



**Wessex**  
Learning Trust  
We Learn Together!

# Safer Recruitment Policy

**Date approved by Trust Board: September 2020**

**Review Date: September 2021**

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## **Wessex Learning Trust Safer Recruitment Policy**

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This policy will be reviewed by the Board of Trustees annually.

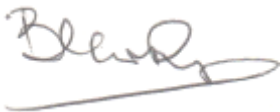
A handwritten signature in black ink that reads "Gavin Ball". The signature is written in a cursive style with a large initial 'G'.

Signature:

Name: Mr Gavin Ball

Position: Chief Executive

Date: 04/09/20

A handwritten signature in black ink that reads "Brian Kirkup". The signature is written in a cursive style with a large initial 'B'.

Signature:

Name: Mr Brian Kirkup

Position: Chair of the Board

Date: 04/09/20

## **1. Introduction**

1.1 The safe recruitment of staff in the Wessex Learning Trust is the first step to safeguarding and promoting the welfare of children in education. The Wessex Learning Trust is committed to safeguarding and promoting the welfare of all pupils in its care. As an employer, the Wessex Learning Trust expects all staff and volunteers to share this commitment.

1.2 In order to help safeguard and promote the welfare of pupils in all its Academies the Wessex Learning Trust is committed to a thorough and consistent Safer Recruitment Policy.

## **2. Aims and Objectives**

2.1 The aims of the Safer Recruitment policy are to help deter, reject or identify people who might abuse pupils, or who are otherwise unsuited to working with them, by having appropriate procedures for appointing staff.

2.2 The aims of the Wessex Learning Trust's 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 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 2016 (KCSIE), the Prevent Duty Guidance for England and Wales 2015 (the Prevent Duty Guidance) and any guidance or code of practice published by the Disclosure and Barring Service (DBS); and
- to ensure that the Wessex Learning Trust meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks.

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

2.4 The Wessex Learning 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 based on the applicant's abilities, qualification, experience and merit as measured against the job description and personnel specification.

2.5 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.

2.6 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.

2.7 The Wessex Learning Trust aims to operate this procedure consistently and thoroughly while obtaining, collating, analysing and evaluating information from and about applicants applying for job vacancies at academies within the Trust.

### **3. Roles and Responsibilities**

3.1 It is the responsibility of the Local Governing Body to:

- Ensure that this policy of the Wessex Learning Trust is implemented in accordance with DfE guidance and legal requirements;
- It is the responsibility of each Headteacher to;
  - Ensure that the Academy operates safe recruitment procedures in accordance with this policy and makes sure all appropriate checks are carried out on all staff and volunteers who work at the Academy;
  - Monitor contractors' and agencies' compliance with this document;
  - Promote welfare of children and young people at every stage of the procedure;
  - The Wessex Learning Trust has delegated responsibility to its Headteachers or their designate to lead in all appointments. Members of the Local Governing Body may be involved in staff appointments but the final decision will rest with the Headteacher. The appointment of a Headteacher is the responsibility of the Wessex Learning Trust Board.

### **4. Definition of Regulated Activity and Frequency**

4.1 Any position undertaken at, or on behalf of any Wessex Learning Trust Academy will amount to "regulated activity" if it is carried out:

- frequently, meaning once a week or more; or
- overnight, meaning between 2.00 am and 6.00 am; or
- satisfies the "period condition", meaning four times or more in a 30 day period; and
- provides the opportunity for contact with children.

4.2 Roles that are carried out on an unpaid / voluntary basis will only amount to regulated activity if, in addition to the above, they are carried out on an unsupervised basis.

4.3 Academies are not permitted to check the Children's Barred List unless an individual will be engaging in "regulated activity". Each Academy is required on behalf of the Wessex Learning Trust to carry out an enhanced DBS check for all staff, supply staff and governors who will be engaging in regulated activity using UK CRB online. However, the Academy 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 that would amount to regulated activity if carried out more frequently

### **5. Recruitment and Selection Procedure**

5.1 Advertising. To ensure equality of opportunity, the Academy will advertise all vacant posts to encourage as wide a field of applicants as possible; normally this will entail an external advertisement.

5.2 Any advertisement will make clear the Wessex Learning Trust's commitment to safeguarding young people and the requirement to undertake an enhanced DBS check by including the following statement:

***The Wessex Learning Trust is committed to safeguarding young people and all staff appointed will be required to undertake an enhanced Disclosure and Barring Service Check.***

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

5.4 Application Forms. All applicants for employment will be required to complete a Wessex Learning Trust application form containing questions 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. (Appendix 1)

5.6 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.

