

Safer Recruitment Policy

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This policy has been fully consulted on with the following trade unions [ASCL, NASUWT, NAHT, Unison, NEU, GMB and Unite] and was implemented by Affinity Learning Partnership on the above date.

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All policies referred to in Policy can be found on the Trust Shared Google Drive, Human Resources Drive, Trust HR Policies folder, access to which is given through employee Trust/Academy email.

1. Introduction

Affinity Learning Partnership and its schools are committed to providing the best possible care and education to its students and recognises the importance of recruiting and retaining staff of the highest quality.

The purpose of this policy is to set out the requirements for the recruitment of staff to the Trust and its schools.

The aims of the Trust 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 suitable 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 partnership, 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.

This policy takes into account the provisions of 'Keeping Children Safe in Education' (DfE September 2024). The Trust will abide by the existing legislation and in particular will not discriminate on the grounds of any of the protected characteristics listed in the Equality Act (2010), these being:

- Age
- Disability
- Gender reassignment
- Race
- Religion or belief
- Sex
- Sexual orientation

- Marriage and civil partnership
- Pregnancy and maternity

The Trust will promote equality in all aspects of academy life, including the recruitment of staff.

2. Recruitment and Selection Panel

The interview panel must have a minimum of two interviewers, one of which must be safer recruitment trained. The composition of the panel will be dependent on the role being recruited.

Any person with a personal or pecuniary interest in the appointment of a particular applicant must declare it as soon as they are aware of the individual's application and avoid any involvement in the recruitment and selection process.

The Principals in conjunction with Trust Human Resources will manage and oversee the recruitment of staff within the Trust and its schools to:

- Ensure that the Trust operates safe recruitment procedures.
- Ensure that appropriate checks are carried out on all staff and volunteers who work in the Trust.
- To monitor contractors and agencies compliance with this policy.

3. The Recruitment and Selection Procedure

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), passport and full birth certificate and;
- Two utility bills or statements (from different sources) less than three months old showing their name and their home address.
- Documents confirming their National Insurance number: P45, P60 or national insurance card and;
- Documents confirming any education 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 his/her name by deed poll or any other mechanism (e.g., marriage, adoption, statutory declaration) he/she will be required to provide documentary evidence of the change. In all cases original (not photocopies) documents 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 interview and in other cases shortly thereafter. This applies to all internal applicants as well as external applicants, Trust and school appointments are always subject to receipt of satisfactory references and satisfactory screening and vetting.

4. 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
- Post title
- Hours of work
- Grade or scale
- Salary (actual salary for part time)
- Permanent or fixed term stating the 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.

5. Recruitment Information for Candidates

The following documents will be on the vacancy area of the website:

- Job advertisement
- Job description and person specification
- Safer Recruitment policy
- Trust application form

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 Trust commitment to the safeguarding of students.

6. Applications

All applicants for externally advertised posts will be required to complete all sections of the Trust application form, which should be returned to the nominated person by the specified closing time / date. C.V.s will not be accepted in place of a completed application form. Incomplete applications will also not be routinely considered.

Applications received after the closing date will not normally be considered unless there is proof of a postal delay. Applicants are advised to submit their application via email to avoid late arrival.

The importance of safeguarding and protecting children at the Trust will be promoted throughout the recruitment process in order to defer unsuitable candidates. The Trust's application pack will normally include the following: application form, job description, person specification, information sheet about the school, the school's Equal Opportunities Policy, the school's Child Protection Policy Statement and information on an Enhanced DBS check.

7. Shortlisting and References

Applications will be shortlisted against the criteria in the job description and person specification. Where possible, references will be taken up on shortlisted candidates prior to interview, and any areas of concern can be explored at interview. Where this has not been possible, references will be scrutinised prior to confirmation of appointment. References will be sought and obtained directly from the referee. References or testimonials provided by the candidate will not be accepted. All appointments will be subject to suitable references.

