

# **Safer Recruitment and Selection Policy for Employees and Volunteers**

# Contents

Section	Page
<b>1.0</b> Policy statement	<b>3</b>
<b>2.0</b> Scope and purpose	<b>3</b>
<b>3.0</b> Safer recruitment	<b>3</b>
<b>4.0</b> Advertising	<b>4</b>
<b>5.0</b> Job description	<b>4</b>
<b>6.0</b> Application form	<b>4</b>
<b>7.0</b> References	<b>4</b>
<b>8.0</b> Shortlisting	<b>5</b>
<b>9.0</b> Interviews	<b>5</b>
<b>10.0</b> Other selection methods	<b>6</b>
<b>11.0</b> Pre-employment checks	<b>6</b>
<b>12.0</b> Disclosure and Barring Service (DBS) checks – new employees and volunteers	<b>7</b>
<b>13.0</b> Disclosure and Barring Service (DBS) checks – existing employees and volunteers	<b>9</b>
<b>14.0</b> Agency staff	<b>9</b>
<b>15.0</b> Breaches of the policy	<b>9</b>
<b>16.0</b> Record-keeping and data protection	<b>9</b>
<b>17.0</b> Review of policy	<b>9</b>

## **Appendix 1: Disqualification from childcare information for relevant academies and employees**



## 1.0 Policy statement

- 1.1 Recruiting the best people to our Trust is vital for our continued success in providing the highest standards of education to our students.
- 1.2 Not appointing the right people to our roles can have a negative impact on the performance of our Trust.
- 1.3 The Principal is responsible for the arrangements put in place to recruit to any post, with the exception of the Principal role; in this case, the Trust Board and the Executive are responsible.
- 1.4 In carrying out our recruitment processes, we are committed to the creation of a safe environment for our students by operating safer recruitment practices in line with statutory requirements and guidance.
- 1.5 We are also committed to ensuring that throughout our recruitment and selection processes no applicant is disadvantaged or discriminated against because of the protected characteristics of age, disability, gender, gender re-assignment, marriage or civil partnership, pregnancy or parenthood, race, religion or belief, or sexual orientation.
- 1.6 In the very exceptional cases where we are required to discriminate due to an occupational requirement, this must be approved by the Trust Board who will provide reasons for this requirement.
- 1.7 Recruitment will be solely on the basis of the applicant's abilities and individual merit as measured against the criteria for the job. Qualifications, knowledge, experience and skills will be assessed at the level that is relevant for the job.
- 1.8 At any stage of the recruitment process, if an applicant makes the Trust aware that they have a disability, then reasonable adjustments must be considered to ensure the applicant is not disadvantaged by the process.

## 2.0 Scope and purpose

- 2.1 The purpose of this policy is to set out our processes for recruiting, selecting and appointing any employee to work within our Trust.
- 2.2 Sections 12 and 13 regarding Disclosure and Barring Service checks also apply to volunteers in our Trust.

## 3.0 Safer recruitment

- 3.1 All recruitment must be in line with this policy to ensure that we identify and deter people who pose a risk of harm and prevent them from working with our students.
- 3.2 The recruitment of all applicants and volunteers to our Trust must, without exception, follow the processes of safer recruitment. All offers of employment will be subject to us being satisfied that the applicant or volunteer is a suitable person to work with children and young people.
- 3.3 Any person involved in recruiting to our Trust must read the Keeping Children Safe in Education (2020) guidance (or updated statutory guidance) produced by the DfE and our Trust's Child Protection Policy. All panels must be led by a senior leader who has confirmation of safer recruitment training within the last two years.
- 3.4 All recruitment must be planned to ensure that there is adequate time available to recruit safely.
- 3.5 Any person who becomes aware that this policy is not being followed during recruitment must inform the Principal immediately.
- 3.6 All of the checks described in Sections 11 and 12 must be carried out and determined to be satisfactorily met before an applicant can start their employment in the Trust.

## 4.0 Advertising

- 4.1 Any vacant position will normally be advertised via the appropriate channels to ensure the most appropriate field of applicants is obtained.
- 4.2 All advertisements will include the following statement about safeguarding children and young people, and the requirement to have a DBS check:  
"Dixons Academies Trust is committed to safeguarding and promoting the welfare of its pupils and expects all those working for the Trust to share this commitment."

## 5.0 Job description

- 5.1 A job description is required for all posts. This describes the duties and responsibilities of the post. It must be up-to-date, accurate, and specific to the role. The job description must also include a person specification which outlines all of the necessary skills, experience, qualifications, and knowledge requirements for the post.
- 5.2 All job descriptions and person specifications must make reference to responsibility for safeguarding and promoting the welfare of children.

## 6.0 Application form

All applicants are required to fill out our standard application form. CVs do not replace the application form.

## 7.0 References

- 7.1 All offers of employment will be conditional upon receipt of at least two satisfactory written references. References will:
- be requested for all shortlisted applicants, including internal applicants
  - include the applicant's current or most recent employer (where this is a teaching post, the Headteacher / Principal must be one of the referees). Where an applicant for a teaching post is not currently employed as a teacher, references should include the applicant's most recent employer as a teacher
  - include details from the current employer of any capability and disciplinary history in the previous two years and the reasons for this
  - be directly from the referee
  - not be accepted if they are presented as open letters with the salutation "to whom it may concern"
  - include information on the applicant's suitability to work with children and young people
  - be requested before the interview
  - be scrutinised and explored further with the referee and with the applicant during the interview if necessary
- 7.2 In the event where it has not been possible to obtain references before the interview, any concerns that are subsequently raised will need to be resolved before the appointment is confirmed.
- 7.3 In order to comply with the Equality Act 2010, information relating to sickness absence will only be requested after a conditional offer of employment has been made.

## 8.0 Shortlisting

- 8.1 Applicants will be shortlisted against the requirements of the person specification. The shortlisting and interviews should be carried out by the same people. The outcome of the shortlisting process will be recorded and retained.
- The equal opportunities monitoring form must be removed from the application and not provided to the shortlisting panel.
- 8.2 The shortlisting panel are responsible for scrutinising the application forms and identifying any gaps in employment or other areas that may affect an applicant's suitability to work with children and young people. A satisfactory explanation for any concerns must be obtained from the applicant during the interview process and further details included in the application form.

## 9.0 Interviews

- 9.1 A face-to-face interview must take place before any applicant can be appointed to any post. The use of videoconferencing may be acceptable for this purpose under specific circumstances.
- 9.2 All those involved in interviewing must be properly trained. The senior leader on the panel must have appropriate safer recruitment training in order for the interview to take place.
- 9.3 The purpose of the interview is to assess the merits of each applicant against the job description and person specification in order to establish their suitability for the post and work with children and young people.
- 9.4 Interviews should be conducted with a minimum of two interviewers on the panel to enable one interviewer to assess, observe, and make notes, while the applicant talks to the other interviewer.
- 9.5 Before the interview commences, the interview panel should have:
- prepared appropriate questions for the role
  - prepared appropriate questions to test the applicant's suitability to work with children and young people
  - identified any areas for further probing; e.g. if a criminal record has been declared or if there are gaps in employment history, etc
  - agreed assessment criteria which reflect the person specification
  - decided on a structure for the interview and established which member of the panel will ask which questions
- 9.6 A set of common questions relating to the requirements of the post will be asked of each applicant. Their responses to these questions will determine whether they are followed up with further questioning.
- 9.7 Any gaps in employment history or declaration of a criminal record or caution must be explored further during the interview process.

## 10.0 Other selection methods

- 10.1 In addition to a face-to-face interview with the interview panel, a variety of other selection methods may be used, such as:
- observation of teaching practice
  - one or more additional panel interviews
  - a presentation
  - in-tray exercises
  - psychometric testing

- 10.2 Those responsible for deciding the arrangements for recruitment to a specific post will determine the selection method(s). These will be relevant and appropriate to the role and will be based on the requirements for the particular post as set out in the job description and person specification.
- 10.3 Candidates will be informed in advance if any selection methods are to be used in addition to a face-to-face interview and given details as to what these are.

