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## **Recruitment Policy**

*Enabling a world of freedom, opportunity and fulfilment*

## Contents:

1. Introduction.....	3
2. Aims of this Policy.....	3
3. Roles and Responsibilities .....	3
4. Equal Opportunities.....	4
5. Advertising.....	5
6. Applications .....	5
7. Shortlisting.....	6
8. References .....	6
9. Online Checks .....	7
10. Verification of Identity Address and Qualifications.....	7
11. Interview.....	8
12. Selection .....	8
13. Interview Records.....	9
14. Medical Fitness.....	10
15. Pre-employment Checks.....	10
a. Disclosure and Barring Service (DBS) Check.....	11
b. Overseas checks, where appropriate, including checking for EEA professional sanctions.....	11
c. Prohibition Order Check .....	12
d. Section 128 Checks.....	12
e. Disqualification Early Years and relevant later years provision .....	12
16. Trainee/Student Teachers .....	13
17. Agency Staff.....	13
18. Contractors .....	13
19. Volunteers .....	14
20. Governors, Trustees and Members.....	14
21. Adults who Supervise Students on Work Experience .....	14
22. Policy on the Recruitment of Ex-offenders .....	15
23. Statutory Guidance, Further Information and Related Policies .....	16
Appendix 1: Flowchart of Disclosure and Barring Service.....	17
Appendix 2: Example Shortlisting Grid.....	18
Appendix 3: Example Interview Assessment.....	19

## 1. Introduction

Employees are a Trusts most important resource, Magna Learning Partnership (MLP) recognises that, it is of fundamental importance to attract, recruit and retain staff of the highest calibre. MLP further recognises the value of, and seeks to achieve, a diverse workforce.

MLP is committed to:

- Safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. The safe recruitment of staff is the first step to safeguarding and promoting the welfare of children in education.
- Ensuring that the recruitment and selection of all who work within the Trust is conducted in a manner that is fair, systematic, efficient, effective and promotes equality of opportunity and complies with best practice. Selection will be on merit, with the best candidate for each job being appointed from the widest pool of applicants and having been appropriately checked in accordance with 'Safer Recruitment' guidance.

## 2. Aims of this Policy

To ensure:

- the best possible staff are recruited on the basis of their merits, abilities and suitability of the person
- job applicants for each vacancy are considered equally and consistently
- no job applicant is treated unfairly on any ground including age, disability, gender reassignment, race, religion or belief, sex or sexual orientation as outlined in the Equality Act 2010
- compliance with all relevant legislation, recommendations and guidance including the statutory guidance published. (See 23. Statutory Guidance, Further Information and Related Policies)
- MLP meet their commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks
- all employment checks are recorded clearly on the Trust/Academy's electronic Single Central Record (SCR), in line with DfE requirements.

## 3. Roles and Responsibilities

It is the responsibility of the Trust, its Academy Leaders and other senior managers involved in the recruitment process, to ensure that:

- the Trust operates safe recruitment procedures and carries out all appropriate checks on all staff, work experience students and volunteers who work at MLP
- they monitor contractors' and agencies' compliance with this policy; and promote the welfare of children and young people at every stage of the procedure
- the design and content of the job description, person specification, advert and application pack are reviewed and approved prior to publication.
- an appropriate question set is agreed in advance prior to each interview
- that an appropriate selection panel is assigned for interviewing each vacancy. The selection panel should include a senior manager who is, in turn, responsible for checking for any gaps in the application form and scrutinizing references
- at least one person on any selection panel **must** have completed and hold up-to-date Safer Recruitment training. Safer Recruitment training must be completed at least every five years

- Academy HR leads will send a copy of this Recruitment Policy also with the applicant's application forms to each shortlisting and recruitment panel. Employees involved in the recruitment and selection of staff are responsible for fully understanding and complying with the provisions of this policy
- It is the responsibility of all contractors and agencies who provide services to the Academy to comply with safer recruitment practices
- It is the responsibility of the Academy's office and HR dept, in conjunction with the Academy Leader, to ensure that:
  - all references are requested and received
  - candidates are liaised with throughout the process
  - all pre-employment checks are complete before employment begins and that they are recorded on the Single Central Record
- It is the responsibility of the Head of Governance/AGC Clerk to ensure that an Enhanced DBS clearance, and any other necessary checks, are in place for Trustees and Governors. The individual Academy that a Governor is supporting will need to submit the DBS application, but the AGC Clerk will need to advise the Academy of any new appointments and the requirement for a new DBS and section 21 check.
- All Staff members have a duty, through their contract, to immediately disclose during their employment if they are:
  - charged or convicted of any criminal offence;
  - in receipt of a police caution, reprimand or warning, or if there is a formal child protection concern;
  - disqualified under the Childcare (Disqualification) Regulations 2018 (when working in relevant childcare provision);
  - barred from working with children or vulnerable adults;
  - the subject of a referral to the Disclosure and Barring Service (DBS).

