

Manor Hall Academy Trust



SAFER RECRUITMENT POLICY

Responsibility for monitoring and reviewing this policy lies with the Central Trust Team and Directors. A review of this policy and recommendations for change should be presented to the Directors of the trust for verifications and consulted on with unions.

The Directors of the trust, in line with the Scheme of Delegation and Articles of Association have overall responsibility for the effective operation of MAT policies, but has delegated day to day responsibility to the Headteacher and LAB.

Directors will take account of recommendations from individual schools in review of this policy and seek HR advice as to such revisions.

Consulted with the JCNC unions			Dec 2022	
Date	Version	Approved By	Overview of Changes Made	Source
Spring 21	1	Directors	Review date	KSTAPLES
Autumn 21	2	Directors	Inclusion of the following sections in line with Keeping Children Safe in Education 2021 – 4.4, 4.5, 4.7.3, 4.7.4, 11.1, 11.3, 16.2, 16.3 AND APPENDIX Amendments to 5.2 regarding DBS review and risk assessments.	
Autumn 22	3	Directors	Minor changes to reflect the updated Keeping Children Safe in Education to include the new requirement to carry out online searches for shortlisted candidates. To also add the online search record as Annex 2 and to include a contents page	J. Plant
Autumn 23	4	Directors	Updated for KCSIE 2023 <ol style="list-style-type: none">1. Schools and colleges must let potential candidates know that online searches will be done as part of due diligence checks ahead of their interview <p>Removed:</p> <ul style="list-style-type: none">• obtain a separate barred list check if an individual will start work in regulated activity before the DBS certificate is available• That as part of DBS renewal, photocopies of	

			<p>identification documents will be stored on file</p> <p>Added;</p> <ul style="list-style-type: none">• 4.6.7 for clarity• Clarity on verifying references.• Data retention clarity• Further information concerning how we would handle a concern that the school was not complying with its delegated responsibilities• Further information concerning the s128 check• Reference to the academy's annual declaration• Full reformat	
Autumn 24	5	Director	Addition of the six steps to safer recruitment to act as an aide memoire	

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1. Introduction

- 1.1 Manor Hall Academy Trust is committed to providing the highest level of education and care to its pupils and to safeguarding and promoting the welfare of children and young people.
- 1.2 Manor Hall Academy Trust recognises that the safe recruitment of its staff in school is essential to safeguard the children in attendance.
- 1.3 Safer practice in recruitment means thinking about and including issues relating to child protection and safeguarding and promoting the welfare of children at every stage of the process and for all people being recruited.
- 1.4 The content of this policy is in line with Keeping Children Safe in Education 2023.
[Keeping children safe in education 2023 \(publishing.service.gov.uk\)](https://www.gov.uk/government/publications/keeping-children-safe-in-education-2023)

2. Aims and Objectives

- 2.1 The aims of this safer recruitment policy are as follows;
 - to help deter, reject or identify people who are unsuitable to work with pupils by having appropriate selection and appointment procedures
 - to ensure that the best staff are recruited on the basis of their suitability, merits and abilities as measured against the job description and person specification
 - to ensure that no applicant is discriminated against on any grounds as per the Equality Act 2010
 - to ensure compliance with the Keeping Children Safe in Education 2023 statutory guidance for schools and colleges on safeguarding children and safer recruitment in education
 - to ensure compliance with current employment legislation
- 2.2 It is recommended that this guidance is used in conjunction with the advice and support of your HR provider. This advice can be sought by contacting hr@manorhall.academy.

3. Roles and Responsibilities

- 3.1 It is the responsibility of the Head teacher and all other staff involved in recruitment to;
 - ensure that the school operates safe recruitment procedures
 - ensure that appropriate checks are carried out on all staff and volunteers who work at the school
 - to monitor contractors and agencies compliance with this policy
 - that those involved in the stages of recruitment at the school have up to date, relevant training including Safer Recruitment Training and Single Central Record Training

- 3.2 In this trust the board has delegated responsibility to the Headteacher for all teaching staff appointments and for all support staff appointments.
- 3.3 It is the responsibility of the trust to;
 - ensure the school has effective policies and procedures in place for recruitment of all staff and volunteers
 - monitor the school's compliance with them through the LAB Safeguarding template, SCR checks, external audits and monitoring training recordings.
 -
- 3.4 investigate and incidences where policies have not been adhered to under the Investigations policy.

