SAFER RECRUITMENT POLICY

Introduction

In line with the HILT's statutory duties under the Safeguarding Vulnerable Groups Act 2006, the DfE Keeping Children Safe in Education guidance and the Protection of Freedoms Act 2012 to safeguard children, the Trust is required to carry out a number of checks on all staff, whether they are permanent, temporary, casual, voluntary, Trust-based supply or agency-based supply.

This policy does not form part of any employee's terms and conditions of employment and is not intended to have contractual effect. It is provided for guidance to all members of staff at the Trust who are required to familiarise themselves and comply with its contents. The Trust reserves the right to amend its content at any time.

Aims of this Policy

The aims of the Trust's Safeguarding in Recruitment Policy are as follows:

- to ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position;
- to ensure safeguarding and promoting the welfare of children and young people is an integral factor at each stage of the recruitment and selection process;
- to adopt a safer recruitment process, which helps to promote a safe culture and complements other 'safety' elements such as health and safety and Trust security;
- to attract and recruit suitably skilled and motivated staff to help raise standards and reduce the risk to children and young people;
- to ensure that those that are responsible for each stage of the recruitment process demonstrate a professional approach by dealing honestly, efficiently and fairly with all applicants;
- to ensure that no job applicant is treated unfairly on any grounds including sex, sexual orientation, marital or civil partner status, pregnancy or maternity, gender reassignment, race, religion or belief, disability or age;
- to ensure compliance with all relevant recommendations and guidance including the recommendations of the DfE in the "Keeping Children Safe in Education" guidance and the Code of Practice published by the Disclosure and Barring Service;
- to ensure that the Trust meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks.

Employees involved in the recruitment and selection of staff are responsible for familiarising themselves, and complying with, the provisions of this policy.

The measures described in this policy will be applied to all who are employed to work at the Trust and incorporated within the scope of this policy are staff employed by contractors, supply staff, volunteers and the like who work at the Trust.

Personal Data – Single Central Record

The Trust holds a central record incorporating all employed staff (and others) that have contact with children. The record is available to the Senior Leadership Team, the Chair of Governors and the Governor responsible for Safeguarding.

The record details a range of checks as set out by the DfE, and the responsibility for the maintenance of this record is with the Headteacher, but this function can be delegated to a member of the Senior Leadership Team.

Equal Opportunities

Fairness in how we recruit and select our staff plays a significant part in creating an equal opportunities environment. Our aim is that every internal and external applicant who applies for a position within the Trust is considered against criteria, which relates only to the requirements of the job.

The Recruitment and Selection Procedure - Prior to the Recruitment Process

1. Documents confirming Identification

In accordance with the recommendations of the DfE, the Trust carries out a number of pre-employment checks in respect of all its prospective employees to ensure effective safeguarding.

All applicants who are invited to an interview will be required to bring the following evidence of identity, address and qualifications in order for the Trust
to verify their name, date of birth and current address:

- current driving licence (including photograph) or passport or full birth certificate;
- two utility bills or statements (from different sources) less than three months old showing their name and home address;
- documentation confirming their National Insurance number (P45, P60 or National Insurance card); and
- documents confirming any educational and professional qualifications referred to in their Application Form.

These identification documents will also be sufficient to enable a Disclosure and Barring Service (DBS) check to be carried out (see below).

Where an applicant claims to have changed their name by deed poll or any other mechanism (e.g. marriage, adoption, statutory declaration) they will be required to

provide documentary evidence of the change. In all cases original documents (not photocopies) must be provided.

Original documentation in respect of any specific qualifications relevant to the post (e.g. academic qualifications, vocational qualification such as the QTS or in relation to a specific subject field, First Aid or Food Hygiene) that has been entered on the application will also be required.

In the case of teaching staff and many support staff roles, references will have been sought prior to an interview and in other cases shortly thereafter. This applies to all internal applicants as well as external applicants.

HILT appointments are always subject to receipt of satisfactory references and satisfactory screening and vetting.

2. Advertising

Adverts for vacancies will demonstrate the Trust's commitment to safeguarding in recruitment and vetting procedures, protecting every potential applicant from unfair practice and ultimately safeguarding children as much as possible. Promoting commitment to safeguarding and child protection can act as a deterrent to would-be abusers. Thought will be given to wording, pictures and images used to ensure that they could not be considered discriminatory.