## 4. Equal Opportunities

When recruiting, the Trust will adhere to the Equalities Information and Objectives and Dignity at Work Policy. MLP will not discriminate against any protected characteristics, such as disability or gender, and will always promote difference and inclusion throughout the Academy.

MLP will, where necessary, make reasonable adjustments to ensure the interview is accessible to all candidates. Candidates should inform of any reasonable adjustments that they need when they receive the invitation for an interview.

The Trust Board will review recruitment procedures to ensure they are accessible and do not directly, or indirectly, discriminate against candidates.

Candidates will not be asked about their health or any disabilities before a job offer is made, unless one of the following exemptions applies:

- Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments)
- Questions to establish if an applicant is fit to attend an assessment, or any reasonable adjustments that may be needed at interview or assessment
- Positive action to recruit disabled persons
- Equal opportunities monitoring (which will not form part of the decision making process)

# The Procedure

## 5. Advertising

Advertisements will always be placed on either MLP website and/or the Academy website as well as a combination of other places depending on the role, which can include TES, Wiltshire Bulletin, the DfE Recruitment website and Social Media (this list is not exhaustive).

To maximize the field of potential applicants it is expected that roles will be advertised externally as well as internally. Where there is a reasonable expectation that there are sufficient qualified internal candidates or where staff are at risk of redundancy, an internal advertisement may be considered appropriate. All internal candidates will be shortlisted in the same way as external applicants, any internal candidate that meets the minimum criteria for the role will be invited to interview.

In the case that a vacancy is advertised internally and only one internal applicant applies, if that candidate meets the criteria for the role, an interview between the hiring manager and internal applicant should be arranged. The interview should fully assess their suitability and understanding of the role requirements and a record of that assessment reviewed by the HR lead and retained on the employee's personnel file.

The advert should always include the following statement: ***[enter the name of the Academy], part of Magna Learning Partnership, are committed to safeguarding and promoting the welfare of its children and young people and expects all staff and volunteers to share this commitment. Successful applicants will need to undertake an enhanced DBS clearance. An online check will be carried out on all applicants invited to interview.***

***[enter the name of the Academy], part of Magna Learning Partnership, will not discriminate in any area of employment and confirms its commitment to equality of opportunity in all areas. Applicants will be treated in a fair and equal manner and in accordance with the law regardless of gender, marital status, race, religion, colour, age, disability or sexual orientation.***

## 6. Applications

Applicants will be able to download a recruitment pack from the Academy website which will include a letter from the Academy Leader, job description, person specification and application form. Further documentation providing background information on the Academy may also be included.

All applicants will be required to complete a confidential application form containing questions about their academic and employment history and their suitability for the role. Receipt of applications will be acknowledged by email.

Applications will be scrutinised for any concerns/gaps in information before a position is offered. Incomplete application forms will be returned to the applicant where the deadline for completed application forms has not passed. The Academy does not accept a curriculum vitae in place of an application form. If the application process is not followed, candidates will not be shortlisted.

## 7. Shortlisting

Applicants will be shortlisted against the criteria detailed in the job description and person specification as well as the quality of their application paperwork. Internal applicants will automatically be invited to interview on the proviso that they meet the minimum criteria for the role.

At least two members of the recruitment panel will be involved in the shortlisting process. At least two members of the shortlisting panel should have completed Equal Opportunity training and Unconscious Bias Training (See 23.) Applications will be shortlisted independently and the panel members should score each application in accordance with the specified criteria (See Appendix 2 – Sample Shortlisting Grid). The shortlisted applicants will be invited to attend a formal interview at which his/her relevant skills and experiences will be assessed in more detail.

Applicants that are invited to interview will be notified by email. The email will specify the date, time and location of the interview and methods of selection being employed, as well as any necessary detailed information – such as the precise requirements of a task. Candidates will be required to bring proof of photo ID, preferably a Driving Licence or Passport, and proof of their relevant qualifications detailed on the application form. Further detail on acceptable documentation is covered in section 10 of this document.

Unsuccessful candidates at shortlisting will be notified by email. If a high number of applications is expected for a particular role we will state within the application pack that due to the high volume of applications received, if candidates do not receive contact from the Academy prior to the interview date then to assume that their application has not been successful on this occasion.

During the recruitment process, and especially during the initial stages, the recruitment panel and the Academy Leader will be watchful of candidates displaying any of the following characteristics:

- No understanding or appreciation of children's needs
- Expressing that they want the role to meet their needs at the expense of children
- Using inappropriate language in relation to children
- Expressing extreme views or views that don't support safeguarding practices
- Displaying unclear boundaries with children
- Providing vague answers when asked about their experience and being unable to explain gaps in their employment

## 8. References

References for shortlisted applicants will be requested prior to interviewing. The only exception to this is where an applicant has indicated on their application form that they do not wish their current employer to be contacted without prior notification. In such cases, this reference will be taken up immediately after interview, at the latest, and prior to any offer of employment being made. One reference will be sought prior to interview wherever possible.

