

# ORCHARD ACADEMY TRUST



## Recruitment Policy

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## 1. Policy Statement

This policy has been adopted by the Trust Board of Orchard Academy Trust (“the Trust”) to provide a policy framework for the recruitment and selection of staff to all posts within the approved staffing structure of its schools – Allington Primary School and Barming Primary School. Our schools are committed to safeguarding and promoting the welfare of children and young people and require all staff and volunteers to share and demonstrate this commitment.

The Governors and Trustees of our schools fully understand their responsibilities in ensuring that recruitment procedures are free from unlawful discrimination in line with the Equality Act 2010.

The Governors and Trustees also fully appreciate the importance of fair, open, and effective procedures to enable the school to recruit people with the right skills, aptitudes, and attitudes.

The Governors and Trustees of our schools will ensure compliance with all relevant legislation, recommendations and guidance including the statutory guidance, from time to time in force, as published by the Department for Education (DfE), Keeping Children Safe in Education (KCSIE), Disqualification under the Childcare Act (DUCA) 2006 and related updates, 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).

The Governors and Trustees of our schools fully understand their responsibilities in managing the personal data of job applicants in line with the General Data Protection Regulations (GDPR).

All staff, governors, trustees and volunteers are expected to share a commitment to safeguard children and vulnerable groups and, as part of that commitment, follow ‘Safer Recruitment’ guidance in line with the Keeping Children Safe in Education, from time to time in force.

All staff, governors and trustees involved in recruitment and selection decisions are required to work in ways that are entirely consistent with this policy.

The Trust and its schools will ensure that training is provided for all staff and governors involved in the recruitment and selection of staff and that it is appropriate to their role.

The measures described in this policy will be applied to all who are employed to work at the Trust and incorporated within the scope of this policy are staff employed by contractors, supply staff, volunteers and the like who work at the Trust.

## **2. Scope**

This Policy applies to all employees of Orchard Academy Trust. This policy does not form part of any employee's terms and conditions of employment and is not intended to have contractual effect. It is provided for guidance to all members of staff at our schools who are required to familiarise themselves and comply with its contents. We reserve the right to amend this policy at any time.

## **3. Equal Opportunities Statement**

The Trust schools are committed to ensuring that each stage of the recruitment and selection process is accessible to all. We will review this policy and procedure regularly to ensure that it takes account of the Equality Act 2010 and does not discriminate against applicants on the grounds of race (which covers colours, nationality and ethnic or national origins), religion or belief, disability, age, pregnancy and maternity, gender reassignment, marriage and civil partnership, sex, or sexual orientation.

## **4. Prior to Advertising**

When a vacancy occurs the line manager will review the need for the post and consider all options (internal and external) before deciding that there is a need to recruit. If there is a need to recruit, the job description and person specification should be reviewed in line with the school workforce plan prior to seeking the approval of the Headteacher to commence recruitment.

Consideration should also be given to the working hours and contractual arrangements for each post to ensure that posts are open to applicants wishing to work on a part-time or job-share basis where possible and practical.

## **5. Job Description and Person Specification**

The job description is a statement of purpose and scope of the role and defines the purpose, duties and responsibilities of the post. It will:

- Summarise the job purpose/impact
- Set out key responsibilities and accountabilities
- Set out reporting and line management arrangements

The person specification is a description of the qualifications, experience, knowledge, skills, competencies, attitude, behaviours and other attributes of the ideal person to fill the role, with particular attention to working with vulnerable groups.

It can classify each attribute as either 'Essential' to do the job or as a 'Desirable' attribute for the post holder

to have and indicate how each attribute will be assessed e.g. application form, interview, reference, test etc.

All attributes should be measurable and quantifiable and should take care not to unlawfully discriminate against particular groups of people, either directly or indirectly.

The Job Description and Person Specification will make reference to our commitment to the safeguarding of students and include the extent that the role will involve contact with children and whether it engages in regulated activity.

An up-to-date job description and person specification will be available for each vacancy advertised and consideration may be given to whether benchmarking is appropriate.

