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Potential in Everyone Academy Trust
CEO – David Whitehead



Safer Recruitment Policy

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Associated Documentation	
Induction Policy	
Safer Recruitment School Leaders and Central Team Managers Guidance	
Anti-Fraud and Corruption	

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This policy should be read in conjunction with the Trust's latest guidance document: 'Safer Recruitment Guidance Notes for School Leaders and Central Team Managers'

Part A - Policy

1. Policy Statement

This policy has been adopted by the Trust Board of Potential in Everyone Academy Trust to provide a framework for the recruitment and selection of staff to all posts within the approved staffing structure of each of its schools so that safeguarding and promoting the welfare of children is given the highest priority.

Potential in Everyone Academy Trust is committed to safeguarding and promoting the welfare of children and young people and requires all staff and volunteers to share and demonstrate this commitment.

The Trust Board understand their responsibilities in ensuring that recruitment procedures are free from unlawful discrimination in line with the Equality Act 2010. The Trust Board also appreciate the importance of fair, open and effective procedures to enable the Trust to recruit people with the right skills, aptitudes and attitudes.

The Trust Board will ensure compliance with all relevant legislation, recommendations and guidance including the statutory guidance published by the Department for Education (DfE), Keeping Children Safe in Education (KCSIE) 2018, Childcare Act 2006, Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018 ("the 2018 regulations") and related updates, the Prevent Duty Guidance for England and Wales 2015 (the Prevent Duty Guidance) and any guidance or code of practice published by the Department for Education or the Disclosure and Barring Service (DBS).

The Senior Leadership Team and the Trust Board fully understand their responsibilities in managing the personal data of job applicants in line with the General Data Protection Regulations (GDPR).

As part of our commitment to safeguarding children and vulnerable groups, Enhanced DBS checks and/or Barred List checks on all posts must be carried out where they are required.

All staff and governors involved in recruitment and selection decisions are required to work in ways that are always entirely consistent with this policy.

The Trust will ensure that training is provided for all staff, directors and members of Local Monitoring Councils involved in the recruitment and selection of staff and that it is appropriate to their role.

All appointments must be made by a panel of two or more and all panels must include at least one person who has successfully undertaken approved training in Safer Recruitment.

The Trust recognises the value of a fully qualified teaching profession. Therefore, the Trust will endeavour to only appoint a teacher holding QT status to teaching posts. Temporary appointments of staff not holding QTS to a teaching post will only be made where it has not been possible to appoint a qualified teacher from all reasonable recruitment action.

The Trust Board will ensure this policy is communicated to all staff and that it is included in the information given to new staff on appointment as part of their induction programme.

2. Scope of the policy

This Policy applies to all current Employees, Directors, volunteers and contractors in regulated activity and Local Monitoring Committees representatives of Potential in Everyone Academy Trust.

3. Adoption Arrangements and Date

This policy was adopted by the Board of Directors of Potential in Everyone Academy Trust on 12 July 2019 and supersedes any previous safer recruitment policy.

4. Review of the Policy

This policy will be reviewed by the Board of Directors every two years or earlier if there is a need. This will involve consultation with the recognised unions.

5. Responsibilities of the Trust

The Trust Board has overall responsibility for the adoption, review and amendments of this policy. The Trust Leadership Team are responsible for the implementation of the policy and ensuring that all recruitment and selection actions are consistent with the aims, objectives and principles set out below:

- To deter, identify and reject any applicant unsuitable for work with children and young people
- To recruit high quality staff with the right skills, aptitudes and attitudes so that all children in the Potential Trust schools feel safe, supported and can achieve their full potential
- To ensure all staff are recruited on appropriate contract terms to meet the needs of the Trust whilst promoting and ensuring a satisfactory work life balance
- To ensure that equality of opportunity is a key consideration at each stage of the process, thereby encouraging diversity
- To ensure the recruitment practice reflects positively on each school in the Potential Trust as an employer
- To ensure that recruitment procedures are efficient and cost-effective
- To regularly monitor, review and improve recruitment practices
- To provide employees with safer recruitment training appropriate to their role

6. Responsibilities of the Employee

- To demonstrate a commitment to safeguarding and promoting the welfare of children and young people as high priority
- To engage in safer recruitment training provided for staff involved in the recruitment and selection of staff that is appropriate to their role
- Following training take every reasonable endeavour not to recruit applicants who are unsuitable to work with children or young people

7. Safer Recruitment Monitoring

To manage safer recruitment effectively the Trust will record, monitor and review recruitment. Any data gathered will not identify individual Employees.