## 11.0 Pre-employment checks

- 11.1 An offer of appointment to the successful applicant will be conditional upon the following:
- receipt of at least two satisfactory written references (one of which must be their current or most recent employer)
  - verification of the applicant's identity, preferably by current photographic identification and proof of address
  - verification of the applicant's medical fitness in relation to the role
  - verification of qualifications where relevant
  - verification of professional status where applicable. For teachers, this will include checking that the individual has the required teaching qualification and has successfully completed any statutory induction
  - satisfactory enhanced DBS check (see Section 12)
  - for teachers and other employees who hold QTS and are working in non-teaching roles, verification that they are not subject to a prohibition order by checking the Teacher Services system
  - for teachers, a satisfactory check of the teachers sanctioned in other EEA member states list to determine any restrictions / sanctions that have been imposed in other EEA member states, through the Teacher Services system<sup>1</sup>
  - for management staff including middle and senior managers and governors, verification that they are not subject to a S128 direction
  - a clear children's barred list check (except for supervised volunteers)
  - verification of right to work in the United Kingdom
  - any further checks where the applicant has lived or worked outside of the UK with the relevant embassy, including a good character certificate / receipt of criminal record information from overseas.
  - confirmation, if appropriate, that the applicant is not disqualified under the Disqualification Regulations (See Appendix 1)
  - social media checks to ensure the applicant is suitable to work with children and will not bring the organisation into disrepute
- 11.2 All checks must be confirmed in writing, retained on the personnel file, and recorded in the single central record (SCR).

Who?	Definition	Type of check
<b>Employees who will be engaging in regulated activity</b>	<p>As an educational institution which is exclusively or mainly for the provision of full-time education to children, the Dixons Academies Trust is an institution specified in the relevant legislation. Activity carried out under our aegis will, therefore, be regulated activity relating to children if it meets the definition in the relevant legislation, including that it is carried out:</p> <ul style="list-style-type: none"> <li>• frequently (for example once a week or more)</li> <li>• on more than three days in any period of 30 days</li> </ul> <p><b>Note:</b> personal care of a child because of age, illness, or disability, including physical help with eating, toileting, washing, bathing, or dressing, is always regulated activity, regardless of how frequently it is carried out.</p>	An enhanced DBS check with children's barred list check will always be obtained
<b>Unsupervised volunteers</b>	As above	An enhanced DBS check with children's barred list check will always be obtained
<b>Supervised volunteers</b>	<p>Where an individual is a volunteer (e.g. carrying out activity that is unpaid), they will not be engaging in regulated activity if:</p> <ul style="list-style-type: none"> <li>• they are being supervised by someone that is in regulated activity</li> <li>• the supervision is regular and day-to-day (i.e. it is ongoing)</li> </ul> <p>The supervision includes reasonable efforts in all circumstances to ensure the protection of children (this may take into account, for example, the age, number and vulnerability of children the individual is working with and whether other individuals are helping to look after them).</p>	We are unable by law to obtain a barred list check for a supervised volunteer. We will, however, obtain an enhanced DBS check (with no barred list check) for supervised volunteers.

<sup>1</sup>EEA regulator restrictions do not prevent an individual from taking up teaching positions in England; however, employers should consider the circumstances leading to the restriction when assessing a candidate's suitability for employment. Please note, only EEA restrictions that are determined after 18 January 2016 will be displayed on the Teacher Services system



## 12.0 Disclosure and Barring Service (DBS) checks – new employees and volunteers

12.2 The Trust will carry out DBS checks as follows for new appointments, before the employee or volunteer starts work:

- in exceptional circumstances, a new employee may be able to start before the enhanced DBS check has been received, but not before the children's barred list check has been completed. The Trust must ensure that appropriate supervision is in place until the DBS check has been received and the Principal must complete a risk assessment. Teachers will not be able to start without all the appropriate and completed checks.
- DBS certificates will only be issued to the applicant. All applicants must produce the disclosure when requested to do so. The disclosure will be scrutinised to ensure it is authentic and to detect any fraud. The DBS disclosure number and date of the check must be recorded in the SCR. With the applicant's consent, we will photocopy their certificate which will be held for no longer than necessary and processed in line with the General Data Protection Regulation 2018.
- any applicant who refuses to produce their DBS disclosure will not be able to start work at the Trust and the conditional offer will be withdrawn as satisfactory checks were not in place. Any volunteer who refuses to produce their disclosure will not be able to volunteer with the Trust
- applicants have the option to keep their DBS certificate up-to-date and take it with them from role to role where the same type and level of check is required. Applicants or volunteers can be asked if they wish to subscribe to this service. The cost of this service is £13 per year (free for volunteers). The expectation is that individuals will personally fund this. Where the applicant or volunteer has already subscribed to this service, they should provide the academy with the original disclosure document to be verified and the employer will check the online update for any changes
- information relating to an individual's criminal record will only be shared with the relevant people to enable the Trust to make a decision about the individual's suitability to work with children and young people. It will be held for no longer than is necessary and will be processed in line with the General Data Protection Regulation 2018