Managers will refer to the Professional Standards for Teachers and to the School Teachers' Pay and Conditions Document (which sets out the expected attributes of Main Scale, Post Threshold, Advanced Skills and Excellent Teachers) when creating job descriptions for teaching posts.

All job descriptions, person specifications or adverts should clearly state to what extent the role will involve contact with children, whether they will be engaged in regulated activity relevant to children, and the post holder's responsibility for promoting and safeguarding the welfare of children and young people.

## 6. Advertising

Vacant posts will be advertised in a fair, open, and honest manner and will be advertised by means of a formal notice on the staff notice board, at a minimum. In most cases, vacant posts will be advertised externally. All adverts need to ensure that applicants are aware that if shortlisted, are informed they will be subject to an online check including social media. This is incorporated into the safeguarding statement below.

The following information will usually be included within the text of the advert:

- name of the Trust
- post title
- hours of work
- grade or scale
- salary (actual salary for part time)
- permanent or fixed term (stating duration if fixed term).
- brief details about what the job entails and the type of skills and experience required, including responsibility for safeguarding children.
- confirmation that an Enhanced DBS check will be required.
- confirmation of whether the post is exempt from the Rehabilitation of Offenders Act 1974.
- contact details
- closing date

If the post is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020, this means that when applying for certain jobs and activities, some spent convictions and cautions are 'protected', so they do not need to be disclosed to employers, and if they are disclosed, employers cannot take them into account. Guidance about whether a conviction or caution should be disclosed can be found on the [Ministry of Justice website](#).

To demonstrate to potential job applicants our commitment to Safeguarding and the welfare of children, adverts will demonstrate our commitment to safeguarding in recruitment, promoting the welfare of children and vetting

procedures, protecting every potential applicant from unfair practice and ultimately safeguarding children as much as possible. Promoting commitment to safeguarding and child protection can act as a deterrent to would-be abusers. Thought will be given to wording, pictures and images used to ensure that they could not be considered discriminatory. The following statement should be included on any relevant advertisements and documentation sent out to applicants:

**Orchard Academy Trust and its member schools are committed to safeguarding and promoting the welfare of the children according to child protection and safeguarding guidelines and we expect all staff to share this commitment.**

**The post you are applying for is classed as having a high degree of contact with children and involves “regulated activity”. As such it is exempt from the Rehabilitation of Offenders Act 1974. It is an offence to apply for the role if you are barred from engaging in regulated activity relevant to children.**

**All post holders are subject to the necessary pre-employment check, including a satisfactory Enhanced check from the Disclosure and Barring Service including a Child’s Barred List check (where applicable to the role in question). Additionally, all shortlisted candidates will be subject to a number of checks, which includes an online search including social media for publicly available information.**

## **7. Applications**

All applicants must be asked to complete the relevant application form in full to enable the panel to shortlist in a fair and objective manner.

The schools may reasonably decide to reject an application where incomplete and/or ambiguous information is provided. CV will not be considered. All applicants are required to sign and date a copy of their application form.

The importance of safeguarding and protecting children at the Trust should include a statement in the application form, or elsewhere in the information provided to applicants in order to deter unsuitable candidates and make it clear that where the role involves regulated activity that it is an offence to apply for the role if the applicant is barred from engaging in regulated activity relevant to children. Schools should also provide a copy of the school’s child protection policy and practices, policy on employment of ex-offenders or refer to a link on its website, Equality and Diversity Policy, information on an Enhanced DBS check, and Job Description and Person Specification in the application pack . Please see the accompanying Recruitment Guidance Notes for more information on the Employment of Ex-Offenders Policy.

The equal opportunities monitoring form will be separated from the main application form to reduce any likelihood of conscious or unconscious bias.

## **8. The Recruitment and Selection Procedure - During the Recruitment Process**

### **a. Identification Documents during Interview**

Candidates invited to interview will be required to present photo identification, regardless of whether that interview is to be conducted face-to-face or remotely. If the interview is held remotely via video conference, photo identification must be shown on screen. The successful candidate will then be required to provide us with that photo identification as well as a number of other documents, as part of the pre-employment checks, we are required to complete.