References will be sought from an applicant's current and previous employer(s) when available. A minimum of two professional references will be requested. However, when these are not available, or when there is a limited employment history, we may seek a reference from another professional referee (such as a former line manager or university tutor). This person should be able to give an objective reference and comment on the applicant's suitability for this post. References from relatives are not acceptable.

All referees will be sent a copy of the job description/person specification or recruitment pack relevant to the role for which the applicant has applied. All referees will be asked whether they believe the applicant is suitable for the job for which they have applied. If the referee is a current or previous employer, they will also be asked to confirm the following:

- The applicant's dates of employment, salary, job title/duties, reason for leaving, performance and disciplinary record
- Their relationship to the applicant
- Whether they have any reason to believe that the applicant is unsuitable to work with children, particularly if in a regulated activity (see definition below)

- Whether the applicant has ever been the subject of disciplinary or capability procedures involving issues related to the safety and welfare of children, including any in which the disciplinary sanction has expired
- Whether any allegations or concerns have been raised about the applicant that relate to the safety and welfare of children or young people or behaviour towards children or young people

Regulated activity means a person who will be:

- Responsible, on a regular basis in an Academy or college, for teaching, training, instructing, caring for or supervising children; or
- Carrying out paid, or unsupervised unpaid, work regularly in an Academy or college where that work provides an opportunity for contact with children; or
- Engaging in intimate or personal care or overnight activity, even if this happens only once and regardless of whether they are supervised or not.

The Academy will only accept references obtained directly from the referee and will not rely on references or testimonials provided by the applicant, or open references or testimonials. The Academy may verify the source of the reference, via email or a follow up phone call. The Academy will not accept references from relatives of the applicant or people writing solely in the capacity of a friend.

References will be scrutinised before interview and compared against the application form to ensure that the information provided is consistent. Electronic references will be vetted to ensure they originate from a credible source. Any discrepancies will be taken up with the applicant and/or the referee before any appointment can be confirmed. Any information about past disciplinary or capability action or allegations will be considered in the circumstances of the individual case.

## 9. Online Checks

MLP is committed to ensuring that safeguarding is a top priority; therefore, where appropriate, the Academy may check candidates' online public activity prior to an interview. In accordance with the requirement in the Keeping Children Safe in Education 2022 guidance the check should be carried out the Academy HR lead not connected with the selection process. The HR lead should pass on only relevant information to the interview panel withholding irrelevant information connected to age, gender, etc. information should be limited to incidents or issues that are publicly available online, which the panel might want to explore with the applicant at the interview. Typically, information passed on might relate to safeguarding or protecting the Trust reputation e.g. evidence of inappropriate behaviour, offensive language, discrimination, drug or alcohol misuse, inappropriate photos or videos, or anything else that questions their suitability to work with children.

This process may include a search for the candidate via Google as well as National and Local News sites

Any concerns will be addressed during the interview process in the same way that disclosures are dealt with on DBS checks or gaps in employment in education, consider its relevance and impact and allow the applicant to address any identified issues.

## 10. Verification of Identity Address and Qualifications

All applicants who are invited to an interview be required to bring the following evidence of identity, current address and qualifications. Proof of identity and other documentation will be verified by Academy staff.

- DBS Certificate (if available – another application will be made prior to appointment)
- Certificate of Good Conduct (or similar) from the applicant's home country, if it is not the UK
- Evidence of identity with photographic element, e.g. photocard driving licence
- Evidence of residence, e.g. utility bill (no older than 3 months)

- Original certificates of the qualifications that are listed in the application. (copies will be retained)

In addition, applicants must bring evidence of their right to work in the UK. The Asylum & Immigration Act requires all employers to see one of the following documents:

- UK passport or UK residence Permit.
- Document issued by the Home Office showing right of residence in the UK.
- Passport or other travel document which shows indefinite stay in the UK or stay in the UK and permitted to work.
- Application Registration Card issued by the Home Office stating ability to take up employment.

Where an applicant claims to have changed their name by deed poll or any other means (e.g. marriage, adoption, statutory declaration) they will be required to bring documentary evidence of the change. If documentary evidence is not available, the Academy will hold a probing discussion with the applicant about the reasons why before considering validating their identity.

## 11. Interview

An appropriate and diverse selection panel is assigned for interviewing. Any panel member that has a personal connection to any applicant, or perceived conflict of interest should declare this to the HR Lead and consideration will be given as to their continued involvement in the process. At least one person on the selection panel must hold up-to-date safer recruitment training. All panel members are encouraged to complete the Equal Opportunities training as well as Unconscious Bias training. For all Academy senior positions the panel must include the Academy Leader, in accordance with the Trust's Scheme of Delegation. For all Trust wide senior leadership positions (including Academy Leaders) the panel must include the Chief Executive Officer.

