



# Recruitment and Selection Policy

<b>Academy level contribution:</b>	<b>All Academies</b>	
<b>CEO approval:</b>		<b>Date: 02.03.20</b>
<b>Education Group consultation</b> (where applicable):		<b>Date: 18.11.19</b>
<b>LGB Cluster consultation</b> (where applicable):	[name]	<b>Date: 18.11.19</b>
<b>Joint Negotiating Council (JNC) consultation</b> (where applicable):		<b>Date: 22.01.20</b>
<b>Board ratification:</b>	<b>Spring Board</b>	<b>Date: 03.20</b>

**Last reviewed on: 02.03.20**

**Next review due by: 02.03.22**

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## 1. Introduction

- 1.1 Recruiting the best people to our trust is vital for our continued success in providing the highest standards of education to our pupils.
- 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 deciding on the arrangements to recruit to any post, with the exception of the Principal role where the Board will be responsible.
- 1.4 In carrying out our recruitment processes we:
  - (a) are committed to the creation of a safe environment for our pupils by operating safer recruitment practices in line with the statutory requirements and guidance.
  - (b) will comply with the requirements of **Data Protection Legislation** (being (i) unless and until the GDPR is no longer directly applicable in the UK, the General Data Protection Regulation ((EU) 2016/679) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then (ii) any successor legislation to the GDPR or the Data Protection Act 1998. Our Data Protection Policy sets out how we will comply with Data Protection Legislation.
  - (c) will comply with the requirements of the Equality Act (2010) and are 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 maternity, race, religion or belief and sexual orientation.
- 1.5 In the very exceptional cases where we are required to discriminate due to an occupational requirement this must be approved by the Board who will provide reasons for this requirement.
- 1.6 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 to the job.
- 1.7 If an applicant makes the Trust aware, at any stage of the recruitment process, that they have a disability then reasonable adjustments must be considered to ensure the applicant is not disadvantaged by the process.

## 2. 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 13 and 14 on Disclosure and Barring Service checks also applies to volunteers in our trust.

### **3. Safer Recruitment**

- 3.1 All recruitment must be in line with this policy to ensure that we identify, deter and prevent people who pose a risk of harm from working with our pupils.
- 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” (2019) guidance (or updated statutory guidance) produced by the DfE and our Trust’s child protection policy. These can be obtained from the trust’s website.
- 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 / Designated Safeguarding Lead / CEO / the trust board immediately.
- 3.6 All of the checks described in Sections 12 and 13 must be carried out and have been determined as satisfactory before an applicant can start their employment in the trust.

### **4. Advertising**

- 4.1 Any vacant position will be advertised via the appropriate internal / external channels to ensure the most appropriate field of applicants is obtained.
- 4.2 All advertisements will have the following statement about safeguarding children and young people and the requirement to have a DBS check:  
  
“Raleigh Learning Trust is committed to safeguarding and promoting the welfare of its pupils and expects all those working within the trust to share this commitment”.
- 4.3 Under Part 7 of the Immigration Act 2016, the Public Sector fluency duty requires state funded schools to ensure candidates for their customer facing roles have the necessary standard of spoken English (or English or Welsh in Wales). For example, a teaching assistant required to communicate with pupils to support their learning, would be viewed as operating in a public-facing role. Adverts (and Job Descriptions) should make clear the necessary standard of spoken English or Welsh required for the role.
- 4.4 The Trust will take into account their obligations under the Equality Act 2010 when considering their duty to ensure that each person in a public-facing role speaks fluent English or Welsh. The processes and methods used to determine whether a person has a command of spoken English or Welsh for effective performance in the role will be fair and transparent

- 4.5 All applicants will be provided with a copy of our Recruitment Privacy Notice which sets out how we will gather, process and hold personal data of individuals during and after the recruitment process.

## **5. Job Description**

- 5.1 A job description will be required for all posts which describes the duties and responsibilities of the post including the grade / salary level. 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 the responsibility for safeguarding and promoting the welfare of children.

## **6. Application form**

- 6.1 All applicants are required to fill out our standard application form. CVs will be accepted but will not replace the application form.

