



**THE BAY  
LEARNING TRUST**

## **Safer Recruitment Policy**

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## Document Control

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## **THE BAY LEARNING TRUST**

### **SAFER RECRUITMENT POLICY**

#### **1 SCOPE AND PURPOSE**

- 1.1 The purpose of this policy of this policy is to set out the requirements for the recruitment of teaching and support staff at the **Trust**. The aim of the **Trust** is to:
- 1.1.1 attract the best possible applicants to vacancies;
  - 1.1.2 deter prospective applicants who are unsuitable for work with children or young people;
  - 1.1.3 identify and reject applicants who are unsuitable for work with children and young people.
- 1.2 Decisions concerning the need to recruit staff are delegated to each Executive Headteacher/Headteacher by the Trust. All decisions will be made with regard to curriculum needs and financial circumstances.
- 1.3 Decisions regarding remuneration for posts will be made in accordance with the Trust's Pay Policy.
- 1.4 This policy takes into account the provisions of 'Keeping Children Safe in Education' (DfE September 2022). The Trust will ensure that the statutory requirements for the appointment of staff will be met. Requirements will change from time to time and this policy will be updated accordingly.
- 1.5 The Trust is committed to promoting equality of opportunity for all staff and job applicants and will abide by existing legislation including the Equality Act 2010. The Trust does not unlawfully discriminate against staff on the basis of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation.
- 1.6 This policy does not form part of any employee's contract of employment and it may be amended at any time on consultation with recognised unions.
- 1.7 In this policy references to personnel/bodies are to the personnel/bodies present within the Academy at which the particular member of staff reading or exercising the policy is engaged

#### **2 WHO IS RESPONSIBLE FOR THE POLICY?**

- 2.1 The Trust has overall responsibility for the effective operation, maintenance and review of this policy and for ensuring compliance with the relevant statutory

framework. The Local Governing Body of each Academy is also responsible for monitoring compliance by the Academy with this policy.

- 2.2 The Trust has delegated day-to-day responsibility for operating the policy to the Executive Headteacher/Headteacher.
- 2.3 It is the responsibility of each Executive Headteacher/Headteacher and other managers involved in recruitment to:
  - 2.3.1 ensure that their Academy operates safe recruitment procedures;
  - 2.3.2 ensure all appropriate checks are carried out on all staff and volunteers who work at each academy;
  - 2.3.3 monitor contractors' and agencies' compliance with this document;
  - 2.3.4 promote welfare of children and young people at every stage of the recruitment process.
- 2.4 It is the responsibility of all potential and existing workers, including volunteers to comply with this document.
- 2.5 It is the responsibility of all contractors and agencies to comply with safe recruitment pre-employment checks.

### **3 SAFER RECRUITMENT TRAINING**

- 3.1 Subject to the availability of training, the Trust will ensure that those involved with the recruitment and employment of staff to work with children have successfully completed accredited training in safer recruitment procedures, at the minimum this will include the Executive Headteacher/Headteacher and at least one Governor at each Academy have successfully completed accredited training in safe recruitment procedures.
- 3.2 The Trust must ensure that one person on any recruitment panel will have undertaken safer recruitment training.

### **4 ADVERTISING POSTS**

- 4.1 Advertisements for posts – whether in newspapers, journals or online – and application booklets issued to prospective applicants will include the following statement:

*The Bay Learning Trust is committed to safeguarding and promoting the welfare of children and young people and expects its entire staff to share this commitment. All post-holders will be subject to safeguarding checks and required to have an Enhanced Disclosure from the Disclosure & Barring Service (DBS)."*

*The advertisement will specify whether the post is exempt from the Rehabilitation of Offenders Act (ROA) 1974*

- 4.2 Prospective applicants will be supplied, as a minimum, the following:
- 4.2.1 job description and person specification (including any safeguarding responsibilities of the post;
  - 4.2.2 the Trust's Safer Recruitment Policy;
  - 4.2.3 the selection procedure for the post;
  - 4.2.4 an application form.
- 4.3 Applicants will also be made aware of the relevant school policies, including the Safeguarding and Child Protection Policy and policy on the employment of ex-offenders.
- 4.4 To ensure equality of opportunity, the Trust will advertise all vacant posts.
- 4.5 However, where there is a reasonable expectation that there are sufficient qualified internal applicants or where staff are at risk of redundancy, an internal advertisement alone may be considered appropriate.

## **5 APPLICATIONS**

- 5.1 Prospective applicants will respond to the advertisement by requesting or downloading further information and an application form which includes an equal opportunities monitoring form. The application form will be returned to the Academy by the specified closing date accompanied by a supporting letter. Other forms of curriculum vitae are not acceptable in place of a completed application form.
- 5.2 Applications received after the published closing date will not be considered unless there is clear evidence that the late receipt of the application has been caused by a postal delay. Such evidence would generally be an application with franking showing that it was posted first class at least one day before the published closing date. Applicants are advised to also submit their applications by e-mail to avoid late arrival.
- 5.3 The Trust will require applicants to account for any gaps or discrepancies in employment history on this application form. Where an applicant is shortlisted, these gaps will be discussed at interview.
- 5.4 Applicants should be aware that providing false information is an offence and could result in the application being rejected or summary dismissal if the applicant has been selected, and possible referral to the police and other professional regulatory bodies.