The selection process will include the following;

- A tour of the Academy
- A face to face, or virtual, professional interview consisting of a question set relevant to the role and person specification. This interview will include a question in order to gauge the candidates approach to Safeguarding. This question should also be relevant to the role that the candidate is being interviewed for, planned in advance and designed to truly test the candidate's knowledge and commitment to Safeguarding.
- Verification of qualifications and/or professional status

Specifically, relevant to the role being recruited for the selection process will include;

- For teaching posts the candidate will be observed teaching a lesson
- For Academy Leader posts the candidate will be required to complete a carousel of assessments; including making a presentation to a panel and other activities aimed at assessing the skills and competencies relevant to the role.

### Conducting the Interview

- The panel will make introductions
- The chair will outline the structure of the interview and put the candidate at ease
- The chair will outline the requirement of the vacancy
- The panel will start with a general or ice breaker question
- The panel will ask questions relating to any aspect of the application form
- The panel will in turn ask pre-determined consistent questions to the candidate relevant to the role requirements
- Notes will be made during the interview by each panel member on the responses given by the candidate.



- At the end of each interview, panel members will independently score the candidates performance against the criteria for the role. (See Appendix 3 - Example Interview Assessment)

The interview process may be carried out remotely depending on circumstances at the time of the interview. In such cases a video interview will take place via a recognised platform, such as Microsoft Teams. Any other elements of the interview process will be adjusted accordingly to the situation at the time. For example, if a candidate for a teaching post is unable to attend Academy to teach a lesson an appropriate written task will be set instead.

The Academy requires applicants to account for any gaps or discrepancies in employment history on the application form. Where any applicant is shortlisted, any gaps will also be discussed at interview. Start and finish dates for each employment must include the day of the month they started/finished.

Applicants should be aware that deliberately providing false information is an offence and could result in an application being rejected or summary dismissal if the applicant has been selected. Where false information is provided in support of an application to work at the Academy is required to report the matter to the Disclosure and Barring Service, the Police and other relevant professional bodies. Advice should be sought from the Head of HR immediately.

## 12. Selection

After all interviews have been completed the panel will meet to select the successful candidate based on their combined assessment of each candidate's performance in demonstrating that's they fulfil the role requirements. The decision to offer a job to a candidate must be made against the agreed criteria within the job description and person specification. Where a candidate declines the position the panel must consider whether or not to appoint an alternative candidate.

Once a candidate has accepted the post, or it has been decided not to make an appointment, the unsuccessful candidates are to be informed of the outcome. Constructive feedback on their performance at interview can be provided upon request. Candidates are not to be informed of the performance of other interviewees.

In the event of a grievance being raised concerning a recruitment or selection process, MLP Grievance Policy should be followed. The grievance should be reviewed impartially by persons not involved in the original recruitment process.

## 13. Interview Records

MLP adhere to Data Protection Act 2018, the General Data Protection Regulation (GDPR) and the employment practices code.

Personal information and interview paperwork, including notes from the interview panel, for unsuccessful candidates will be held securely for a period of 6 months. Application information for the successful candidate will be placed on the employee's personnel file.

The Academy will store all confidential personnel files in locked, non-portable storage containers or digital files, access to which will be restricted to members of the Academy's senior management team and HR.

Personnel files will be kept for six years after the employee has left employment.

The Academy will also ensure that any personnel information is destroyed by suitably secure means such as shredding.

## 14. Medical Fitness

The Academy wishes to verify the medical fitness of anyone to be appointed to a post at the Academy, after a conditional offer of employment has been made but before the appointment can be confirmed.

It is the Academy's practice that all applicants to whom an offer of employment is invited to complete and sign a self-declaration of medical fitness. If required, the Academy will arrange for the information contained in the self-declaration to be reviewed by the Trust's Occupational Health Advisors in the form of a job screening. If the Occupational Health advisor has any doubts about an applicant's fitness the Academy will consider reasonable adjustments in consultation with the applicant. The Academy may also seek a further medical opinion from a specialist or request that the applicant undertakes a full medical assessment.

The Academy is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, obtaining medical evidence and considering reasonable adjustments and suitable alternative employment.

## 15. Pre-employment Checks

In accordance with Keeping Children Safe in Education, Part Three: Safer Recruitment, MLP carry out a number of pre-employment checks in respect of all prospective employees.

