



Bengeworth
Multi Academy Trust

Bengeworth Multi Academy Trust

**Safer Recruitment and Safer
Staffing Policy**

September 2019

Bengeworth Multi-Academy Trust Safer Recruitment and Safer Staffing Policy

1. The Academy Context

Bengeworth Multi Academy Trust currently comprises of two first schools; Bengeworth CE Academy and Bretforton Village School. Bengeworth is a 3 form entry split site school based in two separate buildings: Reception and Year 1 at Burford Road and Year 2 to Year 5 at King's Road, Bretforton Village School is a single form entry rural school with approximately 56 on role. The Trust formed in 2018 following which re-structuring led to each setting. Each setting has a Head of School with an overall Executive Head across the Trust.

2. Aims of the Policy

The aims of the Safer Recruitment policy are

- to help deter, reject or identify people who might abuse pupils or are otherwise unsuited to working with them by having appropriate procedures for appointing staff.
- to ensure that the best possible staff are recruited to the Multi-Academy Trust on the basis of their merits, abilities and suitability for the position;
- to ensure that all job applicants are considered equally and consistently;
- to ensure that no job applicant is treated unfairly on any grounds including race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age;
- to ensure compliance with all relevant legislation, recommendations and guidance including the statutory guidance published by the Department for Education (DfE), Keeping Children Safe in Education – September 2019 (KCSIE), the Prevent Duty Guidance for England and Wales 2016 (the Prevent Duty Guidance) and any guidance or code of practice published by the Disclosure and Barring Service (DBS); and
- to ensure that the School meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks.

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

The Multi Academy Trust has a principle of open competition in its approach to recruitment and will seek to recruit the best applicant for the job. The recruitment and selection process should ensure the identification of the person best suited to the job at the school based on the applicant's abilities, qualification, experience and merit as measured against the job description and person specification.

The recruitment and selection of staff will be conducted in a professional, timely and responsive manner and in compliance with current employment legislation, and relevant safeguarding legislation and statutory guidance (including KCSIE 2019 and Prevent Duty Guidance).

If a member of staff involved in the recruitment process has a close personal or familial relationship with an applicant they 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 process.

3. Roles and Responsibilities

It is the responsibility of the Governing Body to:

- ensure the School has effective policies and procedures in place for recruitment of all staff and volunteers in accordance with DfE guidance and legal requirements.
- monitor the School's compliance with them.

It is the responsibility of the Headteacher and Business Manager involved in recruitment to:

- ensure that the School operates safe recruitment procedures and makes sure all appropriate checks are carried out on all staff and volunteers who work at the School;
- monitor contractors' and agencies' compliance with this document;
- promote welfare of children and young people at every stage of the procedure.

The Governing Body has delegated responsibility to the Headteacher to lead in all appointments. School Governors may be involved in staff appointments but the final decision will rest with the Headteacher.

The School is required to carry out an enhanced DBS check for all staff, supply staff, volunteers and governors who will be engaging in regulated activity. However, the School can also carry out an enhanced DBS check on a person who would be carrying out regulated activity but for the fact that they do not carry out their duties frequently enough i.e. roles which would amount to regulated activity if carried out more frequently.

4. Recruitment and Selection Procedure

Advertising

To ensure equality of opportunity, the Multi Academy Trust will advertise all vacant posts to encourage as wide a field of applicant as possible; normally this entails an external advertisement.

Any advertisement will make clear the Trust's commitment to safeguarding and promoting the welfare of children, with the statement *"Bengeworth Academy Trust is committed to safeguarding children and promoting the welfare of all children and young people and expects all staff to share this commitment. All successful candidates will be subject to a Disclosure and Barring Service (DBS) enhanced check"* on all adverts.

All documentation relating to applicants will be treated confidentially in accordance with the Data Protection Act (DPA) and GDPR guidelines.