4. Recruitment and Selection Procedure

4.1 Selection Panel

- 4.1.1 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 decision making.
- 4.1.2 At least one member of the selection panel will have up to date Safer Recruitment Training¹ which can be obtained via the National College or through Insight HR.

4.2 Job Descriptions and Person Specifications

- 4.2.1 Every job description and person specification will make reference to the postholder's responsibility for safeguarding and promoting the welfare of children.
- 4.2.2 The person specification will include specific reference to suitability to work with children.

4.3 Advertisements

- 4.3.1 Adverts for all posts will include the school's commitment to Safeguarding and the fact the post is exempt from the Rehabilitation of Offenders Act i.e.;

This school is committed to safeguarding and promoting the welfare of children and young people/vulnerable adults and expects all staff and volunteers to share this commitment.

This position is subject to appropriate vetting procedures including a criminal record check from the Disclosure and Barring Service (formerly CRB) which will require you to disclose details of all unspent and unfiltered spent reprimands, formal warnings, cautions and convictions in your application form.

¹ School Staffing (England) (Amendment) Regulations 2014 mean that from 1 September 2014 training providers no longer have to be approved by the secretary of state.

4.3.2 The safeguarding requirements and responsibilities of the role will be made clear in the advert, such as the extent to which the role will involve contact with children.

4.4 Application Forms

4.4.1 Where the role involves engaging in regulated activity relevant to children, a statement will be included in the application form or elsewhere in the information provided to applicants that it is an offence to apply for the role if the applicant is barred from engaging in regulated activity relevant to children.

4.4.2 All prospective applicants must complete, in full, an application form. The application form includes a statement that the information provided is true. Where there is an electronic signature, the shortlisted candidate should physically sign a hard copy of the application at point of interview. The application form will include the following:

- personal details, current and former names, current address and national insurance number;
- details of the applicants present (or last) employment and reason for leaving;
- full employment history, (since leaving school, including education, employment and voluntary work) including reasons for any gaps in employment;
- qualifications, the awarding body and date of award;
- details of referees/references (see below for further information); and
- a statement of the personal qualities and experience that the applicant believes are relevant to their suitability for the post advertised and how they meet the person specification.

4.4.3 CV's or general letters of application will not be accepted.

4.4.4 Application forms and supporting information will be scrutinised fully and explored with the applicant where necessary to resolve any discrepancies or anomalies.

4.4.5 All applicants will also be provided in the application pack (or with a link to the website) with a copy of the Safer Recruitment policy, the Child Protection/ Safeguarding policy, and policy on the employment of ex-offenders.

4.4.6 The following sentence (see below) should be added to each advert that schools advertise.

'By engaging in this recruitment process, shortlisted candidates consent to an online search in line with the Keeping Children Safe in Education Statutory Guidance 2023'

4.5 Shortlisting

4.5.1 Our shortlisting process will involve at least 2 people and will:

- Consider any inconsistencies and look for gaps in employment and reasons given for them
- Explore all potential concerns

It is recommended that those who shortlist carry out the interview for a consistent approach

4.5.2 Shortlisted candidates will be asked to complete a self-declaration of their criminal record and information that would make them unsuitable to work with children. For example:

- if they have a criminal history;
- whether they are included on the barred list;
- whether they are prohibited from teaching;
- whether they are prohibited from taking part in the management of an independent school;
- information about any criminal offences committed in any country in line with the law as applicable in England and Wales, not the law in their country of origin or where they were convicted;
- if they are known to the police and children's social care;
- if they have been disqualified from providing childcare and,
- any relevant overseas information.