## 13.0 Disclosure and Barring Service (DBS) checks – existing employees and volunteers

- 13.1 An enhanced DBS check and a children's barred list check will be carried out for all existing staff and unsupervised volunteers where their contact with children or young people has increased from that at their time of appointment.
- 13.2 An enhanced DBS and children's barred list check may be carried out for any employee or unsupervised volunteer where the Trust has concerns about an individual's suitability to work with children and young people. An enhanced DBS (no barred list check) may be carried out for any supervised volunteer where there are concerns about their suitability to work with children and young people.
- 13.3 DBS certificates will only be issued to the applicant. The Trust expects all applicants to produce the disclosure when requested to do so. Any existing employee who does not produce their DBS disclosure upon request will be subject to a disciplinary process.
- 13.4 All existing employees are required to inform the Trust of any change in their criminal record. This includes convictions, cautions, arrests, and police investigations. The Trust may require all employees to sign a declaration on an annual basis that there has been no change in their criminal record. Action may be taken as a result of any change or any failure to inform the Trust of any change.

## 14.0 Agency staff

In the case of agency staff, the Trust must ensure that the arrangement with the agency imposes an obligation on the agency to carry out all recruitment checks as set out in Section 10, including DBS and children's barred list checks that the Trust would otherwise complete for its staff. The Trust must obtain written confirmation from the agency that these checks have been carried out and are satisfactory. This must be recorded in the SCR.

## 15.0 Breaches of the policy

- 15.1 Any instances of this policy not being adhered to will be taken very seriously and appropriate disciplinary action will be taken.
- 15.2 Any complaint in relation to this policy, including its application, will be managed through the Trust's complaints policy or grievance policy (for existing employees).

## 16.0 Record-keeping and data protection

All written records of interviews, application forms, and reasons for appointment or non-appointment will be kept by the Trust for six months, unless a longer time period can be justified by the Principal. Records will be treated as confidential and kept for no longer than necessary in accordance with the General Data Protection Regulation 2018.

## 17.0 Review of policy

The Executive will monitor the application and outcomes of this policy on an annual basis to ensure it works effectively and conforms to current legislation and HR advice. Any revisions will be presented to the Trust Board for approval.

## Appendix 1: Disqualification from childcare information for relevant academies and employees

Information on Disqualification under the Childcare Act 2006 and obligations relating to Childcare (Disqualification) Regulations 2018.

Disqualification under the Childcare Act 2006 sets out the circumstances in which an individual will be disqualified and may not provide relevant childcare provision or be directly concerned in the management of such provision. Schools are prohibited from employing (or using as a volunteer) a disqualified person in connection with relevant childcare provision in certain settings. A copy of the statutory guidance can be found here:

<https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006>

As we are a school setting providing childcare, we are required to check that individuals working in relevant roles are not disqualified under the regulations. The role that you have been conditionally offered has been identified as one to which the disqualification declaration applies.

Relevant staff are those working, volunteering or directly concerned with the management of child care of reception age children at any time; or children older than reception until age eight, outside school hours.

By way of a summary, a person is disqualified if any of the following apply:

- they have been cautioned for, or convicted of certain violent or sexual criminal offences against adults and any offences against children;
- they are the subject of an Order, direction or similar in respect of childcare, including orders made in respect of their own children;
- they have had registration refused or cancelled in relation to childcare of children's homes or have been disqualified from private fostering;

Under the legislation a person is disqualified if they are found to have committed a 'relevant offence', which includes (a) being convicted of a relevant offence or (b) on or after 6 April 2007, being given a caution, reprimand or warning for a relevant offence. A list of the relevant offences that lead to the disqualification of an individual is set out in the tables in the statutory guidance.

Please read through this and contact us before your employment commences if you have anything to declare under the disqualification guidance. If you are unsure if a specific offence / event is applicable to you after reading the Ofsted lists, then please let us know so that we can advise you appropriately. If you cannot access this information via the link, please let us know.

You should also be aware that, from this point forward, if your circumstances change relating to the disqualification guidance, you are obligated to inform us of this without delay.