Please see the section below titled, Pre-employment Checks for further information.

#### **b. Interview**

The school is committed to ensuring that all interviews are assessed according to the merits of each candidate to meet the criteria of the job description and person specification and to fulfil their obligation regarding keeping children safe and will explore their suitability to work with children.

A face-to-face interview will always be carried out as part of the recruitment process unless exceptional circumstances apply.

Applicants may have indicated on their application form that they have a disability and, in order to promote fairness and to meet our obligations under the Equality Act 2010, the letter of invitation will encourage applicants to contact the school if they require any adjustments to enable them to attend the interview.

In addition to identification documentation, candidates are required to bring evidence of relevant qualifications to interview where the original documents must be checked, and a signed and dated copy retained.

The interview panel will consist of a minimum of **two** interviewers, one of whom will have undertaken safer recruitment training in accordance with the School Staffing (England) Regulations 2009 and should not include an employee where one of the applicants is a relative, partner or close friend. Where the interview is for a teaching post, the Headteacher, Deputy Headteacher or an Assistant Headteacher will form part of the interview panel. Where the interview is for a support staff post, the Headteacher or a Deputy Headteacher will form part of the selection panel.

The panel will take notes during the interview to enable a scoring matrix to be completed and, at the conclusion of the interviews; the panel will consider each of the candidates against the criteria for the post before reaching their decision.

#### **c. Interviews Conducted by Video Conference:**

In exceptional circumstances, interviews via video conferencing may take place. Such interviews should not be recorded or stored. The interviewee should be informed of this in the invitation to interview.

Candidates should be sent a request for ID (including photo ID) prior to the video interview to ensure that the person who is applying is the person who is interviewed.

#### **d. English Fluency**

Employees working in any role that requires them to communicate with pupils, parents, guardians, staff and / or members of the community, must be able to speak fluent English to enable the effective performance of the role and to ensure that they are able to abide by their safeguarding responsibilities.

The fluency duty does not create a higher standard than already required for Teachers at the Trust who are already annually appraised against the Teachers Standards.

## **9. The Recruitment and Selection Procedure - Short-listing Checks**

All applicants are required to sign and date the declarations requested during the shortlisting stage, to confirm that the information they have provided is true. Where there is an electronic signature, the shortlisted candidate should physically sign a hard copy of the application at the point of interview.

It is recommended that at least 2 people be involved in the shortlisting process, one of whom should be the line manager.

All shortlisting decisions will be made with clear reference to the skills and qualities set out in the person specification using an agreed method of scoring against the essential and desirable criteria. Each candidate will be considered on their own merit.

#### **a. Online Searches**

Shortlisted candidates are subject to an online search including social media.

Such checks can be carried out via online search engines and social media platforms; however, this is only with regard to information that is within the public domain. The aim of this search is to ensure there is no information held in the public domain relating to the candidate that would make the school question their suitability to work with children and/or could harm the reputation of the school should the candidate become part of the school's workforce.

The search can be carried out by a member of staff who is not part of the recruitment process, with any information collated being recorded and passed to the recruitment panel.

The candidate should be asked to explain any findings by the recruitment panel either prior to (if deemed appropriate), or during the interview process. The recruitment panel will then carry out a risk assessment as required. This process will be carried out for all shortlisted candidates regardless of the job role being applied for.

#### **b. References**

It is the Trust's policy that all references will be obtained, and concerns resolved, before confirming the conditions of employment have been met. This will be done either by letter seeking to verify the skills, experience, competencies, and employment history of the candidate, or by a standard reference form.

It is the schools' practice, with the consent of the candidate, to take up references before interview so that objective and factual information can be obtained to support appointment decisions. If candidate's have indicated that they do not consent to references being sought prior to interview, further information should be sought, and agreement obtained where possible.