If short listed candidates will be subject to an online search, conducted by an individual who will not be involved in the recruitment process. A pack of any relevant information recorded from the online search will be discussed with the candidate at interview. (Appendix 1)

If a candidate for a teaching post is not currently employed as a teacher, checks will be made with their most recent school to confirm details of employment and reasons for leaving. All referees will be asked specific questions about:

- Their relationship with the candidate, how long has the referee known the candidate and in what capacity.

- The candidate's suitability for working with children and young people.
- Any disciplinary warnings, including time expired warning that relate to the safeguarding of children.
- The candidate's suitability for the post.
- To confirm the details provided by the applicant on the application form.
- References will always be sought directly from the referee and will not be accepted directly from the application.
- Where necessary, referees will be contacted by telephone or email in order to clarify any discrepancies. A detailed note will be kept of such exchanges and retained on the HR file.
- In all instances where the application currently works for the Trust, references will be sought internally.
- A minimum of two references will be required. One to be from the most recent employer.

Employees are entitled if requested to view their employment references.

8. Selection Process

Selection techniques will be determined by the nature and duties of the post. All applicants for teaching posts will be required to undertake a lesson observation. Candidates that are successful in the initial stages of the selection process will be invited to attend for an interview, unsuccessful candidates will not be interviewed.

Interviews should be conducted face to face. In some circumstances e.g., if the candidate is abroad this may be conducted via a visual electronic link. Candidates will always be required to:

- Explain satisfactorily any anomalies or discrepancies in the information available to the panel.
- Declare any information that is likely to appear on a DBS disclosure.
- Demonstrate their capacity to safeguard and protect the welfare of children and young people.
- Explain satisfactorily any issues raised through the online search process.
- Provide evidence of their identity (photographic), address and qualifications. Original documents only will be accepted, and photographs taken.

Unsuccessful applicants' documents will be destroyed securely.

9. Employment Checks

All successful applicants are required to undergo the following checks.

9.1. DBS Check

Due to the nature of the work at the Trust all employees and volunteers must undertake an Enhanced Disclosure and Barring Service check. 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.

Applicants with any period of overseas residence and those with little or no previous UK residence will also be asked to apply for the equivalent of a disclosure, if one is available in the relevant jurisdiction(s).

As soon as the applicant receives their DBS certificate the original certificate must be shown to the Trust Central team / school office staff.

The Trust expects supply/temporary worker agencies/contractors that are used by the schools to register with the DBS on their own account and to follow their policy or their own comparable policy. Proof of registration will be required before the Trust will commission services from any such organisation. It should also be noted we will check if the person presenting themselves for work is the same person for whom the checks have been completed.

Policies on Employment of Ex-Offenders and Retention of Security and Storage of Disclosure information are available on request.

9.2. 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 of 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 which a Chief Police Officer thinks may be relevant in connection with the matter in question. Applicants with any periods of overseas residence and those with little or previous UK residence will 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) and 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 of staff who has received DBS clearance.

9.3. 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. The Principal or delegated person will apply a risk assessment to assess the need for an Enhanced DBS Check on an individual basis.

9.4. Suitability Declaration Forms (Disqualification)

Following the Childcare Act 2006 and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) Regulations 2018 and specifically the implications of the disqualification sections, any employee employed within the 'relevant settings' will be required to complete and submit a suitability declaration form upon commencement with the Trust.

- Any employee providing any care for a child from birth until 01st 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 school(s).
- For schools who have children aged between 5 and 8 years old, staff who provide childcare outside of school hours. 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 school's choir or a sports team.

- Any staff directly concerned with the management of the above childcare. This is likely to include the Principal or Head of School and may also include other members of the school's leadership team and any manager, supervisor, leader or volunteer responsible for the day-to-day management of the provision.

9.5. 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 applications; 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.

9.6. 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 was revealed.
- Whether the applicant has a pattern of offending behaviour or other relevant matters; and
- Whether the applicant's 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.

9.7. 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 school will carry out a risk assessment by

reference to the criteria set out above. The assessment form must be signed by the Head of School before a position is offered.

If an applicant wishes to dispute any information contained in a Disclosure, he/she 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 school will, where practicable, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the Disclosure information.

9.8. 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 the 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 Academy's senior leadership team.
- Not retain disclosure information or any associated correspondence for longer than is necessary. In most cases, the Academy will not retain such information for longer than six months, although the Academy 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.