If it is decided to make an offer of employment following a formal interview, employment with the Trust will be conditional on the following;

- Identity check;
- Barred list check;
- Enhanced DBS check;
- Prohibition from teaching check (must be made for anyone undertaking 'teaching work' (with or without Qualified Teaching Status);
- Further overseas checks on people living or working outside the UK, including any restrictions placed on teachers from the European Economic Area (EEA), e.g. a police check. (EEA is all EU countries, plus Iceland, Liechtenstein and Norway)
- Check of professional qualifications and QTS where appropriate;
- Check to establish the person's right to work in the United Kingdom;
- Section 128 check for people in management positions.
- Receipt of at least two references which are satisfactory to the Trust, one of which will be from the applicant's more recent employer;
- A separate satisfactory barred list check will be undertaken in the event that an enhanced disclosure is not received in advance of starting employment in the regulated activity, or where a 'portable' disclosure is used;
- Signed declaration to satisfy the Childcare (Disqualification) Regulation 2009 where working in relevant Childcare Provision (note: not applicable to Secondary schools);
- Verification of the applicant's medical fitness to ensure the duties of the post can be carried out satisfactorily, fully taking into account the Equality Act 2010 where reasonable adjustments may be made to fulfil the role effectively.
- Online check

All checks involve copying (or electronic scanning) each specified document as required, signing and dating the copy and placing it in secure storage in accordance with data protection legislation.

## a. Disclosure and Barring Service (DBS) Check

Due to the nature of the work, the Academy applies for an enhanced disclosure check via the Disclosure and Barring Service (DBS) in respect of all members of staff, proprietors and volunteers on entry to the Academy's workforce.

An enhanced disclosure check will contain details of all convictions on record (including those which are defined as "spent" under the Rehabilitation of Offenders Act 1974) together with details of any cautions, reprimands or warnings held on the Police National Computer. An enhanced disclosure will also reveal whether an applicant is barred from working with children or vulnerable adults by virtue of his/her inclusion on the lists of those considered unsuitable to work with children or vulnerable adults maintained by the DBS. An enhanced disclosure may also contain non-conviction information from local police records which a chief police officer thinks may be relevant in connection with the matter in question.

DBS checks will be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence. These applicants may also be asked to provide further information, including the equivalent of an enhanced DBS disclosure, from the relevant jurisdiction(s), often known as a certificate of good conduct.

For any person who has applied to the DBS update service the Academy will examine the original certificate, check it matches the individual's identity and run an online update check, which will provide information about any changes since the certificate was issued. If the check indicates that there has been a change then the individual must apply for a new certificate

If there is a delay in receiving an enhanced DBS disclosure before a person starts work in regulated activity, the Academy Leader may allow the member of staff to commence work:

- after a satisfactory check of the barred list if the person is working in regulated activity;
- and all other relevant checks have been completed satisfactorily;
- provided that the DBS application has been made in advance;
- with appropriate safeguards taken (for example, Risk Assessment carried out and appropriate supervision put in place)

The Risk Assessment will be reviewed every **two weeks** and a **note added to the single central register**. The staff member will be informed of all safeguards put in place.

Academies are not required to retain copies of DBS certificates.

## b. Overseas checks, where appropriate, including checking for EEA professional sanctions.

If, because a person 'living or having lived' outside of the UK for twelve months or more in the last ten years, a DBS check is not considered sufficient to establish suitability to work in a Academy (because a UK check would not cover offences committed abroad, but only those on the UK Police National Computer), the Academy would request that the candidate obtains further documentation that the proprietor considers appropriate (often a certificate of good conduct), having regard to any guidance issued by the DfE. Such checks will be completed before the employee starts employment. This applies where relevant both to foreign nationals and UK nationals returning from overseas.

Further checks may include an EEA check that will be carried out to check for information about any teacher sanctions or restrictions that has been imposed by a professional regulating authority in the European Economic Area (EEA). This check is relevant to applicants for teaching posts in England who have taught in the EEA. It is applicable to both foreign nationals and UK nationals who have taught in the EEA. This check is carried out using the Teacher Services system.

### c. Prohibition Order Check

Prohibition orders prevent a person from carrying out 'teaching work' in schools, sixth form colleges, 16-19 academies, relevant youth accommodation and children's homes in England. A applicant who is prohibited from teaching must not be appointed to work as a teacher in such a setting.

Prohibition orders are made by the Secretary of State following consideration by a professional conduct panel convened by the TRA (Teaching Regulation Agency). Pending such consideration, the Secretary of State may issue an interim prohibition order if he considers that it is in the public interest to do so.

The prohibition from teaching check is carried out using the Teacher Services system.

Qualified Teacher Status is not a requirement for teachers in the independent sector, but schools must now check that anyone employed to carry out teaching work is not subject to a prohibition order issued by the Secretary of State.

Teaching work is defined in The Teachers' Disciplinary (England) Regulations 2012 to encompass:

- planning and preparing lessons and courses for students;
- delivering and preparing lessons to students;
- assessing the development, progress and attainment of students
- reporting on the development, progress and attainment of students.

"Delivering" includes delivering lessons through distance learning or computer aided techniques. However, none of these is "teaching work" if the person carrying out the activity does so (other than for the purposes of induction) subject to the direction and supervision of a qualified teacher or other person nominated by the Academy Leader.

It is our policy that all new teaching staff will be subject to a prohibition check before commencing work at MLP and a record will be kept on the Academy's Single Central Record.

### d. Section 128 Checks

From August 2015, schools must check whether staff appointed to management positions after that date are subject to a section 128 direction. **This also applies to staff promoted internally from September 2018.**

The following staff are considered to be in management positions for the purpose of this check:

- Headteachers;
- all staff on the senior leadership team (including non-teaching staff);
- teaching positions with departmental headship;
- proprietors
- Governors
- Trustees

The checks will be carried out using the DfE sign in portal.

### e. Disqualification Early Years and relevant later years provision

The Trust will make sure that anyone who falls within the relevant categories of staff is made aware of the legislation: [Disqualification under the Childcare Act 2006](#)

For adults who work in, or are involved in the management of, i) EYFS or ii) out of hours care for children up to the age of 8.

All present and new staff members who fall within the regulations of relevant childcare provision will be asked to sign a declaration form to confirm that they are not disqualified under the Childcare Act 2006 and Childcare (Disqualification) Regulations 2009.

An entry of staff working within relevant childcare provision will be made on the single central register, including the date disqualification checks were completed.

The declaration made will be rechecked as part of the staff annual reminders procedure and will form part of a staff members contract, stating that they should inform the Academy if their circumstances change.

## **16. Trainee/Student Teachers**

The Academy will ensure that enhanced DBS certificates and barred list checks are obtained on all salaried applicants for initial teacher training who are in regulated activity.

Where trainee teachers are free-funded it is the responsibility of the initial teacher training provider to carry out the necessary checks.

The Academy will obtain written confirmation from the agency that the checks have been carried out.

## **17. Agency Staff**

The Academy will obtain written notification from any agency or third-party organisation that it has carried out the necessary safer recruitment checks that we would otherwise perform. They will also check that the person presenting themselves for work is the same person on whom the checks have been made, by confirming their identity via photograph ID.

## **18. Contractors**

Contractors engaged by the Academy must complete the same checks for their employees that the Academy is required to complete for its staff and that they have the appropriate level of DBS check. The Academy requires confirmation, in writing, that these checks have been completed before employees of the contractor can commence work at the Academy:

- An enhanced DBS check with barred list information for contractors engaging in regulated activity
- An enhanced DBS check, not including barred list information, for all other contractors who are not in regulated activity but whose work provides them with an opportunity for regular contact with children.

The Academy will consider obtaining the DBS check for self-employed contractors, as self-employed people are not able to make an application directly to the DBS on their own account. The Academy will recharge the associated costs to the contractor.

The Academy will not keep copies of such checks for longer than six months.

Contractors who have not had any checks will not be allowed to work unsupervised or engage in regulated activity under any circumstances.

The Academy will always check the photo identification of all contractors and their staff on arrival at the Academy.

For those Academy's within our Trust with students under the age of 8, appropriate checks will be carried out for all self-employed contractors such as music teachers or sports coaches, to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where the Academy decides that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought.

## 19. Volunteers

The Academy will:

- Never leave a volunteer without DBS clearance unsupervised or allow them to work in regulated activity
- Obtain an enhanced DBS check with barred list information for all volunteers who are new to working in regulated activity
- Carry out a risk assessment when deciding whether to seek an enhanced DBS check without barred list information for any volunteers engaging in regulated activity. The Academy will retain a record of this risk assessment
- For those Academy's within our Trust with students under the age of 8 appropriate checks will be carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where the Academy decides that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought.

## 20. Governors, Trustees and Members

All Governors, Trustees and Members will have an enhanced DBS check without barred list information. They will have an enhanced DBS check with barred list information if working in regulated activity.

The Chair of the Trust Board will have their DBS check countersigned by the secretary of state.

All proprietors, trustees, local governors and members will also have the following checks:

- A Section 128 Identity
- Right to work in the UK (Trustees only)
- Other checks deemed necessary, by the CEO or Academy Leader, if they have lived or worked outside the UK

## 21. Adults who Supervise Students on Work Experience

When organising work experience, the Academy will ensure that policies and procedures are in place to protect children from harm.

The Academy will also consider whether it is necessary for barred list checks to be carried out on the individuals who supervise a pupil under 16 on work experience. This will depend on the specific circumstances of the work experience, including the nature of the supervision, the frequency of the activity being supervised and whether the work is regulated activity.

## 22. Policy on the Recruitment of Ex-offenders

The Academy will not unfairly discriminate against any applicant for employment on the basis of conviction or other details revealed. The Academy makes appointment decisions on the basis of merit and ability. If an applicant has a criminal record this will not automatically bar him/her from employment within the Academy. Instead, each case will be decided on its merits in accordance with the objective assessment criteria set out below.

All positions within the Academy are exempt from the provisions of the Rehabilitation of Offenders Act 1974. All applicants must therefore declare all previous convictions, including those which would normally be considered “spent”, when applying for a position at the Academy. A failure to disclose a previous conviction may lead to any application being rejected or, if the failure to disclose is discovered after employment has started, may lead to summary dismissal on the grounds of gross misconduct. A failure to disclose a previous conviction may also amount to a criminal offence.

