

Recruitment & Selection Policy



Providing the roots to grow & the wings to fly.

Audience:	All employees
Approved:	Trust Board - (date)
Other related policies:	
Policy owner:	Director or HR
Policy model:	Compliance
Review:	Two years / February 2019
Version number:	2.0 February 2018

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1 INTRODUCTION

REAch2 Academy Trust - Our Touchstones

At REAch2, our actions and our intentions as academy leaders are guided by our Touchstones:

Integrity	We recognise that we lead by example and if we want children to grow up to behave appropriately and with integrity then we must model this behaviour
Responsibility	We act judiciously with sensitivity and care. We don't make excuses, but mindfully answer for actions and continually seek to make improvements
Inclusion	We acknowledge and celebrate that all people are different and can play a role in the REAch2 family whatever their background or learning style
Enjoyment	Providing learning that is relevant, motivating and engaging releases a child's curiosity and fun, so that a task can be tackled and their goals achieved
Inspiration	Inspiration breathes life into our schools. Introducing children to influential experiences of people and place, motivates them to live their lives to the full
Learning	Children and adults will flourish in their learning and through learning discover a future that is worth pursuing
Leadership	REAch2 aspires for high quality leadership by seeking out talent, developing potential and spotting the possible in people as well as the actual

The aim of this policy and the procedures contained in this main document and its appendices is to help ensure we maintain a safe environment for all our children. It will ensure that we attract only the most suitable, high calibre candidates available and help us to make the best possible decisions about their employment in our academies and Trust.

By having a robust recruitment and selection procedure that is followed every time we make a decision to recruit a new employee and by applying the procedures consistently and fairly in line with our Touchstones, will we be able to demonstrate we value the diversity and potential of all our employees and which will help to make each of our academies and the REAch2 Academy Trust an employer of choice.

- 1.1 Recruitment and selection of new employees is one of the most important functions for the Head teacher, Governing Body and REAch2 Academy Trust management. Recruiting the wrong person can be costly and time consuming and can lead to legal action against the academy/Trust. The safe recruitment of staff in our academies is the first step to safeguarding and promoting the welfare of children in education. REAch2 Academy Trust is committed to safeguarding and promoting the welfare of all pupils in its care. As an employer, the trust expects all staff and volunteers to share this commitment.
- 1.2 This Policy has been produced for the Trust, Head teacher and Governing Body in line with 'Keeping Children Safe 2016' guidelines and it provides practical guidance on a range of safer recruitment practices. The Trust, and therefore Head teachers and Governors are advised to adopt this policy and its procedures to ensure consistent practice across the Trust and its academies and compliance with current employment legislation.
- 1.3 This policy has been developed in accordance with the statutory provisions and legislation established by:
- Keeping children safe in education 2016
<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>
 - Section 175 and 157 of the Education Act 2002.
<http://www.legislation.gov.uk/ukpga/2002/32/contents>
 - Section 17, 27, 47 of the Children Act 1989.
<http://www.legislation.gov.uk/ukpga/1989/41/contents>
 - The Education (Prohibition from Teaching or Working with Children) Regulations 2014, as amended;
<https://www.gov.uk/government/publications/teacher-misconduct-the-prohibition-of-teachers--3>.
 - The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, as amended;
<http://www.legislation.gov.uk/ukdsi/2013/9780111537718/contents>
 - The School Staffing (England) Regulations 2009 as amended;
http://www.legislation.gov.uk/uksi/2013/1940/pdfs/uksi_20131940_en.pdf
 - "Working Together to Safeguard Children" 2013
<https://www.gov.uk/government/publications/working-together-to-safeguard-children>.
 - Prevent Duty Guidance March 2016

2 AIMS OF THE POLICY

- 2.1 To ensure safeguarding and promoting the welfare of children and young people.
- 2.2 To ensure a consistent and equitable approach to the appointment of all Trust and academy-based staff (both permanent and temporary).
- 2.3 To attract and recruit suitable skilled and motivated staff to help raise standards and reduce risk to children and young people.
- 2.4 To ensure all appropriate checks are carried out on new staff who work with children (see section 5 page 17).

3 KEY PRINCIPLES

- 3.1 The Trust, Head teachers and Governing Bodies have a responsibility to ensure that when recruiting to a post within their academy, that the Policy is adhered to when planning and carrying out the recruitment process.
- 3.2 Selection should be carried out by a panel with at least two members. At least one of the panel members must have received Safer Recruitment training in line with DfE guidance.
- 3.3 Implement robust recruitment procedures and checks for appointing staff and volunteers to ensure that reasonable steps are taken not to appoint a person who is unsuitable to work with children, or who is disqualified from working with children, or does not have the suitable skills and experience for the intended role.
- 3.4 Keep and maintain a single central record in the academy of recruitment (and Trust) and vetting checks in line with Department for Education (DfE) requirements.
- 3.5 Adopt and implement measures described in this policy to all contractors or agency staff and monitor the compliance with these measures.
- 3.6 Equality Act 2010 makes it a requirement to make reasonable adjustment 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.