9.9. Verification of Identity and Address

All applicants will be required to provide evidence of identity, address and qualifications (examples of which are set out below):

- Current driving licence (including photograph) and passport and full birth certificate; and
- Two Utility bills or Statements (from different sources) less than three months old showing their name and home address; and
- Documentation confirming their National Insurance number (P45, P60 or National Insurance Card); and
- Where an application claims to have changed his/her name by deed poll or any other mechanism (e.g., marriage, adoption, statutory declaration) he/she will be required to provide documentary evidence of the change.

In all cases original (**not photocopy**) documents must be provided.

9.10. Verification of Qualifications

All candidates will be required to provide actual certificates that evidence they have obtained any qualifications required legally or otherwise for the role. Qualifications legally required including QTS for teachers.

9.11. Prohibition Order Check

A Prohibition Order Check will be carried out on all candidates to be employed as teachers.

9.12. Section 128 Direction

A check against the 128 Barring List will be carried out for applicants for management positions.

9.13. Asylum and Immigration

Before anyone starts work with the Trust we have a legal obligation to confirm that they are eligible to work in the United Kingdom. This check must be carried out on every potential new employee, regardless of their nationality. Failure to confirm someone's asylum and immigration status due to their nationality would be contrary to the Asylum and Nationality Act 2006.

9.14. Medical Fitness

It is a statutory requirement under the Education (Health Standards) (England) Regulations 2003 that anyone appointed to work with children or young people must be medically fit. It is the Trust's responsibility to be satisfied that the applicant has the appropriate level of physical and mental fitness before the appointment is confirmed.

All prospective employees will be required to complete a pre-employment health questionnaire. Information provided will remain confidential to the Occupational Health provider and will be used to match the applicant's fitness to the proposed duties. Management will only receive an opinion of the applicant's fitness for the duties outlined. In some cases, applicants will be asked to attend for a health assessment. Failure to disclose or giving false information could lead to termination of employment.

10. Confirmation of Appointment

The final offer of employment will be subject to:

- A satisfactory Enhanced DBS check and barred list check.
- Confirmation that the candidate does not live with a disqualified person (if the member of staff works with or has management responsibility for children under the age of 8).

- A check that the candidate is not subject to a prohibition order, where applicable.
- Section 128 Direction check where applicable.
- EEA check where applicable.
- Receipt of medical clearance.
- Receipt of two satisfactory references.
- Evidence of qualifications.
- Evidence of the right to work in the UK.

11. Induction

All new staff will be provided with an induction programme which will include systems within the workplace which support safeguarding and will be required as a minimum to:

- Read the Staff Code of Conduct and Safeguarding and Child Protection Policy.
- Read and confirm that they have read Part 1 of 'Keeping Children Safe in Education 2024'.
- Complete Level 1 Safeguarding in Education training, which will include training on the Prevent duty.

12. Single Central Record

A single centralised record is kept in accordance with the DfE's requirements. This is kept up to date by the Business/Office Manager (or person with designated responsibility in Academies) and is retained by the Academy. It contains the following details:

- All staff (including supply staff, and teacher trainees on salaries routes) who work at the Academy.

The information recorded on these individuals is whether or not the following checks have been carried out or certificates obtained, and the date on which the checks were completed.

- An identity check.
- A barred list check.
- An enhanced DBS check.
- A prohibition from teaching check.
- Further checks on people living or working outside the UK.
- A check of professional qualifications; and
- A check to establish the person's right to work in the United Kingdom
- Disqualification by Association declaration form where relevant.

Where checks are carried out on volunteers, this will also be recorded on the Single Central Record.

For supply staff, we will also include whether written confirmation that the employment business supplying the member of supply staff has carried out the relevant checks and obtained the appropriate certificates, whether any enhanced DBS check certificate has been provided in respect of the member of supply staff, and the date that confirmation was received.

A designated Governor will be responsible for auditing the Single Central Record and reporting his/her findings to the full Governing Body annually.

13. 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 school for up to six years following termination of employment.