5.7 It is unlawful for the Wessex Learning Trust 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 a School/Academy. 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.

5.8 Job Descriptions and Personnel 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.

5.9 The personnel 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 personnel specification will include a specific reference to suitability to work with children.

5.10 References. References for shortlisted applicants will be sent for immediately after shortlisting using the standard form. 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. (Appendix 2)

5.11 All offers of employment will be subject to the receipt of a minimum of two references that are considered satisfactory by the Headteacher. For teachers one of the references must be from the applicant's current or most recent Headteacher. 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.

5.12 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. Referees will also be asked to confirm that the applicant has not been radicalised so that they do not support terrorism or any form of "extremism".

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

The Wessex Learning Trust does not accept open references, testimonials or references from relatives.

5.14 Interviews. There should be a face-to-face interview wherever possible with a minimum of two interviewers. Where this is not possible a 'Skype'/'Facetime' interview may take place. The interview process will explore the applicant's ability to carry out the job description and meet the personnel specification. It will enable the panel to explore any anomalies or gaps have been identified in order to satisfy themselves that the chosen applicant can meet the safeguarding criteria. At least one question must be asked related to the safeguarding of children.

5.15 Any information regarding 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.

5.16 At least one member of any interviewing panel must have undertaken safer recruitment training or refresher training as applicable.

## **6. Offer of Appointment and New Employee Process**

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

- the agreement of a mutually acceptable start date and the signing of a Wessex Learning Trust contract of the standard terms and conditions of employment;
- verification of the applicant's identity;
- the receipt of two references (one of which must be from the applicant's most recent Headteacher) which the Headteacher considers to be satisfactory;
- for positions which involve "teaching work" that the Headteacher 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 for the Wessex Learning Trust or which, in the Headteacher's opinion, renders the applicant unsuitable to work for the Wessex Learning Trust; and the Headteacher 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 Wessex Learning Trust or which, in the Headteacher's opinion, renders the applicant unsuitable to work at the Wessex Learning Trust;
- where the position amounts to "regulated activity" the receipt of an enhanced disclosure from the DBS which the Headteacher considers to be satisfactory;
- where the position amounts to "regulated activity" 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 a 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 qualifications which the Wessex Learning Trust Academy deems a requirement for the post, or which the applicant otherwise cites in support of their application

\* The Academy is not permitted to check the Children's Barred List unless an individual will be engaging in "regulated activity".

6.2 The Headteacher is required to send a provisional offer letter to the successful candidate using the Wessex Learning Trust template. (Appendix 3)

6.3 The Headteacher or their designate is required to carry out an enhanced DBS check for all staff, supply staff and governors who will be engaging in regulated activity. However, the Headteacher or their designate 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.

6.4 Whether a position amounts to "regulated activity" must therefore be considered by the Headteacher or their designate in order to decide which checks are appropriate. It is however likely that in nearly all cases the Academy will be able to carry out an enhanced DBS check and a Prohibited List check.

6.5 A personnel file checklist will be used to track and audit paperwork obtained in accordance with Safer Recruitment. The checklist will be retained on personnel files together with copies of above documents. (Appendix 4)

6.6 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 the Wessex Learning Trust.

6.7 DBS (Disclosure and Barring Service) Certificate. The Headteacher or their designate must apply for an enhanced disclosure from the DBS and check against the Prohibited List in respect of all positions at the Academy 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.

6.8 It is the Wessex Learning Trusts' policy that the DBS disclosure **must be** obtained before the commencement of employment of **any** new employee.

6.9 It is the Wessex Learning Trust's policy to re-check the DBS Certificates of any employee that takes leave for more than three months (i.e. maternity leave, career break etc.) before they return to work.

6.10 Members of staff should be made aware by the Headteacher or their designate of their obligation to inform the Headteacher of any cautions or convictions that arise after any check has taken place.

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

6.12 Copies of DBS Checks. A printed copy of the Disclosure Certificate should be retained on an individual's personnel file.

6.13 Dealing with Convictions. The Wessex Learning 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.

6.14 A formal meeting will take place face-to-face to establish the facts with the applicant/employee and Headteacher. 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 Business and Finance Director will evaluate all of the risk factors above and complete a risk assessment form before a position is offered or confirmed.