This information will only be requested from applicants who have been shortlisted. The information will not be requested in the application form to decide who should be shortlisted.

4.5.3 The purpose of a self-declaration is so that candidates will have the opportunity to share relevant information and allow this to be discussed and considered at interview before the DBS certificate is received.

4.5.4 We will

- ensure that at least two people carry out the shortlisting exercise ();
- consider any inconsistencies and look for gaps in employment and reasons given for them; and,
- explore all potential concerns.

4.5.5 In addition, as part of the shortlisting process we will carry out an online search as part of our due diligence on the shortlisted candidates. This search will be conducted by an external agency to who are not involved in the recruitment process. A consistent approach will be taken And the purpose of the online search is to help identify any incidents or issues relevant to suitability to work with children, that have happened and are publicly available online.

4.5.6 If any information comes to light as a result of the internet searches, this will be discussed with the applicant at the interview stage,

4.6 **References**

4.6.1 A reference must always be obtained from the candidate's current employer. Where a candidate is not currently employed, verification of their most recent period of employment and reasons for leaving will be obtained from the school, college, or organisation at which they were last employed. The second reference can be from a previous place of work, or a character reference.

4.6.2 References will include specific questions relating to the role applied for, a candidate's suitability to work with children, any substantiated allegations relating to children and/or any disciplinary action taken in relation to their work or contact

with children as a result of which penalties or sanctions have either expired or remain in force.

- 4.6.3 References will also be used to confirm details provided by the applicant in the application form (such as the experience and qualifications claimed by the applicant).
- 4.6.4 References will always be sought and obtained directly from the referee – they will not be accepted directly from the applicant.
- 4.6.5 Referees will be contacted by telephone or email in order to verify the validity of the reference and clarify any anomalies or discrepancies. A detailed written note will be kept of such exchanges.
- 4.6.6 Open references or testimonials will not be accepted, and only written references will be considered.
- 4.6.7 References will be sought on all shortlisted candidates, including internal ones, and will be obtained before interview so that any issues of concern they raise can be explored further with the referee, and taken up with the candidate at interview. Where it is not possible to obtain references prior to interview because of delay on the part of the referee a reference will be received and scrutinised prior to confirmation of appointment. A conditional offer may be made in this instance, but an unconditional offer can only be made once all of the vetting checks have been satisfied. This must be made clear to the candidate.
- 4.6.9 In all instances where an applicant currently works in a school or educational setting, a reference will **always** be sought from the Headteacher (or Chair of the LAB for Headteacher appointments) of that establishment.
- 4.6.10 If a candidate for a position is not currently employed in a school, but has been in their past, we will check with the school where possible, college or local authority at which they were most recently employed, to confirm details of their employment and their reasons for leaving.
- 4.6.11 A minimum of two references will be received and scrutinised.
- 4.6.12 Information provided by the Headteacher for an internal candidate will be considered like a reference for an external candidate.
- 4.6.13 If a panel member knows something factual (i.e., that can be supported by evidence) about a potential candidate that other members may not know, the information will be shared so that the panel itself can decide if it is relevant. Care must be taken to no disadvantage internal candidates.
- 4.6.14 Any information about past disciplinary action or allegations should be considered carefully when assessing the applicant's suitability for the post (including information obtained from the DfE Sign-in Teacher Services checks referred to below).

4.7 **Interviews**

- 4.7.1 Interviews will be required for all shortlisted applicants and will always be conducted face to face. Telephone interviews may be used at the shortlisting stage but will not be a substitute for a face-to-face interview.

4.7.2 Candidates will always be required to;

- Explain any gaps in employment
- Explain any anomalies or discrepancies in the information available to the selection panel
- Declare any information that is likely to appear on a DBS disclosure
- Demonstrate their attitudes, motives and values for working with children and young people, and their capacity to safeguard and protect the welfare of children and young people
- Bring with them evidence of their identity (photographic), address and qualifications. Original documents only will be accepted, and photocopies will be taken. Unsuccessful applicant's documents (copies) will be destroyed.