If the application is unsuccessful all documentation relating to the application will normally be confidentially destroyed after six months

14. Review

This policy will be reviewed annually, or more regularly in the light of any significant new developments or in response to changes in guidance.

15. Equality and Diversity

15.1. The Trust is committed to equality and fairness for all employees and will not discriminate because of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Appendix 1 – Online Search Form

Name of candidate		Role applied for		Date search completed		Name of person completing search	
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Platform	Any info of concern? (Y or N)	Category/ies of concern	Comments of recruitment panel
Google Search			
Detail of any further search conducted as a result of information recorded from the internet search.			

As a result of the information disclosed above:	Yes	No
Is there evidence that the candidate is not fit to work with children, and/or that their online activity may immediately bring the school/Trust into disrepute, and therefore the recruitment process should be immediately terminated? *		

Is there information of concern that requires the recruitment panel to ask any further or supplementary questions to explore the candidate's suitability to work with children and/or to work in our organisation? **		
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* If yes, please consider if any further action is needed to safeguard children, i.e. Police, Social Care, LADO

** If yes, the questions asked, and answers given, must be documented and retained in the candidate's interview notes, and you must complete pg 2 of this form

Online Search Form for Shortlisted Candidate

Following further or supplementary questions by the recruitment panel:	Yes	No
Do any concerns remain that indicate the candidate is not suitable to work with children and/or that their online activity may bring the school/Trust into disrepute?		
Please give a summary of your reasoning, referencing the risk assessment that has been conducted to support this decision:		
<i>Things to consider:</i> <ul style="list-style-type: none"> ● age/maturity ● one off or recurring pattern of behaviour ● recency ● change to behaviour ● openness and honesty ● reflection / remorse 		
Has the candidate been successful, and have they been offered the position?		

Signed		Print name		Position	
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Appendix 2 – Process to Review Online Activity of Candidates Selected for Interview

1. Candidate shortlisted
2. When a candidate confirms their attendance at a selection day, an online search should be carried out before the interview by a member of the HR Team not involved in the recruitment process, using the online search form found at the end of this document.
3. When searching, you should use Google to search for the candidate's name, the role they are applying for and the area they live, for example:



Q Louis Donald, Safeguarding, Nottinghamshire



4. Using the results on the first page, you should visit each page that links back to the candidate.
5. Table 1 provides guidance on considering the content of online content.
6. If you identify any information of concern that requires the recruitment panel to ask any further or supplementary questions to explore the candidate's suitability to work with children and to work in our organisation, **you must notify the Trust People Team**
7. The Trust People Team will discuss any concerns that are of a safeguarding or criminal nature with the Trust Safeguarding & Compliance Manager without delay.
8. Using the online search form, you should identify what sites were identified and state whether or not you believe the content to cause concern.
9. Once the forms are complete, they should be handed to the Principal who should then counter-sign the form before it is stored in the candidate's recruitment file (for successful candidates)

Retention

Successful candidates	Unsuccessful candidates
For the duration of employment + 5 years	6 months

When a referral is made to the Local Authorities Designated Officer or the Police, we may retain the online search form for longer than six months; in such a case, we will notify the subject.

Table 1 – Guide for assessing content

Category of concern	Things to consider
Risk to children	<ul style="list-style-type: none"> • is there any information that is not consistent with our legal obligation and statutory guidance regarding safeguarding and promoting the welfare of children? • is there any information that would suggest the adult may have behaved in a way that has harmed a child or may have harmed a child; possibly committed a criminal offence against or related to a child; behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children; behaved or may have behaved in a way that indicates they may not be suitable to work with children
Illegal activities	<ul style="list-style-type: none"> • is there any information that indicates illegal activity? N.B. due regard must be paid to <u>filtering rules for DBS checks</u>. • is there any information that indicates support or promotion of illegal activity?
Extremist and / or discriminatory views	<ul style="list-style-type: none"> • is there any information that is not consistent with our legal obligation under the Equalities Act towards protected characteristics? (age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation) • is there any information that is not consistent with our statutory obligation to promote British Values? (democracy, rule of law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs)