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SAFER RECRUITMENT POLICY

Date or Review	September 2023
Next Review Date	September 2025
CEO	Sam Coy
Chair of the Trust	Sarah Richards
Signed	
Date	

Safer Recruitment Policy

Scope and publication

This policy applies to all staff across all of Scholars Academy Trust (Scholars), including support staff, teachers and leadership in all schools, local governors, volunteers and staff directly employed within the Scholars Team. Note that whilst the policy applies to local governors, the recruitment and induction process for local governors is set out within the Local Governor's Handbook rather than this policy.

The policy is available on request and can be made available in large print or other accessible formats if required. This procedure does not form part of any employee's contract and may be amended at any time.

Purpose

The purpose of this policy is to ensure that safe and fair recruitment practices are rigorously enforced. We are committed to safeguarding and promoting the welfare of children and young people and expect all staff to share this commitment. We will comply with the requirements of the current Department for Education (DfE) document Keeping Children Safe in Education (KCSIE) and any advice published by the Disclosure and Barring Service (DBS). We will ensure that people are treated solely on the basis of their abilities and potential, in line with equality legislation. This policy also supports us to adopt a coherent and consistent approach to recruiting and retaining employees of the highest caliber, who will help achieve our vision. We believe that people are our most important resource and that our students' learning should be managed by highly motivated and capable people with relevant skills.

Related policies

This policy is part of the Scholars recruitment pack. There are various other recruitment documents and forms within the pack to be referred to alongside this policy. This policy should also be read alongside the Child Protection and Safeguarding Policy for the purposes of safer recruitment.

Roles and responsibilities

Scholars Executive Team will

- Provide a Safer Recruitment Policy and a recruitment pack and keep these documents up to date according to the latest statutory and best practice guidance.
- Ensure through regular audits that all appropriate checks have been carried out on employees and volunteers, and recorded in the Trust Approved Single Central Record, in accordance with legislation and best practice.
- Ensure that all actions resulting from these audits are addressed within an appropriate time frame.
- Ensure that everyone involved with recruitment administration will have training around the safeguarding aspects of the role and managing the SCR.

The Local Governing Body of the school will

- Be aware of safeguarding and child protection requirements in relation to recruitment and selection procedures.

- Escalate any concerns about recruitment and selection procedures in line with the Trust's policy.
- Support the Education Executive Team in the recruitment of Headteachers and Deputy Headteachers.

The Headteacher will

- Ensure that the school operates safe and fair recruitment and selection procedures which are regularly reviewed and updated to reflect this policy and any changes to legislation and statutory guidance.
- Ensure through robust processes and regular monitoring that all appropriate pre-employment checks have been carried out on employees and volunteers and recorded in the Single Central Record in accordance with legislation and best practice.
- Monitor any contractors' and agencies' compliance with safer recruitment requirements.
- Promote the safety and wellbeing of children and young people at every stage of this process.
- Complete Safer Recruitment training and ensure that other key personnel in the school also receive Safer Recruitment training

All employees working in recruitment

All employees working in recruitment will familiarise themselves with this policy and related policies and support compliance with the safer recruitment procedures within.

Recruiting manager

The Recruiting Manager (RM) is a senior employee selected to manage the recruitment process for a particular vacancy, in accordance with this policy and the recruitment checklist.

Delegation of appointments and constitution of selection panel

The Trustees of Scholars delegate the responsibility of offering employment for all posts within the school to the Headteacher through a selection panel. The Headteacher may not delegate the power to offer employment to any other senior manager or Local Governor.

- The Chief Executive Officer of Scholars has responsibility for appointing Headteachers, through a selection panel.
- The Chief Executive Officer of Scholars has responsibility for appointing Executive Team employees, through a selection panel.

All selection panels will comprise a minimum of two senior people (normally three). Every selection panel must have at least one member who has undertaken safer recruitment training.