On receipt, references will be checked to ensure that all specific questions have been answered satisfactorily. Any discrepancies or anomalies should be noted and addressed during the candidate's interview.

Specific questions should be included to explore the candidate's suitability to work with children and, if the referee has any concerns, they should be asked to give their reasons.

In order to comply with the Equality Act 2010, reference requests sent prior to a conditional offer of employment being made, will not request details of attendance or absence however, further information may be requested and compared with the medical questionnaire following the candidate's acceptance of a conditional offer of employment.

All offers of employment will be subject to the receipt of a minimum of 2 references and candidates will be required to specify the details of 2 referees, one of which should be the current or most recent employer and

references will only be obtained directly from those referees. Neither referee should be a relative or someone known to the applicant solely as a friend and Testimonials or open references (those addressed 'To whom it may concern') will not be considered.

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 and will be provided with a copy of the job description and person specification to assist them in their response.

References for candidate working in an education setting will be sought from the relevant Headteacher in order to ensure that information about formal disciplinary and/or capability proceedings are accurate and, in other settings, it would be appropriate to seek a reference from the line manager of the candidate.

We will seek to confirm whether the candidate has been subject to any formal disciplinary procedures within the last two years and to establish any details, outcomes or 'live' sanctions which are in place. In cases where there have been disciplinary concerns which involved children or safeguarding that have been substantiated, the referee will be required to confirm details. In accordance with Keeping Children Safe in Education, cases in which an allegation is proven to be false, unsubstantiated, or malicious should not be included in employer references.

When recruiting to teaching posts we will seek to confirm whether candidates have been subject to formal capability proceedings in the past 2 years as part of our appointment process. In the case of recruitment to all other posts we will ask referees to confirm whether candidates are currently subject to any live capability warnings as part of our appointment process.

Where a candidate is not currently working in a school or childcare setting but has done so in the past, one reference should be from their most recent children's workforce employer in line with Safer Recruitment guidelines.

We reserve the right to request that the candidate provides alternative referees where the initial referees are deemed inappropriate for our purposes e.g. where the current or most recent employer is not provided.

### **c. Declaration of Offences**

If you are shortlisted for the position you are applying for, you will be required to complete a Declaration giving details of any relevant criminal offences and other relevant information relating to our safeguarding duty. Further information will be provided on that form.

Any offer of employment will be made conditional upon a satisfactory Enhanced DBS check and child and adult barred list check, where applicable to the role in question.

### **d. Suitability Declaration Form - Disclosure of Disqualification under the Childcare Act 2006**

In accordance with the DfE Disqualification under the Childcare Act 2006 guidance regarding the Childcare Act 2006 schools are specifically required to establish that members of staff are not disqualified from working with children who have not yet reached the age of 8 in order to comply with the Childcare Act 2006 and the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018.

Individuals employed within one of the 'relevant settings' listed below, will be required to complete and submit a [[Suitability Declaration Form](#)] upon, declaring that they are not disqualified from undertaking such work upon appointment:

- Staff providing childcare to a child from birth until 1 September following a child's fifth birthday. This will include staff who provide education in nursery and reception classes and/or any supervised activity for these children, which occurs during or outside of school hours, such as breakfast clubs, lunchtime supervision and after school care provided by us.
- Individuals providing childcare to children aged between 5- and 8-years old outside of an education setting. This means staff providing breakfast club or after school provision for children within this age bracket. It does not include staff who teach these children during the school day, nor does it include any extended school hours for co-curricular learning activities such as the Trust's choir or a sports team.
- Staff directly concerned with the management of the above childcare. This includes the Headteacher and may also include other members of the Trust's leadership team and any manager, supervisor, leader to volunteer responsible for the day-to-day management of the provision.

Should you need to, you can find out more about disqualification in the Department for Education's guidance available [HERE](#).

We will also undertake checks, where applicable to the post, to ensure the individual has not been disqualified.

## 10. Conditional Offer of Employment

All offers of employment will be conditional on the successful completion of the pre-employment checks listed below and any information that the successful applicant needs to provide before commencing employment e.g. DBS form and pre-employment questionnaire.