It is unlawful for the Academy to employ anyone who is barred from working with children. It is a criminal offence for any person who is barred from working with children to attempt to apply for a position at the Academy. The Academy will make a report to the Police and/or the Disclosure and Barring Service if:-

- It receives an application from a barred person
- It is provided with false information in, or in support of an applicant’s application, or
- It has serious concerns about an applicant’s suitability to work with children.

### Assessment Criteria

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the Academy will consider the following factors before reaching a recruitment decision:

- Whether the conviction or other matter revealed is relevant to the position in question;
- The seriousness of any offence or other matter revealed;
- The length of time since the offence or other matter occurred;
- Whether the applicant has a pattern of offending behaviour or other relevant matters;
- Whether the applicant’s circumstances have changed since the offending behaviour or other relevant matters;
- The circumstances surrounding the offence and the explanation(s) offered by the convicted person.

If the post involves regular contact with children, it is the Academy’s normal policy to consider it a high risk to employ anyone who has been convicted at any time of any of the following offences:

- Murder, manslaughter, rape, other serious sexual offences, grievous bodily harm, or other serious acts of violence
- Serious Class A drug related offences, robbery, burglary, theft, deception or fraud.

If the post involved access to money or budget responsibility, it is the Academy’s normal policy to consider it a high risk to employ anyone who has been convicted at any time of robbery, burglary, theft, deception or fraud.

If the post involves some driving responsibility, it is the Academy’s normal policy to consider it a high risk to employ anyone who has been convicted of drink driving within the last ten years.

### Assessment Procedure

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the

Academy will carry out a risk assessment by reference to the criteria set out above. The assessment form must be signed by the Academy Leader before a position is offered. Such convictions will also be discussed with the applicant at interview.

If an applicant wishes to dispute any information contained in a disclosure, he/she can do so by contacting the DBS directly. In cases where the applicant would otherwise be offered a position were it not for the disputed information, the Academy will, where practicable, defer a decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

### **Employment Offer**

It may be possible to negotiate a provisional start date with the preferred applicant, however, the checks detailed above must all be completed before a person's appointment is confirmed. Once all pre-employment checks have been satisfactorily completed and received, an offer of employment will be made.

A contract of employment will be issued usually prior to employment start or on the employees first day.

## **23. Statutory Guidance, Further Information and Related Policies**

- Department for Education (DfE), Keeping Children Safe in Education (Sept 2022)
- [Staffing and Employment Advice for Schools \(Oct 2021\)](#)
- A guide to the recruitment and selection of headteachers and other leadership roles (Dec 2017)
- Executive leader recruitment toolkit Guidance for governing boards (Oct 2020)

There are a number of related policies and procedures that employees should be aware of including:

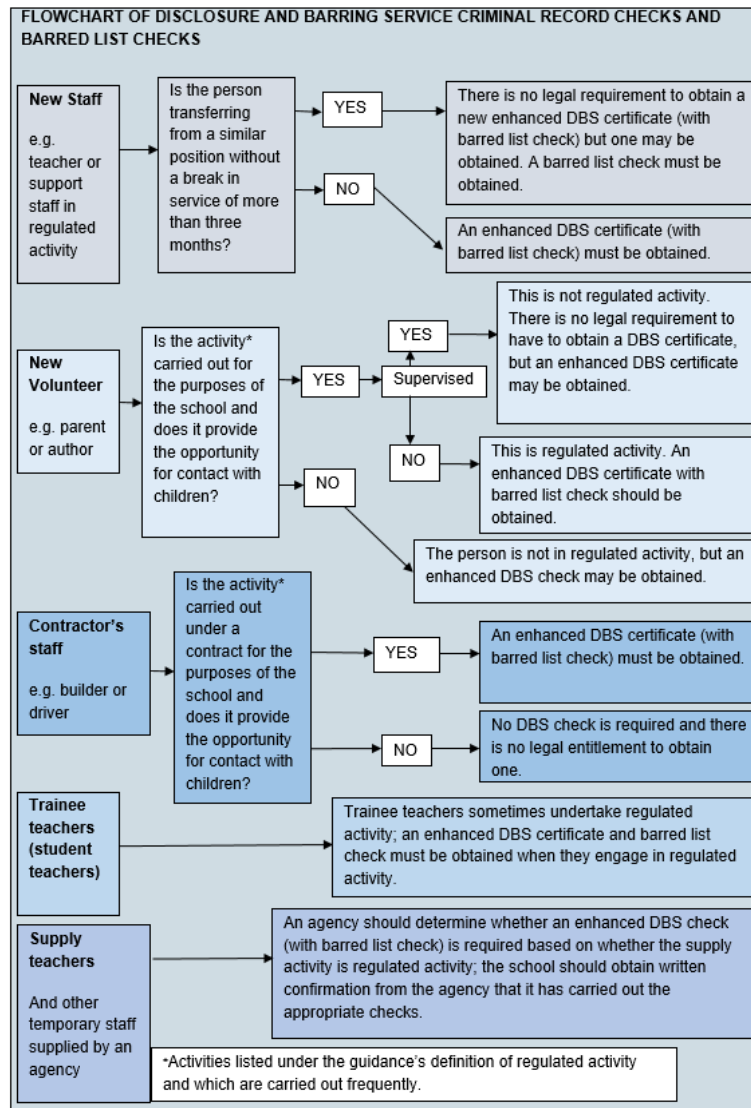
- Equal Opportunities Information
- Dignity at Work Policy
- Social Media Policy

The eLearning sessions available on EveryHR relevant to carrying out effective recruitment campaigns are:

- Safer Recruitment in Education
- Equality, Diversity and Inclusion
- Unconscious Bias for Managers
- GDPR in Education



## Appendix 1: Flowchart of Disclosure and Barring Service



## Appendix 2: Example Shortlisting Grid

### SHORTLISTING ASSESSMENT FORM

<b>Post:</b>							
<b>Candidate's name:</b>							
<b>Factor</b>	<b>Standard required</b>	<b>Assessment (1=Excellent, 5=Poor)</b>					<b>Remarks</b>
		<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	
Qualifications/education							
Knowledge required (professional or on the job)							
Experience required (of relevant parts of job)							
Skills and aptitudes required (mechanical or manual dexterity, facility in use of words and figures)							
Interests (intellectual, practical, constructional, social, artistic)							
Personal qualities (influence over others, steadiness, dependability, self-reliance)							

## Appendix 3: Example Interview Assessment

### Interview Assessment

Role Applied for: \_\_\_\_\_

Name of Candidate : \_\_\_\_\_

Current Role : \_\_\_\_\_

Date : \_\_\_\_\_

#### Scoring Standard

1 = No or very little evidence (0%)

2 = Demonstrates a little competency/Experience (25%)

3 = Demonstrates some competency/Experience (50%)

4 = Demonstrates nearly all competency/Experience (75%)

5 = Fully competent (100%)

Panel Initials	Competence / Experience	Questions	Comments from Interview Answers & Application Form	Score 1 to 5
	<b>Career Related Questions</b>	<p>Please provide a history of your education/career to date.</p> <p>Please can you state why you have applied for this position?</p> <p>Please describe any aspect of your previous work experience that is relevant to the role that you have applied for?</p>		
	<b>Working in Teams</b>	<p>Tell me about a time when you have had to quickly establish rapport with a group relatively unknown to you. What did you do? How successful were you?</p> <p>Tell me about a time when you have faced conflict within a team. How did you handle this? How successful were you?</p>		
	<b>Improvement Focus</b>	<p>How do you judge your own performance? How do you know when you have done a good job?</p> <p>Tell me about a time when you have learnt a new skill. What was it, and how did you go about learning it?</p>		

		<p>What challenges have you had to face in the last year? How have you felt about these? How have you responded to them?</p> <p>Tell me about a time when you have had to make improvements to a piece of work? What did you do to ensure that it met the required standard?</p>		
	<b>Information handling and problem analysis</b>	<p>Give me an example of a recent problem you have had to solve. How did you go about it? What was the outcome?</p> <p>Give me an example of the kind of information which you have been required to interpret and analyze in the past. How did you go about it? How do you identify patterns and trends?</p>		
	<b>Decision making</b>	<p>Give me an example of a time when you have had to make a decision very quickly under pressure? What happened?</p> <p>Give me an example of a time when you have had to defend a decision others were criticising. What happened? What did you do?</p> <p>Give me an example of where you have had to make a difficult choice between several options. Why was it difficult for you? What did you do? What was the outcome?</p> <p>What is the biggest risk you have taken over the past few years? How did you feel about taking it?</p>		
	<b>Planning and Organising</b>	<p>Tell me about a time when you have had to plan and organise an event/project/activity? Tell me how you did this?</p> <p>How well do you manage your time? How do you do it? How could you improve?</p> <p>Give me an example of a time when you have had to make a difficult choice between conflicting demands on your time? How did you do it? What did you learn?</p>		
	<b>Safeguarding</b>	<p>What makes a school a safe and caring place? How have you contributed to this in the past?</p>		

	<b>Strategic Thinking</b>	<p>What additional knowledge, skills, or resources will you require to achieve your strategic objectives?</p> <p>How do you set long term goals for your teams and keep on track?</p>		
	<b>ITC/Technology</b>	<p>What online resources do you use to help you do your job?</p> <p>How do you keep your technology skills current?</p>		
	<b>Assessment</b> - <b>Communication</b>  - <b>Enthusiasm</b>	<p>How well did the candidate communicate? Body Language, responses. Tone of voice</p> <p>How interested do they appear? What questions did they ask? How animated? Emphasis on certain words? How committed do they appear?</p>		
			<b>TOTAL</b>	