6.15 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 Headteacher may, where practicable and at their discretion, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

6.16 Proof of identity, Right to Work in the UK & Verification of Qualifications and/or Professional Status. All applicants invited to attend an interview at a Wessex Learning Trust Academy will be required to bring their identification documentation such as passport, birth certificate, driving licence 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.

6.17 Medical Fitness. Academies in the Wessex Learning Trust are 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.

6.18 On appointment candidates are requested to complete a Pre-Employment Health Questionnaire and where appropriate a doctor's medical report may be required. This information will be reviewed against the Job Description and the Personnel Specification for the particular role, together with details of any other physical or mental requirements of the role. (Appendix 5)

6.19 The Wessex Learning 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.

6.20 Overseas Checks. The Wessex Learning Trust, in accordance with the UK Visas and Immigration (UKVI) will, if applicable, sponsor new foreign nationals.

6.21 In addition, applicants who have lived/travelled abroad for more than three months will need to obtain a criminal record check 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 Headteacher.

6.22 Induction Programme. All new employees will be given an induction programme which will clearly identify the Wessex Learning Trust and Academy policies and procedures, including the Child Protection and Safeguarding Policy, and the Code of Conduct, and make clear the expectations that will govern how staff carry out their roles and responsibilities.

## **7. Single Centralised Register of Members of Staff**

7.1 A single centralised record of recruitment and vetting checks must be kept up to date and retained by each Wessex Learning Trust Academy. The Single Centralised Register will contain details of the following:-

- The names of all employees who are employed to work at the Academy;
- The names of all employees who are employed as supply staff at the Academy whether employed directly or through an agency;
- All others who have been chosen by the Academy to work in regular contact with children. This will cover volunteers, Members, Directors, Governors, peripatetic staff and people brought into the Academy to provide additional teaching or instruction for pupils but who are not staff members e.g.: sports coaches etc.
- The date each individual's employment commenced;
- The DfE number of all teachers;
- Confirmation that two satisfactory written references have been received and checked;
- Confirmation that a satisfactory DBS check has been completed and the date of the check;
- Confirmation that a satisfactory check has been undertaken of the Prohibited List and the date of the check;
- Confirmation that a qualification check has been undertaken;
- A record of the dates of child protection and prevent training;

7.2 A designated Governor will be responsible for auditing the Single Centralised Register and reporting his/her findings to the Local Governing Body once a year.

## **8. Record Retention / Data Protection**

8.1 Academies must retain on an employee's personnel file any relevant information provided as part of the application process. This will include the application forms, a copy of the DBS check, qualifications, documents used to verify identity, right to work in the UK, medical fitness and two references.

8.2 This documentation will be retained by the Academy for the duration of the successful applicant's employment with the Academy. All information retained on employees must be kept in a locked and secure cabinet.

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

8.4 Interview notes on all unsuccessful applicants should be retained for a period of six months, after which time the notes should be confidentially destroyed.

## **9. Contractors and Agency Staff**

9.1 Contractors engaged by Academies must complete the same checks for their employees that the Wessex Learning Trust is required to complete for its staff. The Headteacher or their designate must obtain confirmation that these checks have been completed before employees of the Contractor can commence work at the Wessex Learning Trust.

9.2 Agencies who supply staff to the Academies must also complete the pre-employment checks which the Academy would otherwise complete for its staff. Again, the Headteacher or their designate should require confirmation that these checks have been completed before an individual can commence work at the Academy.

9.3 The Headteacher or their designate is required to independently verify the identity of staff supplied by contractors or an agency and will require the provision of the original DBS certificate before contractors or agency staff can commence work at the Wessex Learning Trust Academy.

## **10. Volunteers**

10.1 The Headteacher or their designate is required to request an enhanced DBS disclosure and check the Prohibited List for all volunteers undertaking regulated activity with pupils at or on behalf of an Academy (the definition of regulated activity set out above will be applied to all volunteers). Under no circumstances will the Headteacher permit an unchecked volunteer to have unsupervised contact with pupils.

## **11. Monitoring and Evaluation**

11.1 The Wessex Learning Trust Executive Group are responsible for monitoring and evaluating this policy. The policy will be reviewed annually by the Wessex Learning Trust Board as part of its commitment to safeguarding children.

- Appendix 1 Application Forms
- Appendix 2 Reference Request Forms
- Appendix 3 Provisional Offer Template
- Appendix 4 Personnel File Checklist
- Appendix 5 Pre-Employment Health Questionnaire