Application Forms

All applicants must complete the Bengeworth Multi Academy Trust job vacancy application form in full, containing details about their academic and full employment history and their suitability for the role (in addition all applicants are required to account for any gaps or discrepancies in employment history). Incomplete application forms will not be shortlisted.

The application form will include the applicant's declaration regarding convictions and working with children, and will make it clear that the post is exempt from the provisions of the Rehabilitation of Offenders Act 1974. CVs will not be accepted.

It is unlawful for the School to employ anyone who is barred from working with children. It is a criminal offence for any person who is barred from working with children to apply for a position at the Multi Academy Trust. All applicants will be made aware that providing false information is an offence and could result in the application being rejected or summary dismissal if the applicant has been selected, and referral to the police and/or the DBS.

Job Descriptions and Person Specifications

A job description is a key document in the recruitment process, and must be finalised prior to taking any other steps in the recruitment process. It will clearly and accurately set out the duties and responsibilities of the job role.

The person specification is of equal importance and informs the selection decision. It details the skills, experience, abilities and expertise that are required to do the job. The person specification will include a specific reference to suitability to work with children.

All procedures for the recruitment of staff, including non-teaching staff, will incorporate the principles of racial equality, by being open, fair and accessible to the widest pool of applicants.

This will involve:

- ensuring that all those involved in the recruitment and selection of staff at all levels are trained and made aware of how to avoid direct or indirect racial discrimination;
- monitoring by ethnicity, applications for employment, training and promotion, along with details of staff in post.

References

References for shortlisted applicants will be sent for immediately after shortlisting wherever possible. The only exception is where an applicant has indicated on their application form that they do not wish their current employer to be contacted at that stage. In such cases, this reference will be taken up immediately after interview.

All offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory by the Multi Academy Trust. One of the references should (if possible) be from the applicant's current or most recent employer. If the current / most recent employment does / did not involve work with children, then the second reference should be from the employer with whom the applicant most recently worked with children. The referee should not be a relative. References will always be sought and obtained directly from the referee and their purpose is to provide objective and factual information to support appointment decisions.

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

Please note that referees will not be asked about health or medical fitness prior to any offer of employment being made.

Any discrepancies or anomalies will be followed up. Direct contact by phone will be undertaken with each referee to verify the reference.

The Multi Academy Trust does not accept open references, testimonials or references from relatives.

Interviews

There will be a face-to-face interview wherever possible, and a minimum of two interviewers will see the applicants for the vacant position. The interview process will explore the applicant's ability to carry out the job description and meet the person specification. It will enable the panel to explore any anomalies or gaps that have been identified in order to satisfy themselves that the chosen applicant can meet the safeguarding criteria (in line with Safer Recruitment Training).

Any information in regard to past disciplinary action or allegations, cautions or convictions will be discussed and considered in the circumstance of the individual case during the interview process, if it has not been disclosed on the application form.

At least one member of any interviewing panel will have undertaken Safer Recruitment Training or refresher training as applicable.

All applicants who are invited to an interview will be required to bring evidence of their identity, address and qualifications. Original document will only be accepted and photocopies will be taken. Unsuccessful applicant documents will be destroyed six months after the recruitment process.

5. Offer of Appointment and New Employee Process

In accordance with the recommendations set out in KCSIE September 2019 the School carries out a number of pre-employment checks in respect of all prospective employees.

If it is decided to make an offer of employment following the formal interview, any such offer will be conditional on the following:

- the agreement of a mutually acceptable start date and the signing of a contract incorporating the School's standard terms and conditions of employment;
- verification of the applicant's identity (where that has not previously been verified);
- the receipt of two references (one of which must be from the applicant's most recent employer) which the School considers to be satisfactory;
- for positions which involve "teaching work":
 - i. the School being satisfied that the applicant is not, and has never been, the subject of a sanction, restriction or prohibition issued by the National College for Teaching and Leadership, or any predecessor or successor body, or by a regulator of the teaching profession in any other European Economic Area country which prevents the applicant working at the School or which, in the School's opinion, renders the applicant unsuitable to work at the School; and^[1]_[SEP]
 - ii. the School being satisfied that the applicant is not, and has never been, the subject of any proceedings before a professional conduct panel or equivalent body in the UK or any other country for any reason which prevents the applicant working at the School or which, in the School's opinion, renders the applicant unsuitable to work at the School;
- the receipt of an enhanced disclosure from the DBS which the School considers to be satisfactory;
- confirmation that the applicant is not named on the Children's Barred List;
- confirmation that the applicant is not subject to a direction under section 142 of the Education Act 2002 which prohibits, disqualifies or restricts them from providing education at a school, taking part in the management of an independent school or working in a position which involves regular contact with children;
- verification of the applicant's medical fitness for the role;
- verification of the applicant's right to work in the UK;
- any further checks which are necessary as a result of the applicant having lived or worked outside of the UK; and
- verification of professional qualifications which the School deems a requirement for the post, or which the applicant otherwise cites in support of their application (where they have not been previously verified).

A personal file checklist will be used to track and audit paperwork obtained in accordance with Safer Recruitment Training. The checklist will be retained on personal files.

The Rehabilitation of Offenders Act 1974

The Rehabilitation of Offenders Act 1974 does not apply to positions which involve working with, or having access to pupils. Therefore, any convictions and cautions that would normally be considered 'SPENT' must be declared when applying for any position at Bengeworth Multi Academy Trust.

DBS (Disclosure and Barring Service) Certificate (formerly known as CRB Disclosure)

The School applies for an enhanced disclosure from the DBS and a check of the Children's Barred List

(now known as an Enhanced Check for Regulated Activity) in respect of all positions at the Multi Academy Trust which amount to "regulated activity" as defined in the Safeguarding Vulnerable Groups Act 2006 (as amended). The purpose of carrying out an Enhanced Check for Regulated Activity is to identify whether an applicant is barred from working with children by inclusion on the Children's Barred List and to obtain other relevant suitability information.

It is the Trust's policy that the DBS disclosure will be obtained before the commencement of employment of any new employee.

It is the Trust's policy to re-check employee's DBS Certificates who take leave for more than three months with no contact with the school, including parent helpers.

Members of staff at Bengeworth Multi Academy Trust are aware of their obligation to inform the Executive Head Teacher/Heads of School of any cautions or convictions that arise between these checks taking place.

DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence.

Staff will be required to sign an annual declaration to certify that there have been no changes, cautions or convictions since their last DBS checks. These will be stored in staff personnel files.

Portability of DBS Certificates Checks

Staff may wish to join the DBS Update Service if they are likely to require another check in the future.

Applicants may sign up to the Service if their check was issued after 17 June 2013, for a fee of £13 per annum, which is payable by the applicant.

Copies of DBS Checks

The DBS no longer issue Disclosure Certificates to employers, therefore employees/applicants should bring their Certificate to the Business Manager as soon as they have been issued.

Dealing with convictions

The Trust operates a formal procedure if a DBS Certificate is returned with details of convictions.

Consideration will be given to the Rehabilitation of Offenders Act 1974 and also:

- the nature, seriousness and relevance of the offence;
- how long ago the offence occurred;
- one-off or history of offences;
- changes in circumstances;
- decriminalisation and remorse.

A formal meeting will take place face-to-face to establish the facts with the Executive Head Teacher/Head of School. A decision will be made following this meeting. 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 Executive Head Teacher/Head of School will evaluate all of the risk factors above before a position is offered or confirmed.

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

Proof of identity, Right to Work in the UK & Verification of Qualifications and/or professional status

All applicants invited to attend an interview for Bengeworth Multi Academy Trust will be required to bring their identification documentation such as passport, birth certificate, driving license etc. with them as proof of identity/eligibility to work in UK in accordance with those set out in the Immigration,

Asylum and Nationality Act 2006 and DBS identity checking guidelines. Bengeworth Multi Academy Trust does not discriminate on the grounds of age.

Where an applicant claims to have changed their name by deed poll or any other means (e.g. marriage, adoption, statutory declaration) they will be required to provide documentary evidence of the change. In addition, applicants must be able to demonstrate that they have actually obtained any academic or vocational qualification legally required for the position and claimed in their application form.

Medical Fitness

Bengeworth Multi Academy Trust is legally required to verify the medical fitness of anyone to be appointed to a post, after an offer of employment has been made but before the appointment can be confirmed.

All applicants are requested to complete a medical questionnaire and where appropriate a doctor's medical report may be required. This information will be reviewed against the Job Description and the Person Specification for the particular role, together with details of any other physical or mental requirements of the role.

Bengeworth Multi Academy Trust is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, obtaining medical evidence and considering reasonable adjustments.

Overseas checks

Applicants who have lived/travelled abroad for more than 3 months will need to obtain a criminal records check or 'Certificate of Good Conduct' from the relevant country. The applicant will not be permitted to commence work until the overseas information has been received and is considered satisfactory by the Trust.

Induction

All new employees will be given an induction which will clearly identify the relevant setting's policies and procedures, including the Child Protection Policy, the Code of Conduct and Part One of KCSIE, and make clear the expectations which will govern how staff carry out their roles and responsibilities. This induction will include an online safeguarding module which includes the Government's Prevent strategy.

Single Central Register of Members of Staff

In addition to the various staff records kept in each setting and on individual personnel files, a single centralised record of recruitment and vetting checks is kept at each setting. This is kept up-to-date and retained by the School Business Manager/PA to the Executive Head at Bengeworth and the Secretary at Bretforton Village School. The Single Centralised Register will contain details of the following:-

- all employees who are employed to work at the setting;
- all employees who are employed as supply staff to the setting whether employed directly or through an agency;
- all others who have been chosen by the setting to work in regular contact with children. This will cover volunteers, Governors, peripatetic staff and people brought into the setting to provide additional teaching or instruction for pupils but who are not staff members.
- any staff who regularly work across all settings in the Multi Academy Trust.

A designated Governor (usually the Safeguarding Governor) will be responsible for auditing the Single Central Register and reporting his/her findings to the full Governing Body at safeguarding meetings. This information is also included in the annual Section 175 report to Governors compiled by the DSL and submitted to the Local Authority.

Record Retention / Data Protection

The School is legally required to undertake the above pre-employment checks. Therefore, if an applicant is successful in their application, the School will retain on their personnel file any relevant information provided as part of the application process. This will include copies of documents used for verification of the right to work in the UK, medical fitness and qualifications. Medical information may be used to help the School to discharge its obligations as an employer e.g. so that the School may consider reasonable adjustments if an employee suffers from a disability or to assist with any other workplace issue.

This documentation will be retained by Bengeworth Multi Academy Trust for the duration of the successful applicant's employment within the Multi AcademyTrust. All information retained on employees is kept centrally in the Head of School’s office in a locked and secure cabinet.

The same policy applies to any suitability information obtained about volunteers involved with school activities.

Bengeworth Multi Academy Trust will retain all interview notes on all unsuccessful applicants for a period of 3 months, after which time the notes will be confidentially destroyed (ie: shredded). The 3 month retention period is in accordance with the Data Protection Act 1998.

4. Safer Recruitment interviewers

Bengeworth Multi Academy Trust will ensure that at least one recruiter sitting on the recruiting panel has successfully received accredited training in safe recruitment procedures. This includes Governors.

5. Policy awareness

All teachers, governors and support staff will have access to a copy of the policy on each setting’s network. All candidates will be made aware of the policy and will be provided with a copy if requested.

SignedDate (Chair of Governors)

SignedDate (Headteacher)

Review date – September 2020