Family members and close friends

Any family or close friend relationships to applicants must be declared to the recruiting manager as soon as they become apparent. Failure to do so may result in disciplinary action in line with the Disciplinary Policy. No employee will be the recruiting manager or on the section panel for the recruitment of a family member or close friend. Where there is recruitment of a family member or close friend of an existing employee, the Headteacher or an Education Director must be on the selection panel. Any recruitment documentation held in personnel files on any family member or close friend of the Recruitment Officer/HR Manager must be transferred to the care of the Headteacher.

Where the new appointee is related to the Head or other line manager, pay agreements or changes to contracts should be countersigned for transparency.

Recruitment process

Recruitment checklists

The recruitment process is set out as a process chart in Appendix 1. The chart sets out the process from advertising, shortlisting and interview to appointment. Additional information for the core recruitment stages is set out below.

Advertising

All vacant posts will be approved using the Recruitment Approval Form from the recruitment pack.

All vacant posts will be advertised to ensure equality of opportunity and encourage as wide a field of candidates as possible. This will normally mean placing an advertisement externally. However, where there is a reasonable expectation that there are sufficient, suitably qualified internal candidates, or employees at risk of redundancy, vacancies may be advertised internally before an external advertisement is placed. Any internal recruitment process will follow the procedures set out in this policy.

All advertisements for posts, paid or unpaid, will include the following statement:

We are committed to safeguarding and promoting the welfare of children and young people and require all staff and volunteers to share and demonstrate this commitment. The successful candidate will have to meet the requirements of the person specification and will be subject to the relevant pre-employment checks which will, where applicable, include a health check, an enhanced DBS check, the Children's Barred List check and satisfactory references.

Application

All applicants will apply for the role using only the application form provided in the recruitment pack. No applications will be accepted that are completed on the incorrect forms. Generic CVs and documents addressed "To whom it may concern" will also not be considered unless they are accompanied by the required application form.

Shortlisting and reference requests

The recruiting manager will shortlist applicants against the person specification for the post. The criteria for selection will be consistently applied to all applicants. The selection panel will agree the applicants to be invited to interview.

A basic online search will be carried out on all shortlisted candidates to help identify any issues that are publicly available online.

Two references, one of which must be from the candidate's current/most recent and most senior employer e.g. the Headteacher, will ideally be taken up prior to interview but only if the candidate gives permission for this. Otherwise, the two references will be taken up when a candidate has been informed that they are the 'preferred candidate' and the offer of employment will be conditional upon satisfactory references as well as other safeguarding checks as set out below.

References will be sought directly from the referee. Employer testimonials i.e. those provided by the candidate and/or marked 'to whom it may concern' will not be accepted. References must be in writing, preferably on the form provided to the referee, and be specific to the job

for which the candidate has applied. The selection panel will not accept references from relatives or people writing solely in the capacity as a friend of the candidate, for any post.

For external candidates, references to work in school should not be taken from people already employed in the advertising school unless there are exceptional circumstances.

On receipt, references will be checked to ensure that they originate from a legitimate source and that all specific questions have been answered satisfactorily. If answers are vague, if insufficient information is provided or there is a concern about the authenticity of the reference, the referee should be contacted to provide further clarification as appropriate. Detailed written records will be kept of such exchanges.

References will be compared for consistency with the information provided by the candidate on their application form. Any discrepancies will be taken up with the candidate. Specific attention will be paid to any gaps in employment, any convictions (spent or current), cautions, reprimands and/or final warnings that the applicant may have declared. Such queries can be addressed at interview should the applicant be successful in gaining an interview. The application form will be signed to denote that gaps in employment have been investigated.

Where necessary, previous employers who have not been named as referees may be contacted in order to clarify any such anomalies or discrepancies. Detailed written records will be kept of such exchanges.

If a candidate for a post working with children is not currently employed in a post working with children, a reference will be sought from the most recent employment in which the candidate has worked with children to confirm details of the candidate's employment and their reasons for leaving.

Strict confidentiality will be observed as to references.

A template reference request form is available within the recruitment pack.