- 3.7 The Trust and its Academies will adopt this policy as an example of good recruitment practice.

4. ROLES AND RESPONSIBILITIES

- 4.1 It is the responsibility of the Trust and its governance at each level to:

- a) Ensure each of our academies has effective policies and procedures in place for the recruitment of all staff and volunteers in accordance with DfE guidance and legal requirements.
- b) Monitor the academy's compliance with them.

- 4.2 It is the responsibility of the Head teachers, governors and other managers involved in recruitment to:

- a) Ensure that the academy operates safe recruitment procedures and makes sure all appropriate checks are carried out on all staff and volunteers who work at the academy.
- b) To monitor contractors' and agencies' in compliance with this document.
- c) Promote the welfare of children and young people at every stage of the recruitment and selection process.
- d) Ensure that all contractors and agencies comply with safe recruitment pre-employment checks.

- 4.3 The governing body has delegated responsibility to the Head teacher with the support of HR as appropriate to lead in all appointments outside of the leadership group. This will be with the support and guidance as appropriate from the HR Business Partner and Trust's Resourcing Manager. School governors may be involved in staff appointments, but the final decision will rest with the Head teacher.

- 4.4 The Head teacher may delegate the selection process of staff outside of the leadership group to other managers in the academy, but remains responsible for the decision to appoint.

- 4.5 The Trust's HR team is responsible for monitoring safer recruitment in relation to disclosures of staff.

- 4.6 The Trust's HR Business Partner, with the Regional Director and governing body as appropriate are responsible for the appointment of the Head teacher.

The main points governors need to be aware of are as follows:

- The Trust must appoint an acting Headteacher if the outgoing Headteacher leaves before a replacement is in post.
- The Trust and Governing bodies must recruit a new Headteacher as soon as is practicably possible (i.e. legally you cannot prolong acting head arrangements indefinitely).
- Diocesan and other religious bodies have no automatic right to offer advice to academies with a religious character (with the exception of Roman Catholic schools set up by a religious order where there is not only a right to advise, but also to propose candidates for nomination). It is considered good practice for Academy's with a religious character to provide advisory rights to the relevant diocese or religious body.
- As your institution is an academy, whom you must notify as per your governance structure. Most academy trusts delegate the responsibility for recruiting a Headteacher to the academy's local governing body. However, the Trust and academy will undertake this process centrally rather than through a local governing body.

SECTION 2	OUTLINE OF PROCEDURE
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1	INTRODUCTION
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1.1 As an Academy Trust REAch2 is the employer and is overall responsible for appointments within the Trust and its academies. Under local management the Headteacher and the local governing body is responsible for determining the staffing complement of the academy and appointing staff to work at the academy.

1.2 The responsibility for appointments in academies is a delegated responsibility to the Head Teacher, excluding appointments to the leadership group. This activity is supported by the Trust's HR Business Partner and the Trust's Resourcing Manager providing guidance as appropriate

1.3 In the case of Headteacher appointments to Academies or Free Schools, the HR Business Partner will take a lead on the process and will endeavour to involve the Chair of Governors in that process.

1.4 The purpose of this procedure is to give guidance on the key points to achieving and maintaining a workforce which broadly reflects the local community.

2 DIVERSITY AND DISCRIMINATION

2.1 The importance of diversity should be taken into account at each stage of the recruitment process. All processes and procedures should be regularly reviewed to ensure hidden bias is removed and to ensure talent is not being blocked from entering the organisation. Everyone taking part in recruitment activities such as shortlisting and interviewing should be aware of relevant legislation such as the Equality Act 2010 and the importance of avoiding discrimination.

2.2 Discrimination based on trade union membership.

Candidates must not be refused employment on the grounds of union membership e.g. because:

- They are or are not a member of a trade union.
- They are unwilling to become or cease to be a member of a trade union.

2.3 If academies fail to comply with the Equality Act 2010 they can be open to the following consequences:

- Legal challenges;
- Reputational damage and financial penalties;
- Will lead to claims, litigation, financial loss and damage to reputations and brands.

3 PRE - RECRUITMENT PROCESS - *for all posts within the Trust*

3.1 Identifying Vacancies

A vacancy can arise through the resignation or retirement of a member of staff, restructuring or through the creation of new posts.

3.2 The Head teacher and Governing Body in academies are required to notify the Trust's HR Business Partner that a vacancy exists for Head teacher and Deputy Head teacher posts.

Defining the Role

3.3 **Job analysis**

Before recruiting for a new or existing position, it is important to Invest time in gathering information about the nature of the job. This means thinking not only about the content (such as the tasks) making up the job, but also the job's purpose, the outputs required by the job holder and how it fits into the organisation's structure. This analysis should form the basis of a job description and person specification/job profile.

3.4 **Job description**

The job analysis leads to writing a job description. This explains the job to the candidates, and helps the recruitment process by providing a clear guide to all involved about the requirements of the job. It can also be used to communicate expectations about the role and help managers to ensure effective performance in the job.

All job descriptions should be written in line with terms and conditions within the Burgundy book and the School Teachers Pay and Conditions document (for teachers) and the Green book (for support staff).

3.5 **Person specification/job profile**

A person specification or job profile states the necessary and desirable criteria for selection. Increasingly such specifications are based on a set of competencies identified as necessary for the performance of the job.

3.6 Competency frameworks may be substituted for job or person specifications but these should include an indication of roles and responsibilities. See our factsheet on competencies and competency frameworks for more information.

3.7 **Advertising**

The advert for a vacancy will demonstrate the Academy's commitment to safer recruitment and vetting procedures, protecting every potential applicant from unfair practice and ultimately safeguarding children as much as possible. Promoting commitment to safeguarding and child protection can act as a deterrent to would-be abusers.

When advertising, the following authorisations will be required, where the role is;

- (a) A new position (will require separate Director approval)
- (b) A like-for-like replacement (no change to salary and/or grade/range)
- (c) An existing post (but with change of existing salary/grade/range)

- 3.8 Think about wordings, pictures and images used as they could be considered discriminatory.
- 3.9 When an advert is to be placed in the Trust's website, job list and the Universal Job Match recruitment website, the "Request for Academy's Vacancy" form (see Appendix 1) should be completed and forwarded with all relevant attachments, by email to HR where the following information needs to be included within the text of the advert:
- Academy's Name
 - Post Title
 - Hours (this should indicate if full, part-time or job-share)
 - Grade or Scale (including Leadership Pay range and School Group)
 - Salary
 - Permanent or Fixed Term (if Fixed Term the duration of the contract should be stated)
 - ADVERT TEXT (which should include some reference to the requirement and essential criteria towards safeguarding children)
 - The successful applicant will be required to apply for an enhanced DBS check. Further details can be found at <https://www.gov.uk/government/organisations/disclosure-and-barring-service>Contact Details.
 - Positive action statement (if applicable)
 - Statement regarding London Living Wage and/or National Living Wage (if applicable)
 - Closing Date:
 - (The Trust (employer) and The Academy's name) is committed to safeguarding and protecting the welfare of children and vulnerable adults as its number one priority.
- 3.10 For Posts with Access to Children and Vulnerable Adults
- You must include specific requirements, such as:
- a) "Able to form and maintain appropriate professional relationships and boundaries with children, young people and other vulnerable adults".
 - b) For managers: "able to ensure employees observe the requirement above". (This can be modified to suit the job)

- c) "Ability to understand written information subject to a written test".
- d) "Working with other peoples 'children; empathy and understanding of looking after other peoples 'children from a range of backgrounds".
- e) "Ability to understand the difficulties and pressures associated with caring for children/vulnerable adults and demonstrate appropriate coping mechanisms". motivation to work with children;
- f) emotional resilience in working with challenging behaviors; and attitudes to use of authority and maintaining discipline

NB: These are only examples - this list is not exhaustive.

3.11 Application Pack

The importance of safeguarding and protecting children in the academy or Trust should be promoted as much as possible throughout the recruitment process in order to deter unsuitable candidates.

It is strongly advised to include the following in an academy's application pack:

- **Application Form** (A REAch2 standard application form should be used to obtain a common set of core data from all applicants.) *An on line application form may be used in this process. CVs are not acceptable because these will only contain information the applicant wishes to present and may omit relevant details. See Appendix 2 (a) and (b) for a sample application form.*
- **Job Description**
- **Person Specification**
- **Relevant Information about the Academy and the Trust**
- **The Academy's and Trust's equal opportunities policies**
- **Academy's Child Protection Policy statement**
- **DBS - A Guide for Applicants**
- **Recruitment Policy.**

4. SELECTING CANDIDATES

4.1 Scrutinising and Short-listing

After the closing date, all returned application forms should be scrutinised by the short-listing panel to ensure that:

- a) they are fully and properly completed.
- b) the information provided is consistent and does not contain any discrepancies, and to identify any gaps in employment.
- c) any anomalies, discrepancies or gaps in employment identified by the scrutiny should be noted so that they can be taken up as part of the consideration of whether to short-list the applicant.