4.7.3 Pupils/students may be involved in the recruitment process in a meaningful way. Observing short listed candidates and appropriately supervised interaction with pupils/students is common and recognised as good practice.

4.7.4 All information considered in decision making will be clearly recorded along with decisions made.

4.7.5 Minimum no of panel members should be 2, with one to be trained in safer recruitment. Panels of 3 as a minimum for Management/Leadership roles, there should be an independent panel member for Senior Leadership Team Roles.

Predetermined interview questions relating to the role should be asked of all candidates. Scoring criteria 1 to 5 with descriptions of levels of evidence. Key notes of the discussion/evidence should be made. Supplemental questions should be recorded. Interview Record sheets should be signed and dated. Decisions should be recorded.

All recruitment documentation should be retained for at least 6 months from the date of Offer being issued.

5. Pre-Employment Vetting Checks

5.1 An offer of appointment to a successful candidate, including one who has lived or worked abroad, is conditional upon satisfactory completion of the following pre-employment checks.

5.2 We will record all information on the checks carried out in the school's single central record (SCR). Copies of these checks, where appropriate, will be held in individuals' personnel files. We follow requirements and best practice in retaining copies of these checks, as set out below. All DBS are reviewed every 5 years and in residential settings on a 3 year cycle.

5.3 **New Staff**

- 5.3.1 The Appointing Officer will verify a candidate's identity, following the DBS identity checking guidelines <https://www.gov.uk/government/publications/dbs-identity-checking-guidelines/id-checking-guidelines-for-dbs-check-applications>.
- 5.3.2 The Appointing Officer will obtain (via the applicant) a certificate for an enhanced DBS check with a barred list information where the person will be engaging in regulated activity (for a definition see section 5.4)
- 5.3.3 The Appointing Officer will check that a candidate to be employed as a teacher, or to carry out 'teaching' work, is not subject to a prohibition order issued by the Secretary of State, using the DfE Sign-in Teacher Services website (formerly called 'Employer Access Online').
- 5.3.4 The Appointing Officer will check that a candidate to be employed in a management position within an academy is not prohibited from doing so (a section 128 direction). There are two ways that this can be completed:
 - o For people who are not in regulated activity, it can only be done via DFE Sign-in (NCTL Secure Access). This route is available whether or not the person has a teacher number.
 - o For people in regulated activity, the check can be done either as above or via the DBS as part of checking the barred list. To do the latter, schools must include on the DBS application form, within box 61, Position Applied for: 'Child Workforce Independent School'. This allows the DBS to confirm if a section 128 direction has been made.
- 5.3.5 The Appointing Officer will verify the candidate's mental and physical fitness to carry out their work responsibilities – PEAQ or Assessment of Fitness to Work.
- 5.3.6 The Appointing Officer will conduct other checks related to the requirements of the role e.g., driving licence or valid insurance.
- 5.3.7 The Appointing Officer will verify the person's right to work in the UK. We will keep a copy of this verification for the duration of the staff's employment and for the two years afterwards. Carry out further additional checks, as appropriate, on candidates who have lived or worked outside of the UK. These could include, where available:
 - o For all staff, including teaching positions: criminal records check for overseas applicants
 - o For teaching positions: obtaining a letter from the professional regulating authority in the country where the applicant has worked, confirming that they have not imposed any sanctions or restrictions on that person, and/or are aware of any reason why that person may be unsuitable to teaching
- 5.3.8 The Appointing Officer will verify professional qualifications, by requesting certificates of evidence as appropriate.
- 5.3.9 The Appointing Officer will, for staff who work in childcare provision with pupils aged 8 and under, who are directly concerned with the management of such provision, ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the Childcare (Disqualification) Regulations 2009 by requiring signature on a declaration form.

5.3.10 The DBS must be obtained before the person starts working. Manor Hall Academy Trust does not permit any school to allow someone to commence working before the enhanced DBS certificate has been obtained.

