

# ***Safer Recruitment Policy***

***September 2022***

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## 1. Policy statement

- 1.1 The safe recruitment of staff in schools is the first step to safeguarding and promoting the welfare of children in education. The JCB Academy (“the academy”) is committed to safeguarding and promoting the welfare of all learners in its care and expects all staff and volunteers to share this commitment.
- 1.2 This policy applies to all employees, prospective employees, casual workers, agency/third party staff, contractors, volunteers, trustees and members. Its aims are to help deter and prevent people who are unsuitable to work with children from applying or securing employment or volunteering opportunities at the academy and to ensure the academy appoints suitably qualified and skilled staff.

## 2. Recruitment and selection

- 2.1 Recruiting and selecting the right people is essential to ensure the continued success of the academy. This policy will ensure:
- Compliance with relevant legislation, including the Equality Act 2010, the General Data Protection Regulations (GDPR) and the Data Protection Act 2018.
  - Applicants are treated fairly, consistently and courteously.
  - Recruitment and selection decisions are based on merit alone.
  - The appointment of suitably qualified and skilled staff.
  - Safer recruitment practices are followed, including carrying out all necessary pre-employment checks, in accordance with the requirements of the Department for Education’s (DfE) statutory guidance for schools and colleges *Keeping Children Safe in Education*.
- 2.2 The Board of Trustees has responsibility to ensure the academy has effective policies and procedures in place for recruitment of all staff and volunteers in accordance with DfE guidance and legal requirements and to monitor the academy’s compliance with them.
- 2.3 The Board of Trustees is responsible for ensuring that those staff involved with the recruitment and employment of staff at the academy have undertaken appropriate safer recruitment training and that at least one of the members of a recruitment interview panel has completed safer recruitment training.
- 2.4 The Principal is responsible for ensuring the academy operates safer recruitment procedures and that all appropriate checks are undertaken.



2.5 The Board of Trustees has delegated responsibility to the Principal to lead in all appointments.

## 2.6 Advertising

2.6.1 The HR Manager is responsible for ensuring all vacancies (other than where it is agreed by the Principal to only advertise internally) are advertised widely in appropriate media to ensure the strongest possible field of candidates and fair and open competition which will ensure the academy benefits from a diverse workforce.

2.6.2 When advertising roles the academy will make clear:

- Its commitment to safeguarding and promoting the welfare of children and young people and that safeguarding checks will be undertaken.
- Whether the post is exempt from the Rehabilitation of Offenders Act 1974.

## 2.7 Application form

2.7.1 The academy's application form includes a statement that it is an offence to apply for the role if the applicant is barred from engaging in regulated activity relevant to children (where the role involves this type of activity).

2.7.2 Applicants are required to sign a declaration that all the information provided on their application form is true.

2.7.3 Applicants are provided with copies of/links to the following:

- The academy's Safeguarding and Child Protection Policy.
- The academy's Recruitment of Ex-Offenders Policy.
- The academy's Handling of Disclosure and Barring Services Certificates Policy.
- The DBS Code of Practice.

2.7.4 CVs will only be accepted alongside an application form.

## 2.8 Shortlisting

2.8.1 Shortlisting will involve at least two people who will normally also be involved in the interview process. They will consider any inconsistencies and look for gaps in employment and reasons given for them and also explore any potential concerns.



2.8.2 Shortlisted candidates will be asked to complete a self-declaration of their criminal record/information that would make them unsuitable to work with children.

2.8.3 An online search will be undertaken on shortlisted candidates in order to identify any incidents or issues that have happened and that are publicly available online.

## 2.9 Employment history and references

2.9.1 Wherever possible, references will be obtained prior to interview.

2.9.2 The academy will:

- Not accept open references, e.g. “to whom it may concern”.
- Liaise directly with referees to obtain, and where deemed necessary by the HR Manager and/or Principal, verify references.
- Ensure a reference is received from the candidate’s current, or most recent, employer.

2.9.3 Where a candidate’s current or most recent employer is a school or college, a reference will automatically be requested from the headteacher/principal.

2.9.4 If a candidate is not currently working with children, young people or vulnerable adults but in the past has worked in an organisation where they were employed to work with children, young people or vulnerable adults, a reference will automatically be requested from the headteacher/principal of the relevant establishment.

## 2.10 Selection

2.10.1 When interviewing candidates, the academy will:

- Ask why the candidate has applied for the role and their motivation for working in a school.
- Probe any gaps in employment, or where the candidate has changed employment or location frequently, ask the candidate to explain this.
- Explore any potential areas of concern, e.g. in relation to information provided in references or gathered in online searches, in order to determine the candidate’s suitability to work with children.



- Ask questions relating to the candidate’s understanding of safeguarding.
- Record all information considered and decisions made.

2.10.2 Wherever possible, learners will be involved in the recruitment process.

### 3. Pre-appointment checks

3.1 All offers of employment are conditional until satisfactory completion of the following pre-employment checks:

- Verification of identity.
- Verification of right to work in the UK.
- Satisfactory Enhanced DBS check, with a check of the Children’s Barred List, where the role involves engaging in regulated activity.
- Satisfactory references from two referees.
- Verification of mental and physical fitness to carry out the responsibilities of the role.
- Verification of qualifications listed on the application form.
- Verification of professional qualifications which the academy deems a requirement for the post.
- Satisfactory checks which the academy deems necessary as a result of the candidate having lived or worked outside of the UK.
- The academy being satisfied that the candidate, if being appointed as a teacher, is not subject to a prohibition order or interim prohibition order issued by the Secretary of State, or any sanction or restriction imposed (that remains current) by the GTCE before its abolition in March 2012.
- Confirmation that the candidate, if taking up a management position, is not subject to a Section 128 direction made by the Secretary of State.

### 3.2 Agency and third party staff

3.2.1 Written notification will be obtained from any agency or third party organisation that it has carried out the necessary safer recruitment checks that the academy would otherwise perform. The academy will also check that the person presenting themselves for work is the same person on whom the checks have been made.



### 3.3 Contractors

- 3.3.1 The academy will ensure that any contractor, or employee of the contractor, who is to work at the academy has had the appropriate level of DBS check. This will be:
- Enhanced DBS check with a check of the Children's Barred List for contractors engaging in regulated activity.
  - Enhanced DBS check without a check of the Children's Barred List for contractors not engaging in regulated activity but whose work will provide them with an opportunity for regular contact with learners.
- 3.3.2 Contractors who have not had any checks will not be allowed to work unsupervised or engage in regulated activity under any circumstances.
- 3.3.3 The identify of all contractors and their employees will be checked on arrival at the academy.

### 3.4 Volunteers

- 3.4.1 Under no circumstances will a volunteer on whom no checks have been obtained be left unsupervised or allowed to engage in regulated activity.
- 3.4.2 A risk assessment will be undertaken to decide what checks, if any, are required for a volunteer.
- 3.4.3 An Enhanced DBS check, including a check of the Children's Barred List, will be obtained for any volunteer engaging in regulated activity, i.e. they will not be supervised when with learners.

### 3.5 Trustees and members

- 3.5.1 All trustees will have an Enhanced DBS check which includes a check of the Children's Barred List.
- 3.5.2 The Chair of the Board of Trustees will have their DBS check countersigned by the Secretary of State.



3.5.3 The following checks will also be undertaken for all trustees and members:

- Section 128 direction.
- Identity.
- Right to work in the UK.
- Other checks which the academy deems necessary if they have lived or worked outside the UK.

#### **4. Regulated activity and DBS checks**

4.1 A person will be engaging in regulated activity with children if, as a result of their work, they will be:

- Responsible, on a regular basis in a school or college, for teaching, training, instructing, caring for or supervising children; or
- 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.

4.2 The academy will seek an Enhanced DBS check which includes a check of the Children's Barred List for anyone who will be engaging in regulated activity.

4.3 If a check reveals information that has not previously been disclosed, the individual will be required to meet with the Principal. A risk assessment will then be carried out by the Principal to determine whether or not the conditional offer of employment will be withdrawn. When assessing this information, the Principal will take the following into consideration:

- The seriousness of the offence and relevance to the post applied for.
- How long ago the offence occurred.
- Whether it was a one-off incident or a history of incidents.
- The circumstances around the incident.
- Whether the individual accepted responsibility for their actions.

The Principal will also consider the incident in the context of the Teachers' Standards and guidance on teacher misconduct if the individual has been offered a teaching post.



4.4 Normally a new member of staff would not commence work pending the result of their DBS check. However, this may be considered in exceptional circumstances subject to all other pre-employment checks being satisfactorily completed. In these circumstances, a risk assessment must be completed by the HR Manager, line manager and Principal and, if employment is authorised to commence pending the receipt of a satisfactory DBS disclosure, the Principal must ensure this is discussed with the academy's Designated Safeguarding Lead. In addition, where the individual will be engaging in regulated activity, a separate check of the Children's Barred List will be undertaken by the HR Manager.

## 5. **Checks for candidates who have lived or worked outside the UK**

5.1 If an individual has lived or worked overseas during the five years prior to appointment, they will automatically need to produce an appropriate overseas criminal record certificate in relation to this. If they are unable to do so, they will be required to apply for one.

5.2 Normally a new member of staff would not commence work pending the result of an overseas check. However, this may be considered in exceptional circumstances subject to all other pre-employment checks being satisfactorily completed. In these circumstances, a risk assessment must be completed by the HR Manager, line manager and Principal and, if employment is authorised to commence pending the receipt of a satisfactory overseas check, the Principal must ensure this is discussed with the academy's Designated Safeguarding Lead.

5.3 If an individual has lived or worked outside the UK more than five years before their appointment, the Principal will decide whether or not an overseas check is required, giving due consideration to information already obtained through other pre-appointment checks.