4.2 The short-listing panel should consist of ideally 3 or at least two people, who are also members of the interview panel, who should meet and undertake the task together. Keeping Children Safe in Education 2016 make's it mandatory that any appointments of academy staff should be made by a recruitment panel that includes at least one person who has been trained in Safer Recruitment.

4.3 Any applications that are significantly incomplete should not be accepted or shortlisted. Any anomalies, discrepancies or gaps in employment identified by the scrutiny should be taken into account in considering whether to short-list the applicant. As well as reasons for obvious gaps in employment, the reasons for a history of repeated changes of employment without any clear career or salary progression, or a mid-career move from a permanent post to agency, freelance or temporary work, also need to be explored and confirmed.

4.4 All candidates should be assessed equally against the same criteria without exception or variation and agreement reached by the short-listing panel about which applicants to invite for interview. The panel should record its decision about each application, in case of queries afterwards. Using the short-listing form applicants should be rated against each of the short-listing criteria to demonstrate that decisions were objective and without prejudice if necessary.

4.5 For example ratings should demonstrate the following:-

- 2 Fully meets criteria** (Demonstrates a significant knowledge and experience of competency or skill required).
- 1 Partially meets criteria** (Demonstrates some knowledge and experience OR good knowledge but little or no experience of competency or skill required).

- 0 **Does not meet criteria** (Demonstrates little or no significant knowledge or experience of competency or skill required).

4.6 **Involving Pupils**

Involving pupils in the recruitment and selection process in some way, or observing short listed candidates' interaction with pupils is common, and recognised as good practice. This may be of benefit when considering Head Teacher and leadership appointments, there are different ways of doing this. For example, candidates for teaching posts might be asked to teach a lesson; short-listed candidates might be shown round the academy by a governor or senior member of staff, and/or meet with pupils and staff.

4.7 **Rehabilitation of Offenders Disclosure**

Posts within the Trust and its academy's are exempt from the Rehabilitation of Offenders Act 1974. This means as a prospective employer, the academy will require shortlisted candidates to disclose any *unspent* and *spent* convictions during the application stage. *HR will provide advice as necessary.*

All applicants are required to complete the *Rehabilitation of Offenders Disclosure* section on the application form (see Appendix 2 (a) and (b) to disclose any previous convictions either *spent* or *unspent*). Candidates are asked to provide brief details of any previous offences on a separate sheet, marked confidential. Candidates must be sent a copy of the policy statement on recruiting ex-offenders - (Appendix 6).

Any convictions disclosed should not be given to the short-listing panel prior to the short-listing process taking place. Following the completion of interviews when final appointments are being made only then should the panel be made aware of any candidate's criminal disclosure. Disclosing a criminal background will not be used as a reason to not shortlist a candidate. Having a criminal conviction will not necessarily bar a person from working with children and should not be unreasonably used to discount applications.

If they are successful they will be required to complete a DBS application form. Once the Enhanced DBS Disclosure is returned, any conviction information will need to match up with the candidate's original disclosure to the interview panel and an interview will take place to review the nature of offences and risk assess the candidate's suitability. (The risk assessment will be retained in a sealed envelope marked as confidential on the employee's personnel

file) This information will not be kept if the candidate is not successful and should be destroyed

4.8 **Invitation to Interviews**

When arranging interviews, a reasonable amount of notice (minimum 5 working days) must be given to the candidates and dates arranged with the rest of the interviewing panel. Timetables should be arranged in advance and the dates issued with the recruitment pack.

4.9 All candidates should be instructed to bring with them documentary evidence of their identity that will satisfy DBS requirements, for example:

- a current driving licence;
- passport including a photograph;
- a full birth certificate; plus
- a document such as a utility bill or financial statement that shows the candidate's current name and address.

4.10 Candidates should also be asked to bring documents confirming any educational and professional qualifications, including:

- the original or a certified copy of a certificate;
- diploma;
- a letter of confirmation from the awarding body.

4.11 **Interview**

The interview should assess the merits of each candidate against the job requirements, and explore their suitability to work with children. Every interview should be carried out face-to-face even if there is only one candidate. Using the interview assessment form applicants should be rated against each of the interview criteria to demonstrate that decisions were objective and without prejudice if necessary.

4.12 **Panel**

When forming a panel for interviews it is advisable that the panel would normally consist of the Line Manager for the post, a member of the Senior Leadership Team, HR and/or a governor (a governor would more than likely be used in the positions of Senior Leadership only).

- i. The interview panel should normally consist of a minimum of three interviewers and in exceptional circumstances a minimum of two.