5.4 Existing Staff

In certain circumstances we will carry out all the relevant checks on existing staff as if the individual was a new member of staff. These circumstances are when:

- There are concerns about an existing member of staff's suitability to work with children; or
- An individual moves from a post that is not regulated activity to one that is; or
- There has been a break in service of 12 weeks or more

We will refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult where:

- We believe the individual has engaged in relevant conduct; or
- We believe the individual has received a caution or conviction for a relevant (automatic barring either with or without the right to make representations) offence, under the Safeguarding Vulnerable Groups Act 2006 (Prescribed Criteria and Miscellaneous Provisions) Regulations 2009; or
- We believe the 'harm test' is satisfied in respect of the individual (i.e., they may harm a child or vulnerable adult or put them at risk of harm); and
- The individual has been removed from working in regulated activity (paid or unpaid) or would have been removed if they had not left

5.5 DBS Certificate

5.5.1 If a DBS certificate requires reviewing once it has been received, the schools will risk assess against the certificate. A copy of the risk assessment must be retained by the school and also sent to the Trust to enable approval of appointment.

5.6 Data Retention

5.6.1 We will not keep a copy of the DBS certificate for longer than 6 months (in line with the probationary period), but when the copy is destroyed, we may still keep a record of the fact that vetting took place, the result of the check and recruitment decision taken.

5.6.2 A copy of the other documents used to verify the successful candidate's identity, right to work and required qualifications will be kept for the personnel file for their duration of employment and for two years afterwards.

5.7 Regulated Activity

5.7.1 Regulated activity means a person who will be:

- Responsible, on a regular basis in a school or college, for teaching, training, instructing, caring for or supervising children; or
- Carrying out paid, or unsupervised unpaid, work regularly in a school or college where that work provides an opportunity for contact with children; or
- Engaging in intimate or personal care or overnight activity, even if this happens only once and regardless of whether they are supervised or not

6. Agency and Third-Party Staff

- 6.1 We will obtain written notification from any agency, or third-party organisation we use that the organisation has carried out the checks on an individual who will be working at the school that we would otherwise perform. This will include, as necessary, a barred list check prior to appointing that individual. We will also check that the person presenting themselves for work is the same person on whom the checks have been made.
- 6.2 Where the agency or organisation has obtained an enhanced DBS certificate before the person is due to begin work at the school or college, which has disclosed any matter or information, or any information was provided to the employment business, we will obtain a copy of the certificate from the agency.

7. Volunteers

- 7.1 We will obtain an enhanced DBS check (which should include children's barred list information) for all volunteers who are working in regulated activity.
- 7.2 We will prevent people who pose a risk of harm from working with children by adhering to statutory responsibilities to check staff who work with children, taking proportionate decisions on whether to ask for any checks beyond what is required; and ensuring volunteers are appropriately supervised. Under no circumstances will we allow a volunteer in respect of whom no checks have been obtained to be left unsupervised or allowed to work in regulated activity.
- 7.3 If we appoint volunteers, we will adopt the same recruitment measures as we would for paid staff. Where the volunteering role will be a one-off such as accompanying teachers and pupils on a day outing or helping at a school fete, such measures would be unnecessary provided that the person is not to be left alone and unsupervised in charge of children.
- 7.4 For schools with pupils aged 8 and under we will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we decide that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought
- 7.5 For more information regarding Volunteers please see our volunteers' policy – available on Parago.

8. LAB Members (including LAB members in an academy trust)

- 8.1 All LAB members within the Trust must have an Enhanced DBS check before they start their role. Any LAB members who volunteer in our establishment will be treated on the same basis as other volunteers, that is, an Enhanced DBS check with a barred list check if they are to be engaged in regulated activity.
- 8.2 Following the stipulation in Keeping Children Safe in Education, we will also use the DfE Sign-in Teacher Services website to check if any person we propose to recruit as a LAB member (and any existing LAB member) is subject to a section 128 direction.