## **7. References**

- 7.1 All offers of employment will be conditional upon receipt of at least two satisfactory written references. References will:
- (a) be requested for all shortlisted applicants, including internal applicants;
  - (b) include the applicant's current or most recent employer and where an applicant for a teaching post is not currently employed as a teacher, will include the applicant's most recent employer as a teacher;
  - (c) ask the current employer for details of any capability history concerning a teacher in the previous two years, and the reasons for this;
  - (d) be directly from the referee;
  - (e) not be accepted if they are "to whom it may concern" letters;
  - (f) request information on the applicant's suitability to work with children and young people;
  - (g) be requested before the interview; and
  - (h) be explored further with the referee and with the applicant during the interview, if necessary.
- 7.2 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 Appointments should not be confirmed without satisfactory references being received for both internal and external candidates. Where references have not been received or, in exceptional circumstances, not taken up prior to interview, conditional offers of employment only should be made, subject to receipt of satisfactory references, and all other checks for the post.
- 7.4 It is not acceptable to justify making an appointment purely on which candidate references have been received. The selection decision must always be based on an objective assessment of their suitability.
- 7.5 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. Short-listing**

- 8.1 Applicants will be short-listed against the requirements of the person specification. The same people should carry out the short-listing and the interviews. The outcome of the short-listing process will be recorded and retained on file for a period of 6 months.
- 8.2 The equal opportunities monitoring form must be removed from the application and not provided to the short-listing panel.
- 8.3 The short-listing 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.
- 8.4 Interview panels will be agreed in accordance with the trust's Scheme of Delegation.

## **9. Interviews**

- 9.1 A face to face interview must take place for all applicants to all posts. The use of video conferencing, Skype, Facetime or other similar technologies may be acceptable for this purpose.
- 9.2 All those involved in interviewing must be properly prepared to undertake the role, which may involve appropriate interview training. At least one person on the interview panel must have attended the appropriate safer recruitment training.
- 9.3 The purpose of the interview is to assess the merits of each applicant against the job description and person specification to establish their suitability for the post and to work with children and young people.
- 9.4 Interviews should be conducted with a minimum of two interviewers on the panel ideally to reflect the diversity of the academy community to enable one interviewer to assess the applicant, observe and make notes whilst the applicant talks to the other interviewer.

- 9.5 Before the interview commences the interview panel should have:
- (a) prepared appropriate questions for the role;
  - (b) prepared appropriate questions to test the applicant's suitability to work with children and young people;
  - (c) identified any areas for further probing, e.g. if a criminal record has been declared or if there are gaps in employment etc;
  - (d) agreed assessment criteria which reflects the person specification; and
  - (e) decided a structure to 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 response will determine whether that is followed up through 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. 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:
- (a) Observation of teaching practice in our Academies or in the applicant's current school or academy;
  - (b) One or more additional panel interviews (for example, a panel made up of pupils from our Academies);
  - (c) A presentation;
  - (d) In tray exercises; and
  - (e) Psychometric testing.
- 10.2 Those responsible for deciding the arrangements for recruitment to a specific post will determine the selection method(s). They 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 what these are.

## **11. Level of language proficiency**

- 11.1 Under the "fluency duty" (Part 7 of the Immigration Act 2016), public authorities are required to ensure that workers in public facing roles are fluent in English (or Welsh



in Wales). Public facing roles are those members of teaching and support staff who, as a regular and intrinsic part of their role, are required to speak to members of the public (including students in schools).

11.2 The trust will accept a range of evidence of spoken English or Welsh language ability as follows:

- competently answering interview questions in English or Welsh;
- possessing a relevant qualification for the role attained as part of education in the UK or fully taught in English or Welsh by a recognised institution abroad,
- passing an English or Welsh spoken language competency test or possessing a relevant spoken English or Welsh qualification at CEFR Level B1 or above, taught in English or Welsh by a recognised institution abroad (and from September 2017 this includes Welsh second language GCSE).

## **12. Pre- employment checks**

12.1 An offer of appointment to the successful applicant will be conditional upon the following:

- (a) receipt of at least two satisfactory written references (one of which must be their current or most recent employer);
- (b) verification of the applicant's identity, preferably from current photographic ID and proof of address;
- (c) verification of the applicant's medical fitness;
- (d) verification of qualifications where relevant;
- (e) 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, if required, through DfE Teacher Services;
- (f) satisfactory enhanced DBS check (see Section 13);
- (g) for management positions (including Governors/Trustees if they are involved in management), verification that they are not subject to a section 128 direction by checking DfE Teacher Services;
- (h) for teachers and other employees who hold QTS who are working in non-teaching roles, verification that they are not subject to a prohibition order by checking DfE Teacher Services;

- (i) for teachers, 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 DfE Teacher Services.<sup>1</sup>
- (j) a clear children's barred list check (except supervised volunteers);
- (k) verification of right to work in the United Kingdom;
- (l) any further checks where the applicant has lived or work outside of the UK including receipt of criminal record information from overseas (This must be from any country, except the UK, where an individual has lived for 12 months or more, whether continuously or in total, in the last 10 years, while aged 18 or over);
- (m) confirmation that the applicant is not disqualified from providing childcare (where relevant to the Academy setting);
- (n) Any additional checks considered necessary

12.2 All checks must be confirmed in writing, retained on the personal file and recorded in the single central record (SCR).

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<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 to be employed. Please note, only EEA restrictions that are determined after 18 January 2016 will be displayed on the Teacher Services System

**13. DBS checks – new employees and volunteers**

13.1 The trust will carry out Disclosure and Barring Service checks as follows for new appointments, before the employee or volunteer starts work:

Who?	Definition	Type of check
Employees who will be engaging in regulated activity	<p>As an educational institution which is exclusively or mainly for the provision of full-time education to children, the Raleigh Learning Trust is an establishment specified in the relevant legislation. Activity carried out in this establishment will therefore be regulated activity relating to children if it meets the definition in the relevant legislation, including that it is carried out:</p> <p>(a) Frequently (for example once a week or more); or</p> <p>(b) On more than three days in any period of 30 days.</p> <p>Note – 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
Unsupervised volunteers	As above	An enhanced DBS check with children’s barred list check will always be obtained

		<p>Those applying for Chair of Trustee posts (after 01.04.17) must also have their identity verified for a stipulated professional as part of their DBS check as per the below link:</p> <p><a href="https://www.gov.uk/government/publications/identity-verification-for-new-chairs-of-trustees">https://www.gov.uk/government/publications/identity-verification-for-new-chairs-of-trustees</a></p>
Supervised volunteers	<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> <p>They are being supervised by someone that is in regulated activity; and</p> <p>The supervision is regular and day to day (e.g. it is ongoing); and</p> <p>The supervision is reasonable in all the 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>	<p>We are unable by law to obtain a barred list check on a supervised volunteer. We will however obtain an enhanced DBS check (with no barred list check) for supervised volunteers.</p>

- 13.2 In exceptional circumstances a new employee or unsupervised volunteer 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 risks are assessed and appropriate supervision is in place until the DBS check has been received.
- 13.3 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 Single Central Record (SCR). The trust is not required to take a copy of a DBS certificate, however, we may choose to do so for decision making purposes. Any copy will be held for no longer than necessary, and up to a period of six months and be processed in line with Data Protection Legislation.
- 13.4 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 are not in place. Any volunteer who refuses to produce their disclosure will not be able to volunteer in the Trust or any of our academies.
- 13.5 Applicants (free for volunteers) can have their DBS certificate kept 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 should be asked if they have subscribed to this service. The cost of this service is £13 per year. The expectation is that individuals personally fund this if they wish to do so. Where the applicant or volunteer has subscribed to the service, they should provide the trust with the original disclosure document to be verified and the trust will check the online update for any changes.
- 13.6 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 their suitability to work with children and young people.