8. References to Other Sources of Information

Parts 2 and 3 of the [Keeping Children Safe in Education](#) September 2019 guidance forms part of this policy

9. Equal Opportunities Statement

Potential in Everyone Academy Trust is committed to ensuring that each stage of the recruitment and selection process is accessible to all. The Trust Board will review the recruitment policy and procedure regularly to ensure that it takes account of the Equality Act 2010 and does not discriminate against applicants on the grounds of race, religion or belief, disability, age, pregnancy and maternity, gender reassignment, marriage and civil partnership, sex or sexual orientation

As far as is reasonably practical the Trust will make any reasonable adjustments to accommodate the needs of a disabled person. This will apply to the recruitment process and to the workplace or working arrangements on appointment. The Trust will seek appropriate advice from relevant agencies to achieve this where necessary.

Part B – Process

10. Prior to recruitment

When a vacancy occurs, proposed recruitment will require signed authorisation, as per the table below before any advertising for the vacant post is undertaken, to ensure that budgets are fully considered and appropriate authorisation to recruit obtained.

Appointment	Authorisation to recruit and appoint required from	Interview panel should include
School staff (excluding the appointment of Headteacher)	CEO, Headteacher and TFM	Headteacher or Deputy Headteacher HR Manager or line manager
Headteacher	CEO, Director, CFO and TFM	CEO Diocese (for church school's Headships) Director Headteacher Representative Chair of Local Monitoring Council
CEO	Members	Trust Chair Diocese Director CFO External advisor
CFO or TFM	CEO, Trust Chair, TFM, CFO	CEO Trust Chair or Director Chair F&S Committee TFM/CFO
Central support staff	CEO, CFO, TFM	CFO TFM HR Manager

11. Job Description

The job description is a statement of purpose and scope and defines both the job role and expectations. It will:

- Summarise the job purpose/impact
- Set out the purpose of the job, key duties and responsibilities
- The person specification will set out the key qualifications, experience and skills required
- Summary of teachers' professional standards (teaching staff only)
- Set out who the post holder will report too

12. Advertising

All vacant posts will be advertised in a fair, open and honest manner and will be advertised by means of a formal notice on the staff notice board as a minimum.

Recruitment advertisements will comply with all national and Trust guidance regarding commitment to safeguarding children.

The requirements when advertising for Headteacher and Deputy Headteacher vacancies are set out in the School Staffing (England) Regulations 2009 which require the Trust to advertise Headteacher and Deputy Headteacher vacancies "unless it has a good reason not to" and in sections 35 and 36 of the Education Act 2002. Any decision not to advertise should be documented in full and should only be taken if the Trust can demonstrate there is a good reason not to and that their decision does not leave them open to challenge.

13. Applications

All applicants must complete the relevant application form in full to enable the panel to shortlist in a fair and objective manner.

The application form will include an explanation that all posts in school are exempt from the Rehabilitation of Offenders Act 1974, therefore all convictions, cautions and bind-overs (including those regarded as 'spent') must be declared unless they are considered a protected offence. N.B. The amendments to the Exceptions Order 1975 (2013) provide that certain spent convictions and cautions are 'protected' and not subject to disclosure to employers and cannot be considered. Guidance and criteria on the filtering of these cautions and convictions can be found on the Disclosure and Barring Service website <http://hub.unlock.org.uk/wp-content/uploads/What-will-be-filtered-by-the-DBS.pdf>

Failure to declare relevant information may disqualify the candidate from the appointment and, if appointed, may render the individual liable to immediate dismissal without notice

The application form should also state that providing false information may be an offence and could result in de-selection. All applicants are required to sign and date the declaration.

The Trust may reasonably decide to reject an application where incomplete and/or ambiguous information is provided. Applications by CV or letter alone will not be considered

Where an application form is submitted online, the shortlisted candidates will be asked to sign a declaration as part of the interview process. Their identification will be verified from photographic evidence.

14. Shortlisting

The Trust is committed to ensuring that all interviewees are assessed according to their ability to meet the criteria of the job description and person specification and to fulfil their obligation regarding keeping children safe.