9. Proprietors of Academies (Directors)

- 9.1 All Directors of the academy trust will have an enhanced DBS check before they start their role.
- 9.2 Checks will also be undertaken to confirm identity and if the individual lives or has lived outside of the UK, any such other checks as considered appropriate.
- 9.3 We will also ensure that any Director is not subject to a section 128 direction that would prevent them from taking part in the management of an academy.
- 9.4 The chair of the Trust board will have their DBS check countersigned by the secretary of state. Further information can be found at the following website:
<https://www.gov.uk/government/publications/academy-trust-chair-suitability-checks>.

10. Contractors, Suppliers and Professional Organisations

- 10.1 We will ensure that any contractor, or any employee of the contractor, who is to work at the school has been subject to the appropriate level of DBS check. Contractors engaging in regulated activity will require an enhanced DBS certificate (including barred list information). For all other contractors who are not engaging in regulated activity, but whose work provides them with an opportunity for regular contact with children, an enhanced DBS check (not including barred list information) will be required.
- 10.2 Under no circumstances will a contractor in respect of whom no checks have been obtained be allowed to work unsupervised or engage in regulated activity.
- 10.3 We will always check the identity of contractors and their staff on arrival at school.
- 10.4 We will obtain the DBS check for self-employed contractors.
- 10.5 We will not keep copies of such checks for longer than 6 months. Schools should monitor their Single Central Record to ensure that the information is relevant and is not

being held unnecessarily. For example, a contractor who has not worked in the school for 6 month would need to be removed. If they come back to school at a later date, a recheck would need to be completed.

10.6 Schools with pupils aged under 8: For self-employed contractors such as music teachers or sports coaches, we will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we decide that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought.

11. Trainee / student teachers / internships

11.1 Where applicants for initial teacher training or internships are salaried by us, we will ensure that all necessary pre-employment checks are carried out.

11.2 Where trainee teachers are fee-funded, we will obtain written confirmation from the training provider that necessary checks have been carried out and that the trainee has been judged by the provider to be suitable to work with children.

11.3 In schools with children aged 8 or below we will perform checks for both salaried and funded staff, to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006.

12. Visitors

12.1 We will check identification of professional visitors upon their arrival to school and ensure that they sign in and out of the building. Where applicable, we will check that the visitor has the appropriate level of DBS check.

12.2 We will use our professional judgment about the need to escort or supervise visitors on school site.

13. Alternative Provision

13.1 If we place a pupil with an alternative provision provider, we continue to be responsible for the safeguarding of that pupil, and therefore need to be satisfied that the provider meets the needs of the pupil. We will obtain written confirmation from the alternative provider that appropriate safeguarding checks have been carried out on individuals working at the establishment, i.e., those checks that we would otherwise perform in respect of our own staff.

14. Induction

14.1 All new employees will be given an induction programme which will include systems within the school which support safeguarding. It is the responsibility of the line manager for the new employee to ensure that these documents and information is shared within the first week of employment.

This includes (but is not limited to):

- the individual school's child protection/ safeguarding policy;
- the individual school's behaviour policy
- the Employees Code of Conduct
- the safeguarding response to children who go missing from education
- the role and identity of the designated safeguarding lead (and any deputies).

14.2 All staff members will also receive appropriate child protection training which is regularly updated.

14.3 All staff will be required as part of their induction to read and understand at least part one of Keeping Children Safe in Education 2023 statutory guidance before commencing their role.

14.4 All staff will complete an annual declaration online form to confirm that they understand Safeguarding policies and updates to KCSIE and confirm that they have not any spent or unspent conviction, caution, reprimand or final warning on their record, other than those deemed 'protected' under the Exceptions Order 2013, agreeing to immediately make the Headteacher aware of any changes in my circumstances, including if I am the subject of a Police investigation (which includes being Released under Investigation), if I am charged or receive any caution, conviction or reprimand

15. Single Central Record

15.1 A single centralised record is kept in accordance with the DfE requirements. This is kept up to date by the Bursar/Office Manager and is retained securely by the school. It contains the details of the following;

- all staff (including supply staff, and teacher trainees on salaried routes) who work at the school
- regular volunteers who are engaged in regulated activity
- LAB members
- all members of the proprietor body, i.e., members and directors of the academy trust.