The following information will usually be included within the text of the advert:

- name of School/Trust
- post title
- hours of work
- grade or scale
- salary (actual salary for part time)
- permanent or fixed term (stating duration if fixed term).
- brief details about what the job entails and the type of skills and experience required, including responsibility for safeguarding children.
- confirmation that an Enhanced DBS Disclosure will be required.
- contact details
- closing date

3. Job Descriptions & Person Specification

Job descriptions will define the purpose, duties and responsibilities of the post, as well as the qualifications and experience needed to perform the job, with particular attention to working with vulnerable groups. The Job Description and Person Specification will make reference to the School/Trust's commitment to the safeguarding of students.

All posts at the School/Trust will require an Enhanced DBS Disclosure where an individual is likely to come into direct contact with pupils.

4. Application Pack

The importance of safeguarding and protecting children at HILT will be promoted throughout the recruitment process in order to deter unsuitable candidates.

HILT's Application Pack will normally include the following: Application Form, Job Description and Person Specification, Information Sheet about the School/Trust, the Trust]s Equal Opportunities Policy, the Trust's Child Protection Policy Statement and information on an Enhanced DBS check.

During the Recruitment Process

1. **Interview**

The interview will assess the merits of each candidate against the job requirements and will explore their suitability to work with children. A face-to-face interview will always be carried out as part of the recruitment process unless exceptional circumstances apply.

The Interview panel will consist of a minimum of **two** interviewers, one of whom will be the safeguarding representative who will have completed their safer recruitment training. Where the interview is for a teaching post, the Headteacher, Deputy Headteacher or an Assistant Headteacher will form part of the interview panel. Where the interview is for a support staff post, the Headteacher or a Assistant Headteacher will form part of the selection panel.

Interviews Conducted by Video Conference:

In exceptional circumstances, interviews via video conferencing may take place. Such interviews should not be recorded or stored. The interviewee should be informed of this in the invitation to interview.

Candidates should be sent a request for ID (including photo ID) prior to the video interview to ensure that the person who is applying is the person who is interviewed.

2. **English Fluency**

Employees working in any role that requires them to communicate with pupils, parents, guardians, staff and / or members of the community, must be able to speak fluent English to enable the effective performance of the role and to ensure that they are able to abide by their safeguarding responsibilities.

The fluency duty does not create a higher standard than already required for Teachers at the Trust who are already annually appraised against the Teachers Standards.

3. **Conditional Offer of Employment**

Any offer of employment with the Trust will be conditional on the satisfactory completion of the following:

- the receipt of at least two satisfactory references;

- satisfactory Enhanced DBS Disclosure and where the appointee has lived outside the United Kingdom, a certificate of good conduct (or equivalent) if applicable;
- where applicable, satisfactory DBS checks in respect of the Children's and Adult's Barred List;
- confirmation of the candidate's medical fitness (through a pre-employment health check);
- verification of qualifications by the individual by providing original certificates;
- verification of professional status where required;
- verification that the candidate has not been prohibited from teaching or carrying out teaching work by the Teaching Regulation Agency where relevant;[AH1]
- verification that the candidate has not been prohibited from carrying out management work where relevant;
- Letter of professional standing from the overseas professional regulating authority where relevant;
- verification of the candidate's identity;
- verification of the candidate's right to work in the UK.

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

The details of checks will be reported to the police and/or the Disclosure and Barring Service (DBS) if:

- the DBS disclosure shows that an applicant has been disqualified from working with children;
- an applicant has provided false information in, or in support of, their application; or
- there are serious concerns about an applicant's suitability to work with children gained from other legitimate information sources (e.g. references).

Pre-employment Checks

1. **References**

The purpose of obtaining a reference is to ensure that the Trust has objective and factual information to support appointment decisions. References will normally be taken up on shortlisted candidates prior to interview including staff who may already be employed by the Trust.

All offers of employment will be subject to the receipt of a minimum of two references which the Trust deems satisfactory, one of which must be from the applicant's current or most recent employer. If the current/most recent employment does/did not involve work with children, then the second referee should be from the employer with whom the applicant most recently worked with children. Neither referee should be a relative or someone known to the applicant solely as a friend.

All referees will be asked whether they believe the applicant is suitable for the job for which they have applied and whether they have any reason to believe that the applicant is unsuitable to work with children. All referees will be sent a copy of the Job Description

and Person Specification for the role that the applicant has applied for. If the referee is a current or previous employer, they will also be asked to confirm the following:

- the applicant's dates of employment, salary, job title/duties, the reason for leaving, performance, sickness and disciplinary record;
- whether the applicant has ever been the subject of disciplinary procedures involving issues related to the safety and welfare of children (including any in which the disciplinary sanction has expired);
- whether any allegations or concerns have been raised about the applicant that relate to the safety and welfare of children or young people or behaviour towards children or young people;
- The Trust will only accept references obtained directly from the referee and it will not rely on references or testimonials provided by the applicant or on open references or testimonials;
- The Trust will compare all references with any information given on the application form. Any discrepancies or inconsistencies in the information will be taken up with the applicant before any appointment is confirmed.

2. Criminal Record Check

Due to the nature of the work, the Trust applies for criminal record certificates from the Disclosure and Barring Service ("DBS") in respect of all prospective staff members and volunteers.

The type of check that may be requested from the DBS will depend on the nature of the position. If the individual is applying for a position that may provide them with an opportunity to engage in regulated activity with children, then an Enhanced Check with Barred List will be required. This check will contain details of all convictions, adult cautions, reprimands or warnings (except those which are "protected" as defined in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013 and amended in 2020) held on the Police National Computer.

The Enhanced Check with Barred List will also reveal whether the individual is barred from working with children by virtue their inclusion on the lists of those considered unsuitable to work with children.

An Enhanced Check may also contain non-conviction information from local police records and/or protected information (as defined above) which the police consider may be relevant to the work the individual will be undertaking.

Applicants with recent periods of overseas residence and those with little or no previous UK residence may also be asked to apply for the equivalent of a Disclosure if one is available in the relevant jurisdiction(s).

Should DBS clearance be delayed and employment commence before it is received, the Trust may agree to the individual commencing work but before doing so shall obtain a barred list check (where required), undertake a Risk Assessment on the prospective member of staff concerned and make arrangements as appropriate for the member of staff to be paired with or supervised by another member staff who has received DBS clearance.

Volunteers, Agencies and Agency Staff

The Trust expects supply/temporary worker agencies/contractors that are used by the Trust to register with the Enhanced DBS Disclosure on their own account and to follow this policy or their own comparable policy. **Proof of registration will be required before the Trust will commission services from any such organisation.**

The agency must provide evidence of the checks carried out on their central record.

The agency must also ensure that the supply staff member is aware that they have to bring in their DBS Certificate, proof of qualifications (e.g. QTS Certificate) and identification documents (proving their name, date of birth and address) on the first day of their supply work for the Trust.

The Trust reserves the right to terminate the contract with the agency and send home an agency staff member without notice should these terms of safe recruitment practice be breached by the agency or the member of agency staff. In this instance, the Trust will not be liable for any charges connected to the booking.

All Volunteers who have direct contact with children on a regular basis will be required to have a DBS check. Headteacher will apply a risk assessment to assess the need for an enhanced DBS check on an individual basis.

Suitability declaration form (disqualification)

In accordance with the DfE Disqualification under the Childcare Act 2006 guidance regarding the Childcare Act 2006 schools are specifically required to establish that members of staff are not disqualified from working with children who have not yet reached the age of 8 in order to comply with the Childcare Act 2006 and the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018.

Individuals employed within one of the 'relevant settings' listed below, will be required to complete and submit a Suitability Declaration Form [AH2] upon, declaring that they are not disqualified from undertaking such work upon appointment:

- Staff providing childcare to a child from birth until 1 September following a child's fifth birthday. This will include staff who provide education in nursery and reception classes and/or any supervised activity for these children, which occurs during or outside of school hours, such as breakfast clubs, lunchtime supervision and after school care provided by the Trust.
- Individuals providing childcare to children aged between 5 and 8 years old outside of an education setting. This means staff providing breakfast club or after school provision for children within this age bracket. It does not include staff who teach these children during the school day, nor does it include any extended school hours for co-curricular learning activities such as the Trust's choir or a sports team.
- Staff directly concerned with the management of the above childcare. This includes the Headteacher, and may also include other members of the Trust's

leadership team and any manager, supervisor, leader to volunteer responsible for the day-to-day management of the provision.

Should you need to, you can find out more about disqualification in the Department for Education's guidance: https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006

Rehabilitation of Offenders Disclosure

The Trust will not unfairly discriminate against any applicant for employment on the basis of conviction or other details revealed. The Trust makes appointment decisions on the basis of merit and ability. If an applicant has a criminal record this will not automatically debar him/her from employment within the Trust. Instead, each case will be decided on its merits in accordance with the objective assessment criteria.

In view of the fact that all positions within the Trust will amount to "regulated positions", all applicants for employment must declare all previous convictions and adult cautions (except those which are "protected" as defined in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013 and amended in 2020). A failure to disclose a previous conviction or adult caution may lead to an application being rejected or, if the failure is discovered after employment has started, may lead to summary dismissal on the grounds of gross misconduct. A failure to disclose a previous conviction may also amount to a criminal offence.

Under the relevant legislation, it is unlawful for the Trust to employ anyone who is included on the lists, maintained by the DfE and the Department of Health, of individuals who are considered unsuitable to work with children. In addition, it will also be unlawful for the Trust to employ anyone who is the subject of a disqualifying order made on being convicted or charged with the following offences against children: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence.

It is a criminal offence for any person who is disqualified from working with children to attempt to apply for a position within the Trust. If:

- the Trust receives an application from a disqualified person;
- is provided with false information in, or in support of an applicant's application; or
- the Trust has serious concerns about an applicant's suitability to work with children,

it will report the matter to the Police, DBS and/or the DfE.

1. **Assessment Criteria**

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the Trust will consider the following factors before reaching a recruitment decision:

- whether the conviction or other matter revealed is relevant to the position in question;
- the seriousness of any offence or other matter revealed;
- the length of time since the offence or other matter occurred;
- whether the applicant has a pattern of offending behaviour or other relevant matters;
- whether the applicant's circumstances have changed since the offending behaviour or other relevant matters; and
- the circumstances surrounding the offence and the explanation(s) offered by the convicted person.

If the post involves regular contact with children, it is the Trust's normal policy to consider it high risk to employ anyone who has been convicted at any time of any the following offences:

- against adults: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence;
- against children or adults: serious class A drug-related offences, robbery, burglary, theft, deception or fraud.

If the post involves access to money or budget responsibility, it is the Trust's normal policy to consider it a high risk to employ anyone who has been convicted at any time of robbery, burglary, theft, deception or fraud.

If the post involves some driving responsibilities, it is the Trust's normal policy to consider it a high risk to employ anyone who has been convicted of drink driving within the last 10 years.

2. Assessment Procedure

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the Trust will carry out a risk assessment by reference to the criteria set out above. The assessment form must be signed by the Headteacher of the Trust before a position is offered.

If an applicant wishes to dispute any information contained in a Disclosure, they can do so by contacting the DBS directly. In cases where the applicant would otherwise be offered a position were it not for the disputed information, the Trust will, where practicable, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the Disclosure information.

3. Retention and Security of Disclosure Information

The Trust's policy is to observe the guidance issued or supported by the DBS on the use of Disclosure information.

In particular, the Trust will:

- store Disclosure information and other confidential documents issued by the DBS in locked, non-portable storage containers, access to which will be restricted to members of the Trust's senior leadership team and the Headteacher's personal assistant;
- not retain Disclosure information or any associated correspondence for longer than is necessary. In most cases, the Trust will not retain such information for longer than 6 months although the Trust will keep a record of the date of a Disclosure, the name of the subject, the type of Disclosure, the position in question, the unique number issued by the DBS and the recruitment decision taken;
- ensure that any Disclosure information is destroyed by suitably secure means such as shredding; and
- prohibit the photocopying or scanning of any Disclosure information.

The Trust complies with the provisions of the DBS Code of Practice, a copy of which is available on request.

Retention of Records

If an applicant is appointed, the Trust will retain any relevant information provided on their application form (together with any attachments) on their personnel file. This file will be stored by the Trust for up to 6 years following termination of employment.

If the application is unsuccessful, all documentation relating to the application will normally be confidentially destroyed after 6 months, unless the applicant specifically requests the Trust to keep their details on file.

Any queries relating to the policy above should be directed to

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