- ii. All members of the interview panel, where appropriate, should meet prior to the interview to agree questions and procedure to be followed.
- iii. The members of the panel should:
 - have the necessary authority to appoint;
 - be appropriately trained, (one member of interview panel in academy must have undertaken a Secretary of State approved, Safer Recruitment training course.
 - meet before the interviews to:
 - ✓ agree required standard for the job;
 - ✓ agree interview questions and assessment method in accordance with the person specification.
 - ✓ consider the issues to be explored with each candidate.
 - ✓ Agree scoring method to be applied consistently

4.13 **Questions:**

In addition to assessing and evaluating the applicant's suitability for the particular post, the interview panel should also explore the candidate's attitude towards children and young people; and their ability to support the authority/establishment's agenda for safeguarding and promoting the welfare of children.

- 4.14 All copies of any notes relating to the short-listing and interview decisions must be retained for at least 6 months. Should any candidate complain of unfair selection or discrimination these notes should be referred to.

5 **CONDITIONAL OFFER OF EMPLOYMENT**

5.1 **Successful Candidates**

An offer of employment to the successful candidate should be conditional on the satisfactory completion of the following:

The receipt of at least **two satisfactory references**, (if these have not already been received).

- i. **Enhanced DBS disclosure** and where the appointee has lived outside the United Kingdom, a certificate of good conduct if available.
- ii. **Disqualification by Association form** completed.
- iii. **Verification of any prohibition orders.**
- iv. Confirmation of the **candidate's medical fitness** (through declaration made by a candidate at or before interview if not by medical assessment).
- v. Verification of **qualifications** (if not verified at the interview).
- vi. Verification of **professional status** where required, e.g. Teaching Agency registration (if not verified at interview).
- vii. Verification of the **candidate's identity** (if that could not be verified straight after the interview).
- viii. Verification of the candidate's **right to work in the UK.**

5.2 A record should be kept to show that the above checks have been carried out for all employees.

5.3 If a disclosure reveals information that a candidate has not disclosed in the course of the selection process, you should seek advice from your HR Business Partner, and follow relevant DBS guidance. All checks should be:

- a. Confirmed in writing.
- b. Documented and retained in a secure place (subject to relevant advice contained in the DBS Code of Practice and the Data Protection Act, 1998).
- c. Followed-up where they are unsatisfactory or there are discrepancies in the information provided.

5.4 The details of checks must be reported to the police and/or the DBS if:

- a. The DBS disclosure shows applicant has been disqualified from working with children.
- b. An applicant has provided false information in, or in support of, his or her application.
- c. There are serious concerns about an applicant's suitability to work with children gained from other legitimate information sources (e.g. references).

6. PRE-APPOINTMENT CHECKS

6.1 References

6.2 These should be requested prior to interview and ideally received back before the interview. One of the referees **must** be the candidate's current or previous employer or training provider.

6.3 Open references should not be accepted if they have 'To whom it may concern' on, no date evidenced or no obvious organisation authorisation, these may have been forged, or may have valuable information missing if it is out of date.

6.4 It is best practice to ask a referee to complete a reference pro-forma, which ensures that certain questions are asked of all your candidates.

6.5 The DfE recommendation for references in educational settings indicates that every request should ask:

- i. Referees relationship with candidate.
- ii. How long they have been known them and in what capacity.
- iii. Are they satisfied that the applicant has the ability or is suitable to perform the job in question.
- iv. Specific comments about the person's suitability for the post and how they have demonstrated their ability to meet the person specification.
- v. Whether the referee is completely satisfied that the candidate is suitable to work with children and if not, to provide specific details of concerns and reasons why.
- vi. Confirm details of the applicant's current post, salary and sick record.
- vii. Specific verifiable comments on the applicant's performance history and conduct.
- viii. Details of any disciplinary procedure the applicant has been subject to where the disciplinary sanction is current.
- ix. Details of any disciplinary procedures the applicant has been subject to which have involved issues relating to the safety and welfare of young people, including where the disciplinary sanction has expired.
- x. Details of any allegations or concerns that have been raised about the applicant that relate to the safety or welfare of children or young people or behaviour towards young people, and the

outcomes of those concerns i.e. whether allegations or concerns were investigated, the conclusion reached and how the matter was resolved.

- 6.6 An example letter and Reference Pro-forma are available from REAch2.
- 6.7 Where references are provided via email, the email address must be linked to the referee and their business for an employment reference. The email should be printed as well as the attached reference for the HR file. If the referee does not have an email address in their name the reference must be signed by hand and sent back in the post.
- 6.8 Where the referee has not answered all the specific questions, i.e. sickness record, suitability for the post, past performance history etc., or where the reference is vague, the referee should be contacted for further clarification. If followed up by phone the manager should make a note of the discussion and confirm information in writing with the referee.
- 6.9 In cases where a reference* is required for an 'overseas' applicant, in addition to the reference received from their UK employer, an additional reference must be obtained from the overseas employer.