Interviews

Before the interviews, the recruiting manager and selection panel will agree on the precise interview format, using the templates within the recruitment pack. Selection techniques will be determined by the nature and duties of the vacant post, but all vacancies will require an interview of short-listed candidates. Interviews will be face-to-face where at all possible. Telephone interviews may be used at the shortlisting stage but will not be a substitute for a face-to-face or remote interview.

Where remote interviews take place over, there must be at least two interviewers and at least one of them must be Safer Recruitment trained. Remote interviews must be robust, with detailed written records of questions and answers.

Candidates invited to interview will receive:

- a letter confirming the interview date, time and venue
- a list of the interview day activities including, where possible, names of the panel members
- information for activities requiring advanced planning by the candidate e.g. lesson details, presentation topic
- the opportunity to discuss the process prior to the interview
- an interview checklist/self-declaration/criminal convictions declaration

The questions asked at interview will be aimed at obtaining evidence of how each candidate meets the requirement of the job description and the person specification and each candidate will be assessed against all of the criteria for the post. The same areas of questioning will be covered for each applicant. No questions which would discriminate directly or indirectly on protected characteristics under equality legislation will be asked. The selection process for every post will include exploration of the candidate's understanding of child protection and safeguarding issues.

Candidates will always be required:

- to explain satisfactorily any gaps in employment
- to explain satisfactorily any anomalies or discrepancies in the information available to the selection panel
- to declare any information that is likely to appear on a DBS disclosure
- to demonstrate their capacity to safeguard and protect the welfare of children and young people.

The interview will also include a discussion of any convictions, cautions or pending prosecutions, other than those protected, that the candidate has declared and are relevant to the prospective employment. The job will be offered to the successful candidate subject to them meeting all relevant statutory and safeguarding conditions of employment. Should the DBS result contain information that was not declared during the selection process, the information must be investigated fully on receipt.

The recruitment documentation will be retained. Under data protection legislation applicants have the right to request access to notes written about them. After six months, all information about unsuccessful candidates will be securely destroyed.

Safeguarding checks

KCSIE sets out the required safeguarding checks which must be made for all new appointments in

addition to references. We commit to undertaking the following pre-appointment checks:

- **DBS:** We will check that all adults with supervised access to children and those working in regulated activity (as defined in KCSIE) have an Enhanced Disclosure (under Section 142 on the Education Act 2002) before starting work, and prior to confirmation of appointment. Where a DBS Certificate has not arrived prior to the employee starting work, then the school must put a Risk Assessment in place which states what safeguards will be in place i.e. no unsupervised access to children. This Risk Assessment must be held in their personnel file and a copy shared with the employee. A note should be made on the Single Central Register that this has been done. The new employee will then work under supervision until such times as the DBS certificate arrives and all checks are clear. In all such cases a Children's Barred List check must be completed before the employee starts work – see below.

Periodic DBS checks are not required by law but may need to be applied for again if the employee changes role, particularly from a limited contact role to one with more unsupervised contact with students. Similarly, if the employee has been absent for an extended period of time, which is not covered by a doctor's certificate or approved parental/bereavement leave a re-application for DBS should be considered.

The level of DBS certificate required, and whether a prohibition check is required, will depend on the role and duties of the post, as outlined in full in KCSIE.

Copies of DBS certificates will not be held for longer than six months unless they contain a disclosure, in which case a copy may be retained in order to demonstrate safer recruitment practice for the purpose of safeguarding audits. In all cases, retention of the copy must be reviewed after an external audit/inspection has been completed.

• **Children’s barred list check: A separate Barred List check will be carried out via the Teaching Regulation Agency (TRA) website only when:**

- o there is a pressing need for the individual to start and a risk assessment has been completed pending return of the DBS certificate. (see above); OR
- o an employee is transferring from another school in England without a break in service of 3 months or more, and pending receipt of the new DBS certificate.