## **6 SHORT LISTING AND REFERENCES**

- 6.1 The selection panel 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.
- 6.2 Shortlisted candidates will be asked to complete a self-declaration of their criminal record or information that would make them unsuitable to work with children.
- 6.3 Two references, one of which must be from the applicant's current/most recent

employer, will be taken up before the selection stage so that any discrepancies may be probed during this stage of the selection process.

- 6.4 References will be sought directly from the referee and, where necessary, he/she will be contacted to clarify any anomalies or discrepancies. Written records will be kept of such exchanges.
- 6.5 Where necessary, previous employers who have not been named as referees may be contacted in order to clarify any such anomalies or discrepancies. Written records will be kept of such exchanges.
- 6.6 If an applicant 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 applicant has worked with children to confirm details of the applicant's employment and their reasons for leaving.
- 6.7 Reference requests will ask the referee to confirm, in writing:
  - 6.7.1 the referee's relationship to the applicant;
  - 6.7.2 details of the applicant's current post and salary;
  - 6.7.3 the applicant's performance history and conduct;
  - 6.7.4 whether the applicant has been subject to capability procedures and the outcome of this;
  - 6.7.5 whether the applicant has been subject to disciplinary action relating to the safety and welfare of children, including where the sanction has expired, and the outcome of this;
  - 6.7.6 details of any substantiated allegations or concerns about the applicant relating to the safety and welfare of children;
  - 6.7.7 whether the referee has any reservations as to the applicant's suitability to work with children and young people (if so, the school will ask for specific details of the concerns and the reasons why the referee believes the applicant may be unsuitable to work with children);
  - 6.7.8 the applicant's suitability for the post with explicit reference to the job description and person specification.
- 6.8 All appointments are subject to satisfactory references, vetting procedures and DBS clearance.
- 6.9 Employer testimonials i.e. those provided by the applicant and/or marked 'to whom it may concern' will not be accepted. References must be in writing and be specific to the job for which the applicant has applied. The selection panel will not accept references from relatives or people writing solely in the capacity as a friend of the applicant, for any post. References will be verified and any discrepancies or areas of potential concern will be discussed with the applicant at interview.

- 6.10 The Trust may conduct online searches of online candidates to identify incidents or issues that have happened and which are publicly available online. The Trust may discuss its findings with the shortlisted candidate at interview
- 6.11 If the field of applicants is felt to be weak, the post may be re-advertised.

## 7 **INTERVIEW & SELECTION**

- 7.1 Prior to the interview and selection process applicants will be given any relevant information, e.g. details of any selection methods that will be used.
- 7.2 Applicants who have a disability or any other particular needs will be given the opportunity to highlight this prior to any selection activities in order that reasonable adjustments may be made to the recruitment process.
- 7.3 All vacancies will require an interview of short-listed applicants. Interviews will always be face-to-face. Telephone interviews may be used at the shortlisting stage but will not be a substitute for a face-to-face interview (which may be via visual electronic link).
- 7.4 Whilst an interview is always likely to be used as the primary feature of the selection process, the selection panel will consider whether any additional selection methods are required to supplement the interview. These may include presentations, teaching observation, interaction with pupils, in-tray exercises, psychometric, verbal or numerical tests, according to the requirements of the role. Any psychometric tests used will have been validated in relation to the job, be free of bias, and be administered and validated only by a suitably trained person.
- 7.5 Whichever methods are chosen, the panel will use these to assess the merits of each applicant against the person specification and explore their suitability to work with children. This will include exploration of the applicants understanding of child safeguarding issues.
- 7.6 The selection panel will ensure that all applicants are asked the same main questions at interview based on the list of essential criteria for the post, although supplementary questions may differ according to the applicants' answers and backgrounds.
- 7.7 Applicants will always be required:
- 7.7.1 to explain satisfactorily any gaps in employment
  - 7.7.2 to explain satisfactorily any anomalies or discrepancies in the information available to the selection panel
  - 7.7.3 to declare any information that is likely to appear on a DBS disclosure
  - 7.7.4 to demonstrate their capacity to safeguard and protect the welfare of children and young people
- 7.8 The interview will also include a discussion of any convictions, cautions or pending prosecutions that the applicant has declared and are relevant to the prospective

employment.

- 7.9 Particular care will be taken to ensure that no questions or selection methods could be viewed as discriminatory.