Academy's are required to verify the authenticity of references received. This is undertaken by telephoning the referee and discussing the contents of the reference received. Academy's must ensure that during conversations with referees they ask about the following issues:

- The candidate's suitability for working with children and young people.
- Any disciplinary warnings during the last two years, including time-expired warnings, that relate to the safeguarding of children and young people.
- The candidate's suitability for this post.

*a reference will be required for a candidate who has worked overseas within the last 2 years or their last employer was an overseas employer.

6.10 DBS DISCLOSURE

6.11 Enhanced DBS Disclosure

This shows an academy previous convictions held on file for a potential employee. Having a conviction will not necessarily bar someone from working in a job with children or vulnerable adults. The severity, nature,

circumstances and timing of the conviction will need to be taken into consideration.

6.12 Candidates will need to be given the opportunity at the application stage to declare any *unspent* or *spent* convictions they may have, any declaration they make will be compared with the returned criminal record disclosure. The procedure for assessing DBS Disclosure positive trace returns is detailed in the guidance.

6.13 **DBS Disclosure on Overseas Candidates**

If the potential employee has lived abroad for a period of time or who comes from another country prior to working in the UK, then a UK DBS Disclosure will not give a full picture in respect of any criminal record they may have. In these cases an overseas Criminal Record Disclosure will need to be applied for as well as a UK DBS Disclosure and details for each countries' equivalent Bureau are available on the DBS website <https://www.gov.uk/disclosure-barring-service-check/overview>

6.14 Additional Checks Required For Overseas Staff

- i. Any person who is a national from a country outside of the EEA or Switzerland must go through the Tier 2 for skilled workers process of the points based system where the employer will need to apply for a certificate of sponsorship.
- ii. Before a certificate of sponsorship can be issued there are a number of checks and assessments which need to be carried out according to the Border and Immigration Agency (BIA) requirements on employing migrant workers.
- iii. The Employee will then either apply for 'Entry Clearance' for those applying outside of the UK or 'Further Leave to Remain' for those who are currently already in employment within the UK.
- iv. When employing overseas staff academies should ensure that references are taken up in accordance with section 3 above.
- v. Qualifications of overseas trained teachers can be checked against UK NARIC to obtain the level of Qualification achieved and the authenticity against the UK Qualification framework.
- vi. A Criminal Records Check or Certificate of good conduct from the country of abode must be produced by the individual.

6.15 These checks should be made clear to candidates at interview. Any offer of employment should be a conditional offer subject to satisfactory clearances being received and checked by the academy. When a decision has been made

and a successful candidate notified they should be encouraged to contact the staffing team as soon as possible to start their pre-employment checks.

- 6.16 Only when an employee has passed their 6-month probationary period will their employment be confirmed. Please do not offer a candidate an unconditional offer at any point. If the Head teacher requires the candidate to start prior to all of these checks, then they must fill out the Risk Assessment sheet provided but only in exceptional cases and this must not be considered the norm.

6.17 **DBS (PORTABILITY)**

Academies are recommended to refer to the Trust's DBS Policy and Guidance.

- i. The DBS does not endorse the use of portability, i.e. the re-use of a DBS disclosure obtained for a position in one organisation and later used for another position in another organisation. A disclosure carries no formal period of validity and only reflects information that was available at the time of its issue. As a responsible employer, we will therefore exercise caution in the portability of disclosures. Portability carries a risk and should only be considered as part of an overall risk assessment process, and reserved for exceptional circumstances. Further information on the limitations and risks of portability can be obtained from the DBS.

It is the Trust's recommendation in accordance with the Academies recommended DBS policy that all new employees are required to complete a new DBS check.

- ii. As part of the risk assessment process the following guidelines are given:
 - An employee may commence employment with relevant risk-control measures, if they have previously worked in another educational establishment within the last 3 months - upon sight of an enhanced disclosure for the children's workforce with barred list check that is less than three years' old. A separate barred list check will be completed before they start and a new disclosure must be applied for, and the contract will remain subject to this requirement.

6.18 DBS (Update Service)

For an annual subscription fee (currently £13) individuals can subscribe to the DBS update service. This allows the DBS certificate to be kept up to date and be taken from role to role within the same workforce i.e. children, adults or children and adults. Registered Bodies are able to access a status check service, on line and at no cost, to check the status of the DBS certificate where an individual has joined the update service and consented to the employer accessing their DBS certificate in this way. The Academy will need to ask all applicants for posts where a DBS certificate, including re-checks, is required whether they belong to the update service, and check that the original disclosure is relevant for the same workforce.