• **TPO:** We will check that a candidate to be employed as a teacher is not subject to a Teacher Prohibition Order (TPO) issued by the Secretary of State using the TRA website. The TPO check should be completed for everyone engaged in ‘teaching work’ whether a qualified teacher (QTS) or not. It will indicate whether the teacher is subject to prohibitions, directions, sanctions or restrictions. Anyone, including volunteers, who declares at application that they have been a teacher will also undergo this check.

NB: Where a teacher has given a maiden name or an alternative surname, this too needs to be checked for TPO.

• **Overseas criminal record check:** Where an applicant has lived and/or worked abroad for more than 3 months in the last 5 years, the appropriate overseas criminal records checks will be made. For teaching posts, and other posts where relevant, a letter of professional standing should be obtained from the professional regulatory authority in the country in which the applicant worked. In all cases a DBS check must be carried out. These documents should be kept in the personnel file of the employee concerned with the evidence recorded on the Single Central Register.

• **§128 check:** We will check that any adults in schools who hold management positions or have decision-making powers and responsibilities are not prohibited from engaging in a management role as defined in KCSIE. The results from the prohibition from management check (§128 check) should be included on the Single Central Record. This check is made through the TRA.

• **Disqualification:** We will undertake checks to ensure that employees and volunteers who work in childcare provision are not disqualified under the 2018 Childcare Disqualification Regulations as set out in KCSIE.

This check applies to anyone providing care for children under the age of five during or outside of school hours; anyone who is working in childcare provided by the school outside of the normal school day for children above reception age but under eight (though not after-school clubs); employees who are directly concerned in the management of early or later years provision (including Senior Leaders of the school, EYFS Leaders, EYFS Link Governors). All primary school midday supervisors are covered by this regulation as they are employed for all groups equally.

• **Identity:** We will verify all candidate’s identity with current photographic ID and proof of address. Where photographic evidence is not available then three pieces of evidence from the DBS approved ID checklist must be provided. Wherever possible, a different set of documents should be provided for the ID check and the Right to Work check. The document ‘ID checking guidelines for DBS check applications’ should be followed and is available from www.gov.uk

• **Qualifications:** For posts that require the candidate to have qualifications that are directly relevant to the role, we will verify a candidate’s professional qualifications.

Teaching posts: We will check on the TRA website that the teacher has been awarded Qualified

Teacher Status (QTS) and their induction status. In addition, we will check the original certificates and keep a copy on the personnel file, recorded on the SCR.

Other posts: We will check the original certificates and keep a copy on the personnel file, recorded on the SCR.

• **Right to work in the UK:** We will check all new employees have the right to work in the UK. The list of acceptable documents is available in the Home Office document “An employer’s guide to acceptable right to work documents”. A record of the check should be kept using the Employers’ Right to Work Checklist. Current versions of both documents are available from www.gov.uk.

Evidence that these checks have been made must be recorded onto the Single Central Record (SCR), dated so that it is evident on the SCR that the checks were made prior to appointment. The name or the person checking must also be recorded on the SCR. Any evidence is kept on the personnel file in accordance with the Retention Policy. A check list for new appointments is available within the recruitment pack.

Access to the SCR must be restricted and in accordance with current data protection regulations.

A copy of the documents used to verify the successful candidate’s identity, right to work and required qualifications should be kept on the employee’s personnel file. The DBS certificate, if copied, should not be retained for longer than six months. The DBS online portal printout should be retained on file.

Screen shots can be taken for checks made using Teacher Services (through the TRA) and these can be kept in the personnel file – this is good practice. (KCSIE)

Further information on who the checks need to be carried out on and how they should be recorded are available in the recruitment pack.

Agency staff, peripatetic teachers and sports coaches

We will only use those agencies and organisations which operate a Safer Recruitment Policy and supply written confirmation that all relevant checks have been satisfactorily completed. We will ensure that, as part of our due diligence, these organisations will state in writing that they will notify us if they, as the employer, are notified of any caution or conviction against an employee assigned to our schools. In such cases, we will also request sight of the original DBS certificate in order to make the judgement as to whether we continue or terminate the assignment.