15.2 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;
- a S128 check (where applicable - see above);
- further checks on people living or working outside the UK;
- a check of professional qualifications, where required;
- a check to establish the person's right to work in the United Kingdom;
- childcare disqualification declaration, where relevant

15.3 For supply staff, we will also include whether written confirmation (and the date) that the employment business supplying the member of supply staff has carried out the relevant checks and obtained the appropriate certificates.

15.4 A designated LAB member will be responsible for auditing the Single Central Record and reporting their findings to the LAB. This is completed on termly basis.

16. Record Retention

16.1 Copies of DBS certificates will not be retained as this is not a requirement of the duty to maintain the Single Central Record.

16.2 A copy of the other documents used to verify the, right to work.

16.3 Interview notes on unsuccessful applicants will be retained for a period of 6 months after which they will be destroyed.

16.4 Employees records will be retained for their period of employment with the Trust and for two years afterwards.

17. Applications from Overseas Applicants

17.1 Individuals who have lived or worked outside the UK must undergo the same checks as all other staff in schools or colleges. In addition, schools and colleges must make any further checks they think appropriate so that any relevant events that occurred outside the UK can be considered. The Home Office guidance on criminal records checks for overseas applicants can be found on GOV.UK.

17.2 These checks could include, where available:

- criminal records check for overseas applicants - Home Office guidance can be found on GOV.UK; and for teaching positions
- obtaining a letter (via the applicant) from the professional regulating authority in the country (or countries) in which the applicant has worked confirming that they have not imposed any sanctions or restrictions, and or that they are aware of any reason why they may be unsuitable to teach. Applicants can find contact details of regulatory bodies in the EU/EEA and Switzerland on the Regulated Professions database. Applicants can also contact the UK Centre for Professional Qualifications who will signpost them to the appropriate EEA regulatory body. Where available,

such evidence can be considered together with information obtained through other pre-appointment checks to help assess their suitability.

17.3 Where this information is not available schools and colleges should seek alternative methods of checking suitability and or undertake a risk assessment that supports informed decision making on whether to proceed with the appointment.

18. A Wider Culture of Vigilance

18.1 Manor Hall Academy Trust is committed to providing the highest level of education and care to its pupils and to safeguarding and promoting the welfare of children and young people. It is recognised that safer recruitment does not end at appointment. Our school is committed to creating a 'safer culture' and will ensure the following:

- That there are clear procedures in place to monitor, support and review new entrants to the organisation
- That there are clear procedures for reporting concerns
- That any employee who reports a concern is supported in doing so and there is a clear commitment to taking appropriate action.

19. Links with other Policies

- Privacy Notices
- Safeguarding Policies
- Whistleblowing
- Allegations of Abuse
- Close Personal Relationships at Work
- Code of Conduct for Employees
- Complaints Policy
- Data Retention Policy
- Disclosure of Criminal Conviction
- Equality Diversity and Inclusion Policy
- Probationary Periods Policy

Annex 1: Policy Statement on the Recruitment of Ex-Offenders

Exemption from the Rehabilitation of Offenders Act 1974

Ex-offenders have to disclose information about spent, as well as unspent convictions if the job for which they are applying is exempted from the Rehabilitation of Offenders Act 1974.

How this affects school-based positions

All school-based roles are exempt from the Rehabilitation of Offenders Act as the work brings employees into contact with children who are regarded by the Act as a vulnerable group. Applicants for school-based jobs must, therefore, disclose all spent and unspent, unfiltered convictions.

All applicants who are offered employment in our organisation will be subject to a criminal record check from the Disclosure and Barring Service before an appointment is confirmed. This will include details of cautions, reprimands and warnings as well as spent and unspent, unfiltered, convictions. An enhanced DBS (check) may also contain non-conviction information from local police records which a chief police officer thinks may be relevant.

Having a criminal record will not necessarily bar someone from working in our school.