There is no registration process or fee for employers to check a certificate online, but employers must be legally entitled to carry out a check and have the employee's permission. The Trust will endorse the use of DBS portability providing the individual has registered with the DBS online updating service and gives the academy authorisation to access their details and carry out a status check at specified periods. For both new appointments and at the 3 year renewal check academies can use the DBS updating service to confirm safeguarding compliance and then update the Single Central Record. If an employee refuses to grant access or has not kept their subscription up to date then the academy will be required to carry out a full DBS check.

6.19 Disqualification by Association

When appointing staff, academies or those operating Early Years' provision must carry out relevant background checks such as police records; police intelligence; Disclosure and Barring Service (DBS) barring lists; and for anyone that is appointed to teach, that they are not prohibited from doing so by the Secretary of State.

As of July 2015 the Department for Education launched some new statutory guidance in "relating to keeping children safe in education": childcare disqualification requirements:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/362919/Keeping_children_safe_in_education_childcare_disqualification_requirements_-_supplementary_advice.pdf

The Childcare (Disqualification) Regulations 2009, place separate and additional requirements on academies and early years provision to ensure that they do not employ either directly or indirectly (i.e. agency staff) persons who are disqualified from working with children.

The Regulations prohibit anyone who is either disqualified themselves under the Regulations, or who lives in the same household as a disqualified person, from working in a relevant setting, including in academies.

All new starters (inc. students, volunteers or governors working in regulated activity with under 8's) are required to fill in the disqualification for new starters form.

6.20 Medical Clearance

A potential employee must complete a medical questionnaire, which is then assessed by an Occupational Health provider. Occupational Health may request an appointment to confirm fitness. Occupational Health will confirm, in writing, whether the candidate is fit or not to be employed in the proposed post.

6.21 Verification of Qualifications

Essential qualifications required to perform a particular role, such as Qualified Teacher Status, Certificate in School Business Management etc., as stated in the person specification, need to be evidenced by the potential employee. A copy of original certificates should be taken Signed, dated and verified by the person viewing the original copies and placed on their personal file and logged on the Single Central Record. This should ideally be confirmed at the interview stage.

6.22 Qualified Teacher Status - Overseas Workers

Teachers trained in European Economic area countries may be eligible for Qualified Teacher Status (QTS) in this country without further assessment. The academy must confirm status by contacting the NCTL.

Teachers who trained outside the EEA will need to be assessed against the Standards for the Award of Qualified Teacher Status in England before they can be awarded QTS. Overseas trained teachers (OTTs) can be employed for up to four years by a academy without gaining QTS. They must only be issued with a temporary unqualified teacher contract). To gain a permanent appointment and to progress to the higher pay bands they do need QTS.

7

PRE-EMPLOYMENT CHECKS FOR AGENCY WORKERS/CONTRACTORS/PARTNER AGENCIES PARTICIPATING IN REGULATED ACTIVITY ON THE ACADEMY SITE.

- 7.1 The Agency or Contractor, must provide evidence in writing to the academy in which they are placed that they have carried out all the same checks that the academy would have done if they were their own staff (including DBS Disclosure, Identity check, references etc.)
- 7.2 It is the Head teachers and Governors responsibility to ensure that these checks are being carried out and a record of these checks should be maintained onsite in the form of the company's own safer recruitment policy/ statement or a service level agreement that details that they will undertake checks in line with Keeping Children Safe in Education 2016 for all staff who are part of the contract.
- 7.3 When confirming DBS checks have been undertaken agency/ contractor should state when the checks were made, what type of check and if the check came back clear. If information came back from the DBS Academies have the right to view the original copy of the Disclosure from the agency worker/ Contractor and review any risk assessments that the employer has undertaken to determine that continuing with the employment offer was safe. If the Academy disagrees with the employer's risk assessment they can refuse access. Evidence of checks from external providers should be recorded on the Single Central Record.
- 7.4 All agency staff/ contractors must provide identification to be checked by the school each time they come on site.

7.5 **Prohibition Orders**

Prohibition orders prevent a person from carrying out teaching work in academies. A person prohibited from teaching must not be appointed to work as a teacher. Academies are required to check every teacher for a prohibition order. Positive checks are required to be reported to the LA. <https://www.education.gov.uk/employeraccess/LoginAction.do>

It is the Head teachers and Governors responsibility to ensure that all these checks are being carried out.

7.6 **Unsuccessful candidates**

Unsuccessful candidates should be contacted as soon as possible. It is good practice to provide feedback where requested. The feedback should aim to help the candidate in future interviews, not to damage confidence.

7.7 Staff Qualification Requirements

Teaching staff

Where the governing body decides to recruit a teacher to a post that is to be filled for a period of more than 4 months, it must send a specification of the post to the Trust as stipulated in (Regulations 16(2) and 28).

Support staff

Governing bodies should be mindful of their obligations under equal pay legislation when making recommendations about support staff pay and grading. Any such recommendation may have implications for other staff working for the Trust and its academy's.

In putting together, the job specification for the post, the governing body should refer to the agreed local authority job profiles (currently in use) and associated guidance. When considering what grade to recommend for the post, the governing body may wish to seek advice from the HR Business Partner who will have greater experience of determining the appropriate grades for individual posts.

Where the governing body wishes to employ support staff to take on a new kind of role that does not have a direct comparator within the Trust or local authority (single status), it should consult the Trust's HR Business Partner at the point of determining the job specification. The governing body should consider any pay and grading issues raised before putting forward a formal recommendation.

In accordance with the Education (Teachers Qualifications and Health Standards)(England) Regulations 1999 and the Education (Teacher) Regulation 1993). (See Appendix 18 - New employee recruitment checklist).

7.8 Visiting Speakers (and Prevent Duty)

The Prevent Duty Guidance requires the School to have clear protocols for ensuring that any visiting speakers, whether invited by staff or by pupils, are suitable and appropriately supervised.

The School is not permitted to obtain a DBS disclosure or Children's Barred List information on any visiting speaker who does not engage in regulated activity at the School or perform any other regular duties for or on behalf of the School.

All visiting speakers will be subject to the School's usual visitors signing in protocol. This will include signing in and out at Reception, the wearing of a visitor's badge at all times and being escorted by a member of staff between appointments.

The School will also obtain such formal or informal background information about a visiting speaker as is reasonable in the circumstances to decide whether to invite and/or permit a speaker to attend the School. In doing so the School will always have regard to the [Visitors and Security Policy], the Prevent Duty Guidance and the definition of "extremism" set out in KCSIE which states:

"Extremism" is vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas. Terrorist groups very often draw on extremist ideas developed by extremist organisations."

In fulfilling its Prevent Duty obligations the School does not discriminate on the grounds of race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age.

7.9 Volunteers (Inc Student placements and Governors)

The School will request an enhanced DBS disclosure and Children's Barred List information on all volunteers undertaking regulated activity with pupils at or on behalf of the Academy. Students over 16 completing volunteer placements within our academies must have a DBS certificate within 3 years old carried out by their current education training provider.

It is the School's policy that a new DBS certificate is required for volunteers who will engage in regulated activity but who have not been involved in any activities with the School for three consecutive months or more. Those volunteers who are likely to be involved in activities with the School on a regular basis may be required to sign up to the DBS update service as this permits the School to obtain up to date criminal records information without delay prior to each new activity in which a volunteer participates.

Volunteers must also provide photo identity and recent proof of address which the school will retain a verified copy on file.

In addition the School will seek to obtain such further suitability information about a volunteer as it considers appropriate in the circumstances. This may include (but is not limited to the following):

- formal or informal information provided by staff, parents and other volunteers;
- character references from the volunteer's place of work or any other relevant source; and an informal safer recruitment interview.

As governors are involved in the leadership of the academy a section 128 check will also be made on members of the governing body.

8. STATUTORY INDUCTION / PROBATION

8.1 There should be an induction programme for all staff & Volunteers and newly appointed in the academy regardless of previous experience (*See Induction Policy*). The induction/probation scheme must be carried out in accordance with the academy's policies and procedure. It should:

- support individuals in a way that is appropriate for the role for which they have been engaged;
- confirm the conduct expected of staff within the academy; and,
- provide opportunities for a new member of staff or volunteer to discuss any issues or concerns about their role or responsibilities; and,
- enable the person's line manager or mentor to recognise any concerns or issues about the person's ability or suitability at the outset and address them immediately.

8.2 Child Protection training must be provided to all new staff within the first month of employment as a mandatory element of the induction and probation programme for those working with children.

9. SAFER RECRUITMENT TRAINING

From September 2014, although regulations will continue to require one member of any recruitment panel to have undertaken safer recruitment training, it will be for academy leaders to judge what training will be appropriate for their staff and the circumstances of the academy. Access to the Secretary of State's online training will be removed to coincide with that change. Although there is already a range of accessible training, the DfE are working currently with a number of organisations that have expertise in this area to help ensure that appropriate training will be readily available.

The Trust's HR team will be able to assist Academies in identifying appropriate training providers.

10. **MONITORING**

- 10.1 It is not sufficient purely to have a policy statement on Equal Opportunities. It is necessary to monitor the effectiveness of appointment and induction process.
- 10.2 The Academy is required to monitor analysis with respect to ethnic origin, gender and disability of all job applicants for all posts.
- 10.3 To allow for future recruitment practices to be better informed, the monitoring should also cover attendance of new staff at safeguarding training, staff turnover and exit interviews. (Appendix 19 Exit interview form).