Where the person is a sole trader, and therefore their own employer, we will require them to be registered with the DBS update service in order for their status to be monitored.

We will carry out identity checks when the individual arrives at school.

Contractors

We ensure that contractors, or any employee of the contractor, have been subject to the appropriate level of DBS check, if any such check is required. Contractors and contractors’ employees for whom an appropriate DBS check has not been undertaken will be supervised if they will have contact with children. If a contractor working is self-employed and will be in regulated activity, we will consider

obtaining the DBS check, as self-employed people are not able to make an application directly to the DBS on their own account. We will check the identity of contractors and their staff on arrival at the school.

Volunteers

We carry out DBS and other pre-start vetting checks appropriate to the post for volunteers working in regulated activity. References are taken up, as detailed in this policy above. Volunteers who help on an occasional basis (e.g. trips/PTA events) and not in regulated activity are supervised, in accordance with legislation. Where checks are carried out on volunteers, these will be recorded on the Single Central Record.

Local Governors

We will carry out checks on all new local governors, which will include an enhanced DBS check (with Children's barred list check if in regulated activity), identity checks, s128 check, disqualification checks, right to work in the UK check and an overseas criminal record check where appropriate. These checks will be recorded in the Single Central Record at the school.

Scholars Trustees

The Secretary of State is responsible for carrying out safeguarding checks on the Chair of Trustees. The Chair of Trustees is responsible for carrying out appropriate safeguarding checks on all new Scholars Trustees which will include an enhanced DBS check (with Children's barred list check if in regulated activity), identity checks, s128 check, disqualification checks, right to work in the UK check and an overseas criminal record check where appropriate. These checks will be recorded in the Single Central Record at every school.

Students on placement

When volunteers are working in school as part of a recognised training course (such as PGCE, NVQ etc.), references and completion of an application form will not be required. However, we will require proof of DBS enhanced clearance with barred list check and will carry out identity checks when the student arrives at school. We will also require students to complete the Staff Suitability Declaration if they are working within the EYFS.

Students on work experience

Students on work experience will always be supervised.

Single Central Record, personnel file and follow ups

All checks will be recorded within the school's own Single Central Record – a template of which is provided within the Scholars recruitment pack. The Single Central Record of employment checks will be maintained in accordance with DfE guidance. Checks will also be documented on the person's personnel file. If any checks are unsatisfactory or if there are any discrepancies in the information received this will be followed up.

Offer of employment and signed contract of employment

The offer of employment and acceptance by the candidate is binding on both parties, subject to satisfactory completion of the pre-employment checks and satisfactory references. The successful candidate will be informed, normally by a conditional offer letter, that the appointment is subject to satisfactory completion of these checks. All contracts of employment must be issued through the Trust's outsourced HR provider.

Medical fitness

All new employees must be medically cleared before appointment. This is done using an occupational health provider. Where appropriate we will consider reasonable adjustments in consultation with the applicant.

We are aware of our duties under equality legislation. No job offer will be withdrawn on medical grounds without first consulting with the applicant, obtaining medical evidence and considering reasonable adjustments and suitable alternative employment.

Start of employment and Induction

The pre-employment checks listed above must be completed before the employee starts work. Exceptions can only be made to DBS checks in circumstances where the documentation has been sent to the DBS, but the certificate has not been seen by the school. In this case a risk assessment will be undertaken. Exceptions will never be made in the case of the Barred List and Teacher Prohibition checks. All new employees will be provided with an induction programme which will cover all relevant matters of policy including safeguarding and promoting the welfare of children, child protection procedures, whistle blowing and guidance on safe working practices.

Upon employment, schools will 'claim' their teachers on the Secure Access section of the TRA Teacher Services using their DfE/Teacher Reference number.

Related Documents:

- Child Protection and Safeguarding Policy
- Single Central Record
- Induction Policy (where available)
- Code of Conduct
- Keeping Children Safe in Education current version
- Working together to Safeguard Children 2018
- Recruitment pack

Appendix 1: Recruitment process

