



L.E.A.D. Academy Trust

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# Safer Recruitment Policy

## 1. Policy Statement

This policy has been developed to ensure that the recruitment of staff or volunteers who work for L.E.A.D. Multi Academy Trust (MAT) is compliant with DfE guidance. It outlines the systems in place to help deter, reject or identify people who may abuse children.

It applies to all people who carry out work across the MAT, whether paid, voluntary, supplied by an agency or under a service term agreement.

## 2. The Recruitment Process

The importance of safeguarding and protecting children attending a L.E.A.D. Academy will be promoted as much as possible throughout the recruitment process in order to deter would-be abusers.

The need for a thorough safe recruitment process is paramount and timelines for the appointment of staff will vary depending on the time it takes to receive all of the appropriate pre-employment checks and for the candidate to serve a notice period.

It is recognised that appointments often need to take place speedily to ensure continuity of provision for the children within our academies, however no appointment process will circumvent the measures described in this policy for the sake of expediency.

At the start of the recruitment process it is important to define what the responsibilities of the post-holder will be, as well as the qualifications and experience needed to perform the role.

All Job Descriptions will, as a minimum detail:

- ✓ Job Title
- ✓ Salary
- ✓ Purpose of Role
- ✓ Skills and experience needed
- ✓ Our commitment to safeguarding children and the requirement of a DBS check and the level appropriate
- ✓ Professional qualifications needed

All recruitment advertisements will display the following:

- ✓ Job Title
- ✓ Hours of Work
- ✓ Salary + allowances if applicable
- ✓ Contract Type (fixed term, permanent, casual)
- ✓ Safeguarding Statement *'The L.E.A.D. Multi Academy Trust is committed to safeguarding and promoting the welfare of children and young people and we expect all staff and volunteers to share this commitment. This post is subject to a Disclosure and Barring Service check.'*
- ✓ Closing Date

### 2.1. Invites to Interview

Office Managers/Business Managers are advised to use the Invite to Interview pro-forma which is Appendix A of this policy.

## 2.2. References

References will be requested for all shortlisted candidates, including internal ones prior to interview. At least one reference should be from their current or most recent employer.

Referees for all candidates will be asked specific role and child protection related questions. This avoids references which may have been written as part of a compromise agreement and would not state any adverse qualities or incidents involving the candidate.

The MAT reserves the right to seek references from the current employer even if they are not listed as referees on the application form.

The Office Manager/Business Manager or delegated other, will check for any employment gaps and highlight any found to the panel. These will be investigated at interview. The interview panel will explore patterns of repeated change in career or employers at interview, ensuring that the reasons for this are fully explored.

Receipt of at least two satisfactory references are a condition of employment therefore if this condition is not met in full, it may result in the offer of employment being withdrawn with immediate effect.

## 2.3. Interviews

On arrival for interview the original documents requested in the invitation to interview letter will be obtained from each candidate and copied.

The interview process will allow time for any discrepancy in a candidate's application or references to be scrutinised and clarified. Interviewers will question candidates regarding any employment gaps, criminal record disclosures, fitness for the role, previous experience, suitability for the post and their motivation to work with children. The recruiting manager will be certain they have explored all relevant areas before they offer a post. All interviews will be carried out on a face to face basis.

On the rare occasions where teachers have applied from overseas then it may be appropriate to interview via video conferencing. The composition of an interview panel will reflect the nature of the post.

## 3. Post Interview Checks

Posts within schools are exempt from the Rehabilitation of Offenders Act 1974 (updated guidance March 2014), therefore as a prospective employer, we encourage candidates to disclose any *unspent* and *spent* convictions during the application stage.

Disclosing a criminal background will not be used as a reason to not shortlist a candidate, unless it involves violence and/or the safety of children.

Having a criminal conviction will not necessarily bar a person from working with children. Successful candidates will be required to complete a DBS application form (and Disqualification by Association where appropriate). Once an Enhanced DBS with barred list clearance is verified, any discrepancy in convictions declared on the application form and the DBS clearance will be discussed with the candidate and may lead to the offer of employment being withdrawn with immediate effect, even if the person has commenced work.