## **8 EMPLOYMENT CHECKS**

- 8.1 All successful applicants are required to:
- 8.1.1 provide proof of identity (e.g. passport; driving license photocard)
  - 8.1.2 complete an enhanced DBS disclosure application and receive satisfactory clearance;
  - 8.1.3 obtain a barred list check if the individual will start work in regulated activity before the DBS certificate is available;
  - 8.1.4 provide actual certificates of professional qualifications (teaching staff or where required)
  - 8.1.5 provide proof of address (e.g. recent utility bill, bank or credit card statement)
  - 8.1.6 If the candidate has lived or worked outside the UK make any checks the Trust considers appropriate
  - 8.1.7 provide proof of eligibility to live and work in the UK (including EU nationals).
- 8.2 Documentation will be checked by a member of staff suitably trained in safer recruitment processes.
- 8.3 Once an applicant has been offered the post they may be required to complete a confidential health questionnaire to verify their mental and physical fitness to carry out their work

## **9 CONFIRMING THE APPOINTMENT**

- 9.1 The final offer of employment will be subject to:
- 9.1.1 a satisfactory enhanced DBS and barred list check;
  - 9.1.2 confirmation that the applicant does not live with a disqualified person (if the member of staff is expected to work with children under the age of 8);
  - 9.1.3 a check that the applicant is not subject to a prohibition order using the Employer Access Online Service (teachers only);
  - 9.1.4 receipt of a completed confidential health questionnaire which is required to verify the applicant's mental and physical fitness to carry out their work
  - 9.1.5 receipt of final references from previous employers;
  - 9.1.6 a valid work permit for overseas applicants and/or confirmation of settled status under the EU Settlement Scheme (where applicable);



9.1.7 a check that the applicant is not subject to a prohibition or restriction order under section 128 of the Education and Skills Act 2008 (where applicable); and

9.1.8 the applicant's details have been added to the school's Single Central Record (SCR).

9.2 The school reserves the right not to proceed with or to terminate employment with immediate effect if the DBS checks reveals convictions which have not been declared on the application form or if any of the documents provided have been falsified in any way.

## 10 **INDUCTION**

10.1 All employees who are new to the school will receive full induction training that will cover all relevant matters of Trust policy including safeguarding and promoting the welfare of children, child protection procedures, whistle blowing, and guidance on safe working practices.

10.2 Employees will also be required to read, and confirm that they have read, Part 1 of 'Keeping Children Safe in Education'.

## 11 **PERSONNEL FILE AND SINGLE CENTRAL RECORD**

11.1 Recruitment and selection information for the successful applicant will be retained securely and confidentially for the duration of their employment with the Trust including:

11.1.1 application form – signed by the applicant;

11.1.2 interview notes – including explanation of any gaps in the employment history;

11.1.3 references;

11.1.4 proof of identity;

11.1.5 proof of right to work in the UK;

11.1.6 a check of professional qualifications

11.1.7 proof of relevant academic qualifications;

11.1.8 completed a confidential health questionnaire and any medical clearance obtained from the Occupational Health service;

11.1.9 evidence of DBS clearance, Barred List (where applicable), a section 128 check (where applicable) and Teacher Prohibition checks;

11.1.10 offer of employment letter and signed contract of employment.

12 The Trust will maintain a Single Central Record of employment checks in accordance with

relevant Department of Education guidance. The Trust will remove an individual's details from the single central record once they no longer work at the Trust.

### 13 **ADULTS WORKING WITH CHILDREN WHO ARE NOT EMPLOYED DIRECTLY BY THE TRUST**

#### 13.1 **Visitors**

The Trust does not require DBS checks or barred list checks for visitors such as children's relatives. The Executive Headteacher/Headteacher shall determine the level of supervision required for visitors with a professional role (eg educational psychologists or social workers). The Trust will require visitors with a professional role to provide assurance of an appropriate DBS check and the Trust will carry out identity checks when they arrive on site.

#### 13.2 **Supply Staff:**

The Trust will only use those agencies which operate a Safer Recruitment Policy and supply written confirmation that all relevant checks have been satisfactorily completed. The Trust will carry out identity checks when the supply staff member arrives on site.

#### 13.3 **Volunteers**

The Trust will carry out DBS and pre-start vetting checks appropriate to the post (as above) and require regular volunteers to provide details of two referees. References will be taken up, as detailed in this policy. Volunteers who help on an occasional basis (e.g. trips/PTA events) will be supervised, in accordance with legislation.

#### 13.4 **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, the Trust will require proof of DBS enhanced clearance with barred list check and will carry out identity checks when the student arrives at the academy. The Trust will also require students to complete a Disqualification by Association Declaration if they are working within the EYFS.

#### 13.5 **Students on work experience**

Students on work experience will always be supervised and must not be left unattended with pupils.

#### 13.6 **Contractors**

The Trust will ensure that contractors, or any employee of a contractor, working at the Trust have been subject to the appropriate level of DBS check, if any such check is required.

The Trust will set out their safeguarding requirements in the contract between the organization and the Trust.

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 at the trust is self-employed and will be in regulated activity, the Trust 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.

The Trust will check the identity of contractors and their staff on arrival at the school or college.