunteer DBS checks can be found on the Gov.uk website.
- 17.8 Any volunteers whose role would fall within the Childcare Regulations will be asked to confirm that they are not disqualified under the Child Care Act.

## **18 REDEPLOYMENT**

- 18.1 In the event of any restructuring exercise in Ebor Academy Trust, redeployment of redundant staff will always be considered before looking at other options for filling the vacancy. This is in line with the Trust's obligation to support members of staff who are displaced from their substantive posts and is in line with the Trust's Organisational Change Policy.
- 18.2 In such cases, the HR team will ensure any potentially suitable alternative vacancies that arise are not advertised externally before the "at risk" member of staff has the opportunity to declare an interest, apply and be considered.

## **19 SINGLE CENTRAL RECORD (SCR)**

- 19.1 The Trust has a standard template which all school in the Trust must use to record details of people working there. The Central Support Team's SCR will be maintained by the HR team.
- 19.2 Responsibility for keeping a school's SCR up to date sits with the headteacher who will undertake termly checks with the school's safeguarding governor. The maintenance of the SCR is the responsibility of the relevant School Business Partner. The HR team and Trust Safeguarding Lead will undertake periodic audits of SCRs across the Trust.

## **20 MONITORING AND REVIEW**

This policy will be reviewed every three years, or when there are changes to relevant legislation by the Trust, in conjunction with recognised trade unions.

## **APPENDIX 1 – RECRUITMENT PROCEDURE AT EBOR ACADEMY TRUST**

### **A. Roles and responsibilities in recruitment/ contract variations**

#### **The Recruiting Manager is responsible for:**

- Initiating the authorisation process for each recruitment.
- Planning the recruitment event, including organising the dates/ time and venue, convening an appropriate panel (including at least one person with Safer Recruitment training) and providing HR with sufficient information about the role to be advertised to create an accurate and attractive advert.
- Scoring the applications received, consistently and using the recruitment system.
- Leading the agreed assessment and selection events.
- Ensuring safeguarding questions are asked at interview and any gaps in employment are questioned.
- Offering employment to the preferred candidate.
- Declining the unsuccessful candidates.
- Updating the recruitment system with the results.
- Notifying HR of the new appointment using the correct form.
- Undertaking the DBS and other checks required.
- Setting up the new starter on the school's single central record.

#### **HR is responsible for:**

- Ensuring that the Trust has appropriate recruitment software which all recruiting managers and School Business Partners can access and use.
- Providing coaching and training on the use of the system.
- Developing appropriate application forms.
- The development of job descriptions/ person specifications.
- Providing advice on how a vacancy should be advertised.
- Providing a bank of interview questions for a variety of roles, as well as other questions at the recruiting manager's request.
- Providing reference templates.
- Providing forms for disclosures as required by KCSiE regulations.
- Undertaking the required social media checks and notifying the recruiting manager in the event that a concern is identified, so the manager can question the candidate accordingly.
- Providing interview scoring templates.
- Providing templates which a school uses to notify HR or new starters.
- Sending out an offer letter, contract and starter documents to the new starter.
- Setting up the post and person information on to the HR/ Payroll system.
- Ensuring that training on Safer Recruitment is available to all recruiters.

## B. The Recruitment Process

Recruiting Managers must follow the process below when looking to recruit to a new or existing post.

	Action	Responsibility
<b>1.</b>	<b>Obtaining approval to recruit</b>	
	<p>Before recruiting to any vacancy schools need to have go through the 'Request to Recruit' process on Vacancy Filler.</p> <p>This involves completing the wizard and requesting approval from:</p> <ol style="list-style-type: none"> <li>i. The payroll manager (to cost the proposal)</li> <li>ii. The finance director (to check affordability)</li> <li>iii. The relevant senior manager. For teachers and TAs this is the school's executive head, for estates and facilities staff it is the Estates and Facilities Manager and for other posts it is the Headteacher (to check that the role isn't a redeployment opportunity for an existing member of staff at another school and that the proposal fits with the school and trust's plans).</li> </ol> <p>If the role being proposed is a non-standard role, you will need to liaise with HR about its job description and grade before you go through the authorisation process.</p> <p>Once approval is obtained, the role may be advertised. In exceptional circumstances and with the HR Director's permission, a role may be advertised prior to full approval, however an offer of employment may not be made until approval has been obtained.</p>	Recruiting manager
<b>2.</b>	<b>Planning the recruitment and selection event</b>	
i.	<p>Once a role is approved, the recruiting manager needs to determine:</p> <ul style="list-style-type: none"> <li>• The closing date (allow 2 weeks advertising as a minimum usually)</li> <li>• The interview date</li> <li>• The recruitment panel</li> <li>• The recruitment method</li> <li>• Where interviews will be held (including booking rooms)</li> <li>• The job description and any supporting information about the role.</li> </ul> <p>The HR team are happy to advise on the most appropriate recruitment and selection events. Aptitude tests are available free of charge using Vacancy Filler.</p>	Recruiting manager
ii.	<p>All adverts are placed on a variety of job boards free of charge to the school. If a school would like a role advertising on a specific job board (e.g. the local authority vacancy page or the TES) then they should request this to the Recruitment Assistant who will undertake the necessary administration. Any charge will be payable by the school.</p>	Recruiting manager/ HR
iii.	<p>Applicants can be scored on the system as soon as they come in – there is no need to wait until the closing date.</p>	Recruiting manager

iv.	Candidates not interviewed must be declined by the recruiting manager via the system which contains standard emails.	Recruiting manager
v.	The recruiting manager must mark all candidates for interview on the system.	Recruiting manager
vi.	<p>Prior to interview, the recruiting manager needs to:</p> <ul style="list-style-type: none"> <li>• Send for references for the shortlisted candidates. This is done within Vacancy Filler – the emails and forms are contained within the system.</li> <li>• Send a Self Disclosure Disqualification Form to all shortlisted candidates, which they must submit prior to interview.</li> <li>• Send a Social Media Check form to all shortlisted candidates, which they must submit prior to interview.</li> <li>• Collate questions/ assessments for interview – a bank of questions is available from HR, as is a template for interview recording.</li> </ul>	Recruiting manager
<b>3. The assessment process and follow-up action</b>		
i.	Prior to interview, the Self Disclosure Disqualification Form should be reviewed and social media checks undertaken by the CST. Any concerns arising from any of this will be passed on immediately to the recruiting manager via the HR Director who will liaise with the school regarding appropriate questions to ask the applicant during the interview process.	CST staff
ii.	Once the selection process has taken place and a decision has been reached, the recruiting manager should then make a verbal preliminary offer of employment to the preferred candidate. Once the person has verbally accepted, HR should be notified via a New Starter Form.	Recruiting manager
iii.	This will then trigger HR sending out an offer letter and contact to the individual, along with all the various forms needed as well as setting the person up on the HR/ payroll system when the completed forms are received.	HR
iv.	The recruiting manager must ensure all unsuccessful candidates are declined on the recruitment system, giving the individuals the opportunity to receive feedback should they want it.	Recruiting manager
v.	The recruiting manager will need to ensure that the DBS / Barred List checks are undertaken, that references are received and are satisfactory along with all other clearances as required for the Single Central Record, and logged on SCR Tracker.	Recruiting manager
vi.	If a member of staff is transferring from one school to another school in the Trust following a recruitment process, the personal file and Single Central Record information from the exporting school can be passed to the new school.	Transferring school SBP



## **APPENDIX 2 - KEEPING CHILDREN SAFE - SELF DISCLOSURE FORM FOR USE IN THE RECRUITMENT PROCESS & SOCIAL MEDIA CHECKS**

### **KEEPING CHILDREN SAFE**

#### **SELF DISCLOSURE FORM FOR USE IN THE RECRUITMENT PROCESS & SOCIAL MEDIA CHECKS**

**Please read and complete both parts 1 and 2 of this form and submit it to [recruitment@ebor.academy](mailto:recruitment@ebor.academy) as soon as possible and definitely 24 hours PRIOR to interview.**

#### **Part 1 - Declaration of Spent and Relevant Unspent Criminal Offences**

Ebor Academy Trust requires applicants to disclose certain information on previous criminal records they may hold. This does not mean that possession of a criminal record will automatically prevent you from working for the Trust, rather, as part of the recruitment process such information will only be considered in the light of its relevance to the post for which you are applying. In assessing your suitability for a post, Ebor Academy Trust complies with the Code of Practice recommended by the Disclosure and Barring Service.

Because of the nature of the work for which you are applying, this post is exempt from the Provisions of Section 4 (2) of the Rehabilitation of Offenders Act 1974 by virtue of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975. Therefore you must give details on this form of relevant convictions, cautions, reprimands and warnings you have and any court cases pending.

A list of offences which must always be declared has been derived from the legislation and can be accessed using the following link:

<https://www.gov.uk/government/publications/dbs-list-of-offences-that-will-never-be-filtered-from-a-criminal-record-check>

This list includes a range of offences which are serious, relate to sexual or violent offending or are relevant in the context of safeguarding. It would never be appropriate to filter offences on this list. In addition, the legislation covers equivalent offences committed overseas.

It is not possible to capture a definitive list of all equivalent offences under the law of all other jurisdictions. Where an individual is aware that they have committed an offence overseas which may be equivalent they should seek independent expert or legal advice to ensure that they provide information that is truthful and accurate.

If appointed, any failure to disclose any convictions could result in dismissal or disciplinary action by the Trust. Any information you provide regarding convictions will be kept confidential to the Recruiting Manager and relevant HR staff.

**Please complete the table overleaf then email to [recruitment@ebor.academy](mailto:recruitment@ebor.academy):**

<b>Declaration of individual</b>		
<b>1. Do you have any unspent conditional cautions or convictions under the Rehabilitation of Offenders Act 1974?</b>	<b>No</b> <input type="checkbox"/>	<b>Yes – please provide further information</b> <input type="checkbox"/>
<b>2. Do you have any adult cautions (simple or conditional) or spent convictions that are not protected as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2020?</b>	<b>No</b> <input type="checkbox"/>	<b>Yes – please provide further information</b> <input type="checkbox"/>
<b>3. Have you been formally charged with any other offence in any country which has not yet been disposed of?</b>	<b>No</b> <input type="checkbox"/>	<b>Yes – please provide further information</b> <input type="checkbox"/>
<b>4. Are you currently subject to any criminal investigations or pending prosecutions by the police in any country which may have a bearing on your suitability for this position?</b>	<b>No</b> <input type="checkbox"/>	<b>Yes – please provide further information</b> <input type="checkbox"/>
<b>5. Have you ever been known to any Children’s Services department or the police as being a risk or potential risk to children?</b>	<b>No</b> <input type="checkbox"/>	<b>Yes – please provide further information</b> <input type="checkbox"/>
<b>6. Have you been the subject of any formal action, disciplinary investigation and/or sanction by any organisation due to concerns about your behaviour towards children?</b>	<b>No</b> <input type="checkbox"/>	<b>Yes – please provide further information</b> <input type="checkbox"/>
<b>7. Have you ever been dismissed for misconduct from any employment, volunteering, or other position previously held by you, in circumstances which may have bearing on your suitability for this position?</b>	<b>No</b> <input type="checkbox"/>	<b>Yes – please provide further information</b> <input type="checkbox"/>
<b>8. Are you currently subject to any fitness to practise investigations or proceedings by a regulatory, governing, or licensing body in any country, which may have bearing on your suitability for this position?</b>	<b>No</b> <input type="checkbox"/>	<b>Yes – please provide further information</b> <input type="checkbox"/>
<b>Please tick the boxes below and then sign this form.</b>		



<input type="checkbox"/>	I agree that the information provided here may be processed in connection with recruitment purposes and I understand that an offer of employment may be withdrawn or dismissal may result if information is not disclosed by me and subsequently comes to the organisation's attention.
<input type="checkbox"/>	I agree to inform the Trust within 24 hours if I am subsequently investigated by any agency or organisation in relation to concerns about my behaviour towards children or young people.
<input type="checkbox"/>	I understand that the information contained on this form, the results of the DBS check and information supplied by third parties may be supplied by the organisation to other persons or organisations in circumstances where this is considered necessary to safeguard other children.

Following receipt of this form you may be questioned during the selection process regarding the information you have given.

## Part 2 – Social Media Checks

The government's Keeping Children Safe in Education document 2022 requires that schools should consider carrying out an online search as part of their due diligence on the shortlisted candidates as this may help identify any incidents, views or issues that have happened, and are publicly available online, which the school might want to explore with the applicant at interview.

### What are we looking for?

We are looking for content that may call into question a candidate's suitability to work with children and/or cause harm to the reputation of the school or Trust. That means we are looking for content that evidences inappropriate or offensive behaviour, discrimination, drug or alcohol misuse and inappropriate photos or videos. We are not interested in mainstream political opinion or evidence of usual social pastimes, such as socialising with friends.

### Timeframe

Whilst the guidance does not stipulate how far back we check, the Trust believes that the past five year period is reasonable, so checks will be undertaken over this timeframe.

### Next steps

You are requested to complete the second column of the table overleaf, so checks can be undertaken by the central recruitment team (not the recruitment panel). Should something arise that causes a possible safeguarding concern, the recruitment panel will be informed so that they can discuss this at interview and obtain more information.

Social media platform	Candidate username, or enter N/A if you do not use this platform	Recruitment only – date check undertaken	Recruitment only – any concern arising?
Facebook			
Twitter			
LinkedIn			
Instagram			
TikTok			

**To be completed by the central recruitment team. If you have entered Y in the final column above, please add detail below:**

.....

.....

.....

**Declaration**

**I certify that to the best of my knowledge, the information on this form is true and accurate. I understand that if the information I have supplied is false, misleading or incomplete in any way, my employment may be terminated with immediate effect and I may be reported to the police, Disclosure and Barring Service and/or the Department for Education Children’s Safeguarding Unit.**

<b>Signed:</b>	
<b>Name (please print):</b>	
<b>Position applied for, including school name:</b>	
<b>Date:</b>	

**Please email the completed form to [recruitment@ebor.academy](mailto:recruitment@ebor.academy) as soon as possible. Thank you for your help.**

### APPENDIX 3 – SHORTLISTING FORM

Use this template to help you decide which candidates to shortlist for interview.

The criteria you use will depend on the particular role – **list the essential criteria from the relevant person specification**, then either tick to indicate where criteria are met, or use a scoring system to help you decide the extent to which a candidate meets a particular criterion e.g. 0 – 2 and invite all those over a certain score to interview.

Criteria	Candidate name	Candidate name	Candidate name	Candidate name	Candidate name
<b>Initial screening checklist (tick where candidate meets the criteria)</b>					
Does the candidate have the right to work in the UK ?	Y / N	Y / N	Y / N	Y / N	Y / N
Does the candidate meet the <b>minimum</b> essential qualifications eg teaching qualification	Y / N	Y / N	Y / N	Y / N	Y / N
Have any issues of concern that are publicly available online when carrying out an online search arisen (via CST)	Y / N	Y / N	Y / N	Y / N	Y / N
<b>Essential criteria from the person specification (you could use a 0-3 scoring system here)</b>					
Essential criteria from person spec #1					
Essential criteria from person spec #2					
Essential criteria from person spec #3					

Criteria	Candidate name	Candidate name	Candidate name	Candidate name	Candidate name
<b>(If scoring against the essential criteria does not produce a small enough number of candidates, repeat the process against the desirable criteria (you could use a 0-3 scoring system here)</b>					
Score for desirable criteria #1					
etc					
<b>Decision and next steps</b>					
<b>Total score</b>					
<b>Progress to next round?</b>					
<b>Any questions arising for interview e.g. gaps in employment, issues arising from social media check, referee details etc.</b>					

**APPENDIX 4 – INTERVIEW RECORD FORM**

**Interview Record Form for *post title*  
Date**

**Candidate name:** ..... **Interviewer:** .....

	<b>Questions</b>	<b>Comments</b>	<b>Score (0-3)</b>
1			
2			
3			
4			
5	SAFEGUARDING		
8	SAFEGUARDING		
9			

10			
11	Do you have any questions you would like to ask?		
	TOTAL		

Additional comments from interviewer

Signed ..... Name (Print) .....