All shortlisting decisions will be made with clear reference to the skills and qualities set out in the person specification using an agreed method of scoring against the essential and desirable criteria. Each candidate will be considered on their own merit and shortlisting panels are reminded that positive discrimination (i.e. giving preferential treatment to applicants from under-represented or disadvantaged groups regardless of their ability to do the job) is unlawful.

The equal opportunities monitoring form will be separated from the main application form to reduce any likelihood of conscious or unconscious bias. Applicants may have indicated on their application form that they have a disability and, to promote fairness and to meet the Trust's obligations under the Equality Act 2010, the letter of invitation will encourage applicants to contact the Trust if they require any adjustments to enable them to attend the interview.

The notes of the shortlisting panel and details of the scoring will be retained for six months from the appointment date in line with the school's document retention schedule

15. References

To comply with Keeping Children Safe in Education, the Trust's will take up references prior to interview so that any relevant questions arising can be raised with the candidate before a selection decision is made. Where references are not available for interview, any job offer made will be conditional upon the receipt of satisfactory references.

In line with section 9 of the Trust's Anti-Fraud and Corruption Policy as a key preventative measure against fraud, the Trust will seek to confirm the candidate's propriety and integrity will be established as far as possible.

To comply with the Equality Act 2010, reference requests sent prior to an offer of employment will not request details of attendance or absence. However, further information may be requested from referees to compare with any medical conditions noted in the applicant's occupational health pre-employment medical screening report following their acceptance of an offer of employment.

References must be sought from the applicant's current employer, or most recent employer if not currently employed, and references will only be obtained directly from the referee: testimonials or open references (those addressed 'To whom it may concern') will not be considered. Referees will be provided with a copy of the job description and person specification to assist them in their response. The reference must be signed by or on behalf of the most senior person appropriate to the position, for example Headteacher and should be on the organisation's headed notepaper. Where references are received by email, the email accompanying the reference must be retained on file.

In line with Safer Recruitment guidelines, if a candidate is not currently working in a school or childcare setting but has done so in the past, one reference must be from their most recent school or childcare setting employer.

The Trust must confirm whether the candidate has been subject to formal disciplinary procedures within the last two years to establish if any details, outcomes or 'live' sanctions are in place. The Trust will carefully and fairly consider information about current or past disciplinary action or allegation(s) and the circumstances of the action or allegation(s) against the requirements of the Trust's vacancy.

In cases where there have been disciplinary concerns which involved children or safeguarding that have been substantiated, the referee will be required to confirm details

The Trust must confirm whether candidates have been subject to formal capability proceedings in the past 2 years as part of the appointment process.

Rehabilitation of Offenders Disclosure

- All posts within the Trust are exempt from the Rehabilitation of Offenders Act 1974 therefore all convictions, cautions and bind-overs (including those regarded as 'spent') must be declared unless they are considered a protected offence. N.B. The amendments to the Exceptions Order 1975 (2013) provide that certain spent convictions and cautions are 'protected' and not subject to disclosure to employers and cannot be considered

The Trust is committed to ensuring people who have been convicted are treated fairly and given every opportunity to establish their suitability for employment at schools within the Trust. Having a criminal record will not necessarily be a bar to a position in a Trust school.

16. Interview and Selection

The Trust is committed to ensuring that all interviewees are assessed according to their ability to meet the criteria of the job description and person specification and to fulfil their obligation regarding keeping children safe.

Applicants may have indicated on their application form that they have a disability and, to promote fairness and to meet the Trust's obligations under the Equality Act 2010, the letter of invitation will encourage applicants to contact the Trust if they require any adjustments to enable them to attend the interview.

The interview panel will include at least one member who has undertaken safer recruitment training in accordance with the School Staffing (England) Regulations 2009.

Short-listed candidates must be interviewed in person before a formal, unconditional offer of employment is made. Interviews conducted by telephone.

At the point of arrival for interview all candidates must provide the following:

- Photographic proof of identity
- Actual (not photocopy or scan) certificate of relevant qualifications
- Entitlement to work in the UK - passport, birth certificate or other documentation taken from the approved border agency list (see 17.1 for further details to comply with the Asylum and Immigration Act 1996)

Candidates will always be required to:

- Satisfactorily explain any gaps in employment
- Explain any anomalies or discrepancies in their application to the satisfaction of the person recruiting
- Declare any information that is likely to appear in a DBS disclosure
- Demonstrate their capacity to safeguard and protect the welfare of children

Interviews conducted by telephone or via Skype may result in a conditional offer, subject to all normal safer recruitment checks being satisfactorily completed. Candidates will have to prove their identity, right to work in the UK and actual qualification certificates as the earliest possible opportunity prior to the take up of appointment.

The Trust fully supports the work of the Kent Safeguarding Children Multi-agency Partnership and reserves the right to provide the LSCB with any relevant information when requested by the LSCB or if otherwise it is believed to be necessary and proportionate in the interests of safeguarding of children.

Where possible and practicable applicants for teaching and learning positions will be observed practising in their current school. Candidates will be informed of the selection tests to be used prior to being invited for interview.

All questions used in selection interviews will also be focussed on the priority needs of the post and will avoid any questions or language that could be held to be unlawful discrimination.

17. Pre-employment Checks

All offers of employment will be conditional on the successful completion of pre-employment checks and include confirmation of salary, start date and any information that the successful applicant needs to complete before commencing employment e.g. health screening questionnaire.

All pre-employment checks must be satisfactory or an offer of employment will be withdrawn. Where an individual has commenced work, employment will be terminated.

Potential in Everyone Academy Trust regards all posts as regulated activity and therefore enhanced DBS disclosures are required. The Trust will ensure that no offer of work is made to an individual who is subject to a Secretary of State Prohibition Order. The Trust must ensure all persons appointed have satisfactory and up to date DBS checks and any other recruitment and/or security checks required by national or KCC/LA policy prior to the contract position being confirmed. This includes work permits or other evidence of the ability to work in the UK.

The Trust will ensure that an appropriate induction programme is available to all new staff and this will be developed following a discussion between the individual and their line manager.

Any applicant may request feedback on the reasons why they were not shortlisted or appointed, and this will be provided either in writing or verbally within a reasonable period of the request.

17.1 Right to Work

To comply with the Asylum and Immigration Act 1996 – Prevention of Illegal Working – interview candidates will be asked to bring certain documentation to the interview which shows their eligibility to work in the UK. No offer of employment can be made unless one of the original documents listed on the Home Office Right to Work Checklist is produced.

The candidate's original documents must be checked, and a signed and dated copy retained. Documents relating to unsuccessful candidates will be retained with the interview papers and destroyed six months from the date on which the position was offered and accepted.

The Home Office Right to Work Checklist shows the acceptable identity documentation as currently defined by the Home Office and further information on establishing an individual's right to work can be found at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/378926/employers_right_to_work_checklist_november_2014.pdf

17.2 DBS and Barred List Checks

All those directly employed by Schools and Academies in paid positions are required to obtain an enhanced Disclosure and Barring Service (DBS) check.

It is an offence to employ, in a school or academy, an individual who is barred from working with children. A check against the Children's Barred List will be requested as part of the enhanced DBS Disclosure for all employees working in regulated activity i.e. having unsupervised, frequent, or intensive contact with children.

It is the Trust's practice that individuals obtain a satisfactory enhanced DBS check before commencing work. In exceptional circumstances where the applicant is required to commence work before the full disclosure certificate is received, where working in regulated activity, a barred list check must be carried out before employment commences and supervision must be in place until a satisfactory DBS check is obtained.

In cases where we are notified that a DBS check is positive for criminal convictions, cautions, warnings etc, the contents of the certificate will be discussed with the Trust's Lead DSL.

17.3 Prohibition of Teachers

The Trust is required to check that anyone appointed to teach has not been prohibited from doing so by the Secretary of State in accordance with the Teachers' Disciplinary (England) Regulations 2012. All those in teaching work, or those with previous teaching experience, will require a prohibition check. Teaching staff will be checked on the Teacher Regulation Agency self-service portal (formerly known as the Employer Access Service) to ensure that they have the required teaching qualifications, have successfully completed statutory induction where it is necessary i.e. for teachers who obtained QTS after May 1999, and have not been prohibited from teaching.

The Teacher Regulation Agency allows checks on teachers sanctioned (since 18 January 2016) in other EEA member states by an EEA member state regulator of the teaching profession.

17.4 Section 128 Management Checks (Academies and Free Schools only)

Section 128 directions are made by the Secretary of State under s. 128 of the Education and Skills Act 2008, barring individuals from taking part in the management of Independent schools, Academies and Free Schools. The school will undertake a section 128 check for those taking up management positions at Independent Schools, Academies and Free Schools to ensure they are not prohibited under the provisions. This includes Governors, Directors and Trustees.

17.5 Overseas Checks

In accordance with Keeping Children Safe in Education (2019) and Criminal records checks for overseas applicants, overseas checks, as the Trust Board considers appropriate, will be undertaken where, by reason of the individual's living or having lived overseas, obtaining an enhanced DBS certificate is not enough to establish his or her suitability to work.

Since 6 April 2017 for all Tier 2 Visa applicants it is a requirement that they must provide a criminal record certificate from any country where they have lived for 12 months or more (whether continuously or in total) in the last 10 years.

Checks on individuals who have lived or worked outside the UK should include recording checks for those European Economic Area (EEA) teacher sanctions and restrictions which can be checked on the Teacher Regulation Agency Self Service Portal.

17.6 Proof of Qualifications

Proof of qualifications will be checked to ensure that they match with the candidate's application form. The name of the qualification, awarding institution, date of qualification and candidate name will be checked. A signed and dated copy of the certificate will be retained as evidence of when the check was carried out, and by whom.

In the case of teachers, Qualified Teacher Status (QTS) will be checked via the Teacher Regulation Agency's Self-Service Portal at <https://teacherservices.education.gov.uk/>

In the event of any concerns regarding the validity of the qualification, a candidate may be required to obtain confirmation or clarification in writing from the exam board or awarding institution.

17.7 Follow-up References

Following a written conditional offer of employment to the successful candidate, a supplementary reference request will be sent to their original referees, dependent on their health seeing report. This is an opportunity to request information about sickness absence and attendance records which cannot be requested prior to an offer of employment to comply with the Equality Act 2010.

The offer of employment is conditional on both parts of the reference being satisfactory.

17.8 Pre-employment Health Screening Questionnaire

The Trust will require all successful applicants to complete a confidential health screening questionnaire to verify the candidate's medical fitness to carry out their work responsibilities. An applicant can be asked relevant questions about their disability and health to establish whether they have the physical capacity for the specific role. There is also a requirement to ensure that staff appointed to teaching posts have the necessary physical and mental fitness to teach under the Education (Health Standards) (England) Regulations 2003.

Completed medical history questionnaires will then be considered in conjunction with the follow-up references which specifically explore sickness absence and attendance issues and, where appropriate, further advice about fitness to carry out a role will be sought from Occupational Health. To comply with the Equality Act 2010, reasonable adjustments will be made to enable a candidate to take up their role.

17.9 Supply Staff

Agencies providing staff on a supply or short-term contract basis will be required to provide written confirmation, that all required checks have been satisfactorily completed and they have checked original copies of qualification certificates. Agencies are required to take up enhanced DBS checks for school workers and the Trust may require access to the check where information has been revealed. Identity checks for all agency or other supply/temporary contract staff will be undertaken by the school on first arrival

18. Withdrawal of Offers

If the pre-employment checks are unsatisfactory, or where the identity, qualifications or right to work in the UK of a successful candidate cannot be verified, the Trust will consider withdrawing the conditional offer of employment. Where the successful candidate has started in post and information becomes available which would have caused the offer to be withdrawn, employment may be terminated. In these circumstances, advice will be sought from the school's HR consultant.

19. Single Central Record

In accordance with the terms of the School Staffing (England) Regulations (as amended) Potential in Everyone Academy Trust will retain details of recruitment and vetting checks undertaken in a Single Central Record (SCR). This data will be collated, used and stored and deleted in line with GDPR.

For agency staff working in the Trust, the contractor must be asked to provide the DBS Disclosure number and date of issue for everyone. The Trust must also confirm each person's identity when reporting for work the first time.

20. Complaints

An individual who feels that their treatment during the recruitment and selection process is unfair may raise a formal complaint.

Existing staff should use the Trust's grievance procedure.

External applicants should raise their complaint at the earliest opportunity by writing with key details to the Chair of Governors of the relevant school setting out the key points of their complaint, who will ensure that a full investigation of the complaint is undertaken and that a written response is provided within 15 working days of receiving the complaint.

21. Induction

Induction is essential in ensuring that new employees are properly equipped for work, their role in the life of the school and feeling part of the school community.

Potential in Everyone Academy Trust have put in place an induction programme for all staff joining the Trust. This will vary considering previous experience and the nature of the role but will ensure that all staff and volunteers receive guidance on safe working practices and the safeguarding policies of the school.

22. Further Guidance

Further information for recruiting managers is available in the Trust's Guidance Notes for School Leaders and Central Team Managers.