#### **14. DBS checks - existing employees and volunteers**

- 14.1 An enhanced Disclosure and Barring Service 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 changed / increased from that at their time of appointment.
- 14.2 An enhanced DBS and children's barred list check may be carried out on 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 on any supervised volunteer where the trust has concerns about their suitability to work with children and young people.
- 14.3 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 will be managed through the disciplinary procedure.
- 14.4 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.

**15. Agency staff**

15.1 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 12, 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 single central record (SCR) with copies of confirmation of checks held on file.

**16. Breaches of the policy**

16.1 Any instances of this policy not being adhered to will be taken very seriously and appropriate disciplinary investigation and action will be taken.

16.2 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).

**17. Record keeping and data protection**

17.1 All written records of interviews, application forms and reasons for appointment or non-appointment will be kept by the trust in line with our Recruitment Privacy Notice, our Workforce Privacy Notice (for appointed candidates), our Retention and Destruction Policy and in line with the requirements of Data Protection Legislation.

**18. Review of policy**

18.1 This policy is reviewed every two years by the Trust in consultation with recognised trade unions. We will monitor the application and outcomes of this policy to ensure it is working effectively.

**Appendix 1 - Childcare Disqualification Declaration Form**

To be completed by all new staff before the start of employment, all volunteers and by all staff / volunteers on an annual basis at the commencement of the autumn term.

Name	
Role	
Academy / trust	

**Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018**

The regulations apply to staff who work in, or are directly concerned with managing:

**Early years provision**

- Covers staff who provide any care for a child up to and including reception age
- Includes education in nursery and reception classes, and/or any supervised activity (such as breakfast clubs, lunchtime supervision and after-school care provided by the school) both during and outside school hours for children in the early years age range

**Later years provision (for children under 8)**

- Covers staff who work in childcare provided by a school outside school hours for children under 8, including before-school settings such as breakfast clubs, and after-school provision
- Does not include education or supervision during school hours, or extended school hours for co-curricular learning activities, such as the school’s choir or sports teams

The regulations equally apply to:

- **Volunteers and casual workers** who regularly work in, or manage, these settings, whether they are supervised or not
- **Any self-employed contractors** (such as music teachers or sports coaches) in relevant settings
- **Any salaried trainee teachers** (it is the training provider's responsibility for unsalaried trainees)

As part of our duty to safeguard pupils, we need to check whether you have been disqualified from caring for children. Please answer the questions and sign both of the declarations below.

Please note that you are not required to disclose convictions or cautions that are “protected” as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013).

**Self-declaration**

<p>Have any orders relating to the care of children, as set out in schedule 1 of the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018, been made in respect of you?</p> <p>This includes, but is not limited to:</p> <ul style="list-style-type: none"> <li>• Orders disqualifying you from caring for children</li> <li>• Orders disqualifying you from private fostering</li> <li>• Any refusal of an application for you to be registered in relation to a children’s home</li> <li>• Care/child protection orders issued in respect of a child in your care</li> </ul>	<p><b>Yes/No</b></p>
<p>Have you been convicted of committing, or been given a caution, reprimand or warning since 6 April 2007 for, any offences set out in regulation 4 and schedules 2 and 3 of the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018?</p> <p>This includes, but is not limited to:</p> <ul style="list-style-type: none"> <li>• Any offence against or involving a child</li> <li>• Any sexual offence</li> <li>• Any violent offence, i.e. murder, manslaughter, kidnapping, false imprisonment, actual bodily harm (ABH), or grievous bodily harm (GBH)</li> </ul>	<p><b>Yes/No</b></p>
<p>Have you been barred from working in regulated activity with children (i.e. are you included on the Disclosure and Barring Service Children’s Barred List)?</p>	<p><b>Yes/No</b></p>
<p>Have you committed an offence overseas which would have resulted in disqualification if it had occurred in the UK?</p>	<p><b>Yes/No</b></p>
<p>Please provide further information where you have answered ‘Yes’ to any of the questions above.</p> <p>.....</p> <p>.....</p> <p>I will make the school aware of any changes in my circumstances, including any cautions or convictions that affect my suitability to care for children.</p> <p>Signed:..... Date:.....</p>	