Criminal records will be taken into account for recruitment purposes only when the conviction is relevant.

When reaching a recruitment decision, the following factors will be taken into account:

- 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 the other relevant matters, and
- The circumstances surrounding the offence and the explanation(s) offered of the offending person.

As an organisation assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS), we comply fully with the DBS code of practice and undertake to treat all applicants for positions fairly.

We undertake not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.

We can only ask an individual to provide details of convictions and cautions that we are legally entitled to know about. Where a DBS certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of

Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act Regulations as amended).

We can only ask an individual about convictions and cautions that are not protected.

We are committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.

We have this written policy statement on the recruitment of ex-offenders, which is made available to all DBS applicants at the start of the recruitment process.

We actively promote equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records.

We select all candidates for interview based on their skills, qualifications and experience.

All application forms, job adverts and recruitment briefs will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being conditionally offered the position.

We ensure that all those in the organisation who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences.

We also ensure that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g., the Rehabilitation of Offenders Act 1974.

At interview, or in a separate discussion, we will ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.

We make every subject of a criminal record check submitted to DBS aware of the existence of the code of practice and makes a copy available on request.

We undertake to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing any conditional offer of employment.

Annex 2 – Six Steps to Safer Recruitment

Safer Recruitment Checklist

Step 1 -Advert	Task done by	Date	Notes
All Adverts must contain: “Please note this post is subject to an enhanced DBS check, Online checks and satisfactory references prior to interview.”			
Step 2 -Shortlist	Task done by	Date	Notes
Anonymised Application forms only.			
Two People to be involved in the process. (use criteria from Person Specification)			
Any gaps in employment to be identified.			
Step 3 –Invite to Interview- Include	Task done by	Date	Notes
Send Enhanced DBS Link. (Not to be processed unless offer made in line with DBS code of practise)			
Child Care Disqualification Self Declaration.			
Health questionnaire. (Not to be opened unless offer made in line with Equality Act 2010)			

Confirmation of Right to Work. <ul style="list-style-type: none"> • Request ID. • See Direct.gov.uk for latest guidelines. 			
Request proof of qualifications for verification.			
Step 4 – At Interview	Task done by	Date	Notes
Panel to consist of at least two people. One person must be up to date with safer recruitment training.			
Predetermined interview questions template to be use and responses recorded.			
Scoring criteria used and record of decision to be retained.			
Online checks – clear or discuss concerns.			
Request and obtain references. <ul style="list-style-type: none"> • One must be current employer • At least one should be available at interview • Discuss if any concerns. 			
Check Enhanced DBS application has been completed.			
Check ID & copy documents.			

Check & copy qualifications.			
Step 5 – Conditional Offer	Task done by	Date	Notes
Conditional offer template to be used: <ul style="list-style-type: none"> • Enhanced DBS Check • Satisfactory references • Medical clearance • Confirmation of right to work • Verification of qualifications • Section 128 Check (relevant posts) • Overseas check (If worked outside the country) • Prohibition Check (Teaching staff Only) • Driving licence if Driving role 			
Offer must contain all the remaining conditions to be satisfied.			
Obtain any remaining references.			
Process Enhanced DBS Check.			
Obtain Medical Clearance: <ul style="list-style-type: none"> • Nothing declared on questionnaire. 			

<ul style="list-style-type: none">• If a disability is declared, this should be referred to Occupational Health, who will advise on suitability for role and advise of any reasonable adjustments. <p>To ensure compliance with Equality Act 2010.</p>			
Step 6 – Appointment Confirmation.	Task done by	Date	Notes
Issue Appointment Confirmation Letter only when all conditions of the offer have been met. Legally this confirms a contract of employment.			
Agree Start Date.			
Start on boarding process.			
N.B. Please note no one should commence employment until all the checks are deemed satisfactory and all conditions have been met.			
Following this process will ensure compliance with DfE Keeping Children safe in Education 2023, Codes of Practise, Employment Legislation and Manor Hall Academy Trust's Safer Recruitment Policy.			