For most appointments, an enhanced DBS check with barred list information will be required as the majority of staff will be engaging in regulated activity. A person will be considered to be in '**regulated activity**' if as a result of their work they:

- will be responsible, on a regular basis in a school or college, for teaching, training instructing, caring for or supervising children; or
- will carry out paid, or unsupervised unpaid, work regularly in a school or college where that work provides an opportunity for contact with children; 27 or
- engage in intimate or personal care or overnight activity, even if this happens only once.

A supervised volunteer who regularly teaches or looks after children is not in regulated activity.

To assist recruiting managers in determining what level of background check is appropriate further guidance can be obtained by a HR Business Partner and/or reviewing Appendix B, Regulated Activity in Relation to Children Scope.

Any offer of employment to any post across the MAT will be conditional on satisfactory completion of the necessary pre-employment checks detailed below:

### **3.1. Verification of Candidates Identity**

It is vital that we know who our staff, including volunteers and governors, and have evidence to prove this. Evidence of identity will be sought as part of the enhanced DBS check. We will verify a candidate's identity from current photographic ID and we will ask to see proof of address.

Photocopies of documentation will be taken by the administration team and kept on file for anyone appointed in an academy.

### **3.2. Enhanced DBS check with Children's Barred List Check**

All employees will be considered to take part in regulated activity and therefore we will require them to be checked against the Children's Barred List and obtain an enhanced DBS check.

The Head Teacher will review the completed DBS check and determine if it meets the required standard. Where it does not, advice will be sought from the HR Department and may result in the offer of employment being withdrawn with immediate effect.

Should copies of a DBS certificate be taken, these will be retained for no longer than six months from the date of copying.

Individuals may hold a portable DBS check. This allows for the portability of the Enhanced DBS with Barred List certificate across to the MAT.

Before using the update service, academies need to obtain:

- consent from the applicant
- confirmation the certificate matches the applicant's identity
- sight of the original certificate to ensure the level of check/position appropriate is relevant for the role.

The Head Teacher, or delegated other can access this service via <https://secure.crbonline.gov.uk/crsc/check?execution=e1s1>

### **Obtain a separate Barred List if the employee is start work in regulated activity before the DBS certificate is available**

This is only applicable and should only be accessed for employees engaging in regulated activity.

An immediate check can be made against the Barred List via the Teachers' Pension Online Portal [www.TPOnline.co.uk](http://www.TPOnline.co.uk)

Each location of work across the MAT has a unique username and password, which is attached to an individual license. This needs to be re-submitted on an annual basis to ensure that access is not interrupted.

### **3.3. Medical Clearance**

Successful candidates will be required to complete a medical questionnaire. Depending on the answers given by the candidate, a referral to Occupational Health may be required to assess fitness for work. If a referral is made then job offers are confirmed only when a letter has been received from Occupational Health declaring them fit for the post for which they have applied.

### **3.4. Prohibition Order**

The administration department will ensure that a candidate who is a registered teacher is not subject to a prohibition order issued by the Secretary of State. They will use the Employer Access Online Service to check this detail.

### **3.5. Prohibition from management order (Section 128 Direction)**

The Academy will check whether applicants appointed to management positions after 12 August 2015 are subject to a Section 128 Direction. (This is a direction made by the Secretary of State under s.128 of the Education and Skills Act 2008 barring individuals from taking part in the management of an independent school).

The scope of the barring directions (as detailed in the DfE's confirmation letter of 11 August 2015) covers membership of proprietor bodies (including governors if the governing body is the proprietor body for the school), and all staff positions as follows: Head Teacher, any teaching positions on the senior leadership team, and any teaching positions which carry a department headship. Other teaching posts with additional responsibilities do not count as "taking part in management". For non-teaching staff, only posts which are part of the senior leadership team (Executive team) should be regarded as "management" for the purposes of checking for the existence of the barring direction.

The checks will be made via either the DBS route or via the NCTL Teacher Services' System.

### **3.6. Right to work in the UK**

The administration department will request documentation from the candidate to verify their right to work in the UK. This will be checked against the requirements of the Border Agency.

Where the right to work in the UK cannot be verified, the offer of employment will be immediately withdrawn.

### **3.7. Overseas Check**

If the candidate has lived or worked outside of the UK, the Office Manager/Business Manager will complete any further checks detailed within the KCSIE statutory guidance.

### **3.8. Verification of Professional Qualifications**

The administration department will request that successful candidates provide evidence of the qualifications that they have detailed on their application form. A copy of the certificates will be kept on the personnel file of the employee.

These checks will be made clear to candidates at interview. The candidate will not be made an unconditional offer at any point prior to the receipt of all satisfactory pre-employment checks.

### **4. Induction**

All staff members should be made aware of systems within their individual academy which support safeguarding and the welfare of all pupils.

All staff, including volunteers and agency supply personnel will receive copies of:

- The child protection policy
- The staff code of conduct policy
- Information regarding the role of the designated safeguarding lead
- Part One of Keeping Children Safe in Education May 2016 (KCSIE)
- Safeguarding and child protection training, which is updated at least annually, to provide employees with the relevant skills and knowledge to safeguard children effectively.

All staff employed by the MAT should read at least Part One of KCSIE to aid the understanding of their role and responsibility as set out in the guidance. This statutory guidance will be reinforced by additional support provided by each academy's Designated Safeguarding Lead.

This should be recorded by the Line Manager on the Induction Checklist, Appendix C.

### **5. Other considerations**

Casual or temporary staff employed by the academy on an adhoc/short term basis

Staff employed on a temporary contract issued by the academy will follow the same recruitment process as any other permanent employee. All pre-employment checks must be completed.

Peripatetic Tutors and Agency Staff (Including Agency Supply Teachers)

All service providers/staffing agencies providing staff to undertake regulated activity will be required to provide evidence of the same pre-employment checks that the academy would complete if they were directly employing the staff themselves.

This should be submitted in writing and in advance of the provider starting work and should be agreed as part of any contract between school and provider. We reserve the right to view the original copy of the disclosure from the agency if it contains additional information. Evidence of checks from external providers will be recorded on the Single Central Record by the Office Manager/Business Manager.

If evidence is not provided then the school will not allow the peripatetic tutors or agency staff to have unsupervised access to children.

## **6. Contractors**

Children should not be allowed in areas where builders are working for Health and Safety reasons, so there should be little opportunity for workers to be unsupervised with children. It is difficult to say that there will not be times when contact with a child occurs, however this will be managed by the Head Teacher who will use their professional judgement to determine supervision levels.

Anyone entering the Academy to undertake activities which are not classed as regulated will be required to verify their identity, providing documents such as a passport or driver's licence along with company or council ID.

For contractors that will engage in regulated activity written confirmation will be requested by the academy, for the contracting company to respond appropriately to. This is detailed in Appendix D.

## **7. Volunteers Engaging in Regulated Activity**

Many volunteers in schools have the same unsupervised access to children as employees. A child will not consider a distinction between a volunteer and a member of staff when seeking help or support. An Enhanced DBS check incorporating a Children's Barred List check must be carried out prior to the volunteer starting their duties. These checks will be carried out for all volunteers engaging in regulated activity.

If such a volunteer becomes a paid employee, then all pre-employment checks must be completed with the exception of the Enhanced DBS check as it will already be held by the school.

## **8. Volunteers Not Engaging in Regulated Activity**

A volunteer who is supervised at all times does not require a DBS check as they are not engaging in regulated activity.

If such a volunteer becomes a paid employee, then all pre-employment checks must be completed including an Enhanced DBS check should be sought to reflect the change from volunteer to employee status.

## **9. Single Central Register**

Each academy will maintain a confidential Single Central Record (SCR). Access to this document is restricted appropriately.

Information contained in this, exceeds the statutory minimum as detailed in KCSIE.

Appendix Table	
 Appendix A	Invite to Interview
 Appendix B	Regulated Activity, Further Guidance
 Appendix C	Induction Checklist
 Appendix D	Request for Pre-Employment Check Confirmation