All offers of employment will be subject to and conditional upon:

- A satisfactory Enhanced DBS check
- Where applicable, a check in respect of the Child's barred list information (i.e. if working in regulated activity)
- Verification of identity, including Date of Birth
- confirmation of the candidate's medical fitness (through a pre-employment health check)
- Verification of entitlement to work in the UK
- Verification of any relevant qualifications by the individual by providing original certificates
- Satisfactory confirmation from the Teaching Regulation Agency (TRA) that the candidate holds Qualified Teacher Status and registrations, and, where relevant and has no teaching restrictions or sanctions against you and have not been prohibited from teaching
- Receipt of 2 satisfactory references
- A prohibition check for those in teaching work and those with previous teaching experience (including unqualified teachers, HLTA's etc.)
- A satisfactory section 128 check to confirm the candidate has not been prohibited from carrying out management work where relevant.
- An satisfactory overseas check where relevant by 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.
- Verification that the candidate has not been disqualified under the 2018 Childcare Disqualification Regulations
- A satisfactory online search including social media

- a satisfactory self-declaration of your criminal record and suitability to work with children in line with the requirements of Keeping Children Safe in Education

A record will be kept to show that the above checks have been carried out for all employees.

If these are not satisfactory an offer of employment may be withdrawn or, where an individual has commenced work, employment may be terminated.

The details of checks will be reported to the police and/or the DBS if:

- the Enhanced DBS check shows that an applicant has been disqualified from working with children;
- an applicant has provided false information in, or in support of, their application; or
- there are serious concerns about an applicant's suitability to work with children gained from other legitimate information sources (e.g. references).

## **11. The Recruitment and Selection Procedure - Pre-employment Checks**

### **a. Documents confirming Identification**

In accordance with the recommendations of the DfE, we carry out a number of pre-employment checks in respect of all prospective employees to ensure effective safeguarding.

All offers of employment are conditional on the prospective employee bringing the necessary evidence of identity to enable us to verify their name (through the full birth certificate where available), date of birth and current address. Where an applicant claims to have changed their name by deed poll or any other mechanism (e.g., marriage, adoption, statutory declaration) they will be required to provide documentary evidence of the change. In all cases original documents (not photocopies) must be provided.

### **b. Right to Work**

In order to comply with the Immigration, Asylum and Nationality Act 2006, candidates must be asked to bring certain identification documentation to the interview which shows their eligibility to work in the UK. No offer of employment can be made unless one of the original documents listed on the Home Office Right to Work Checklist is produced.

The candidate's original documents must be checked, and a signed and dated copy retained for at least six months or in line with the school document retention policy if longer. Documents relating to unsuccessful candidates will be retained with the interview papers and destroyed six months from the date on which the position was offered and accepted by the successful candidate.

The Home Office Right to Work Checklist shows the acceptable identity documentation as currently defined by the Home Office and further information on establishing an individual's right to work can be found at:

<https://www.gov.uk/government/publications/right-to-work-checks-employers-guide/an-employers-guide-to-right-to-work-checks-31-august-2021-accessible-version>

### **c. DBS and Barred List Checks**

The Trust require a criminal record certificates from the Disclosure and Barring Service (DBS) check in respect of all prospective staff members and volunteers.

The type of check that may be requested from the DBS will depend on the nature of the position. If the individual is applying for a position that may provide them with an opportunity to engage in regulated activity with children or vulnerable adults, then an Enhanced DBS check including child barred list information.

This check will contain details of all convictions, cautions, reprimands, or warnings (except those which are “protected” as defined in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013 and amended in 2020) held on the Police National Computer.

The Enhanced DBS check with applicable barred list information will also reveal whether the individual is barred from working with children by virtue their inclusion on the lists of those considered unsuitable to work with children.

An Enhanced DBS check may also contain non-conviction information from local police records and/or protected information (as defined above) which the police consider may be relevant to the work the individual will be undertaking.

Candidates who have lived or worked overseas for a period as determined by the Trust or those with little or no previous UK residence may also be required to apply for a criminal records check if one is available in the relevant jurisdiction(s).

It is the schools practice that individuals obtain a satisfactory enhanced DBS check before the individual commences work. However, should DBS clearance be delayed and individual is required to commence work before the full disclosure certificate is received, where working in regulated activity, the school will conduct a standalone child’s barred list check, undertake a risk assessment on the prospective member of staff concerned, and ensure that all other applicable checks have been completed and make arrangements as appropriate for the member of staff to be paired with or supervised by another member staff who has received the appropriate level of DBS clearance.

In cases where we are notified that a DBS check is positive for criminal convictions, cautions, warnings etc, the contents of the certificate will be discussed with our HR Consultant/Provider.

For further details of what constitutes regulated activity and guidance on DBS checking for unpaid positions, including Governors and volunteers, please refer to Part 2 – Guidance Notes for Managers.

#### **d. Prohibition of Teachers**

The school will verify that anyone appointed to carry out teaching work (including HLTAs and unqualified teachers) has not been prohibited from doing so by the Secretary of State in accordance with the Teachers’ Disciplinary (England) Regulations 2012. All those in teaching work, or those with previous teaching experience, will require a prohibition check. Teaching staff will be checked on the Teacher Regulation Agency self-service portal (formerly known as the Employer Access Service) to ensure that they have the required teaching qualifications, have successfully completed statutory induction where it is necessary i.e. for teachers who obtained QTS after May 1999, and have not been prohibited from teaching.

A person who is prohibited must not be appointed to a role that involves teaching work.

#### **e. Section 128 Checks**

Section 128 directions are made by the Secretary of State under s.128 of the Education and Skills Act 2008, barring individuals from taking part in the management of Independent schools, Academies and Free Schools. The schools will undertake a section 128 check for those taking up management positions to ensure they are not prohibited under the provisions. This includes Governors, Directors and Trustees.

#### **f. Overseas Checks**

In accordance with Keeping Children Safe in Education, the Trust will ensure that individuals who have lived or worked outside the UK will undergo the same checks as all other staff in its schools.

In addition to the requirement to conduct the relevant DBS check as outlined above, we will make any further appropriate checks so that any relevant events that occurred outside the UK, can be considered. The Trust will apply the same approach for any individuals who have lived or worked outside the UK regardless of whether or not it was in an EEA country or the rest of the world. This check should include:

- obtaining a criminal record check for time spent abroad. Further information on how to obtain such a check can be found at: <https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants/guidance-on-the-application-process-for-criminal-records-checks-overseas>
- 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.

#### **g. Proof of Qualifications**

Proof of qualifications will be checked to ensure that they match the information provided within the candidate's application form. The name of the qualification, awarding institution, date of qualification and candidate name will be checked. A signed and dated copy of the certificate will be retained as evidence of when the check was carried out, and by whom.

In the case of teachers, Qualified Teacher Status (QTS) will be checked via the Teacher Regulation Agency's Self-Service Portal at <https://teacherservices.education.gov.uk/>

In the event of any concerns regarding the validity of the qualification, a candidate may be required to obtain confirmation or clarification in writing from the exam board or awarding institution.

#### **h. Follow-up References**

Following a written conditional offer of employment to the successful candidate, a supplementary reference request may be sent to their original referees. This is an opportunity to request information about sickness absence and attendance records which cannot be requested prior to an offer of employment in order to comply with the Equality Act 2010.

## **12. Withdrawal of Conditional Offers of Employment**

In the event that the conditions of the offer are not satisfactorily met, the school will consider withdrawing

the conditional offer of employment. Where the individual's employment has started, it may lead to summary dismissal on the grounds of gross misconduct. In these circumstances, advice may be sought from the school's HR Consultant/Provider

### **13. Single Central Record**

In accordance with the terms of the School Staffing (England) Regulations (as amended), the Trust will retain details of recruitment and vetting checks undertaken in a Single Central Record (SCR), held by each school. This data will be collated, used, and stored and deleted in line with GDPR. Further details of the information required can be found in Part 2 - Guidance Notes for Managers.

### **14. Complaints**

An individual who feels that their treatment during the recruitment and selection process is unfair may raise a formal complaint. This can be done by writing to the Headteacher/Chair of Governors / Trustees setting out the key points of their complaint. The complaint will be investigated in line with the school's Complaints Procedure.

Existing employees of the school should raise their concerns through the Grievance Procedure.

### **15. Induction Period**

Induction period is essential in ensuring that new employees are properly equipped for work, their role in the life of the school and feeling part of the school community.

Our schools will put in place an induction programme for all staff joining the school. The structure of the induction period will vary, taking into account the individual's previous experience and the nature of the role but will ensure that all staff and volunteers receive guidance on safe working practices and the safeguarding policies of the school.

### **16. Contractors, Volunteers, Agencies and Agency Staff**

We expect supply, temporary worker agencies, and contractors that are used by the Trust, to register with the Enhanced DBS Disclosure on their own account and to follow this policy or their own comparable policy. Proof of registration will be required before we will commission services from any such organisation.

The agency must provide evidence of the checks carried out on their central record so we can satisfy itself that they have carried out the checks on the individual that we would otherwise perform.

The agency or contractor must also ensure that the individual is aware that they have to bring in their DBS Certificate, proof of qualifications (e.g., QTS Certificate) and identification documents (proving their name, date of birth and address) on the first day of their supply work for us. A separate Children's Barred List check, where applicable must be obtained before the individual is appointed.

We reserve the right to terminate the contract with the agency or contractor and send home the individual without notice should these terms of safer recruitment practice be breached. In this instance, we will not be liable for any charges connected to the booking.

All Volunteers who have direct contact with children on a regular basis will be required to have a DBS check

and a Barred List check, where applicable. The Headteacher will apply a risk assessment to assess the need for an Enhanced DBS check on an individual basis.

## **17. Rehabilitation of Offenders Disclosure**

We will not unfairly discriminate against any applicant for employment on the basis of conviction or other details revealed. We make appointment decisions on the basis of merit and ability. If a candidate has a criminal record this will not automatically debar them from employment within the Trust. Instead, each case will be decided on its merits in accordance with the objective assessment criteria.

In view of the fact that all positions within the Trust will amount to "regulated positions", all shortlisted candidates for employment must declare all unspent convictions and cautions and all spent convictions and adult cautions (except those which are "protected" as defined in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013 and amended in 2020). A failure to disclose a conviction or caution which you are required to disclose may lead to an application being rejected or, if the failure is discovered after employment has started, may lead to summary dismissal on the grounds of gross misconduct. A failure to disclose a previous conviction may also amount to a criminal offence.

Under the relevant legislation, it is unlawful for us to employ anyone who is included on the lists, maintained by the DfE and the Department of Health, of individuals who are considered unsuitable to work with children. In addition, it will also be unlawful for us to employ anyone who is the subject of a disqualifying order made on being convicted or charged with the following offences against children: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence.

It is a criminal offence for any person who is disqualified from working with children to attempt to apply for a position within the Trust, if:

- we receive an application from a disqualified person;
- is provided with false information in, or in support of an applicant's application; or
- we have serious concerns about an applicant's suitability to work with children,

we will report the matter to the Police, DBS and/or the DfE.

Please refer to our Recruitment of Applicants with a Criminal Records Policy for further details about our obligations regarding the fair evaluation about any information disclosed.

## **18. Record Keeping**

Accurate and contemporaneous records including copies of application forms, shortlisting and interview notes, details of any online check and any resulting risk assessments carried out and details of scoring will be kept throughout the process and will be retained.

If an applicant is appointed, this information will be stored by us for up to 6 years following termination of employment.

If the application is unsuccessful, this information as well as copies of all identity documentation (passport/birth certificate etc.) will normally be confidentially destroyed after 6 months, unless the applicant specifically requests us to keep their details on file.

All personal data will be stored and destroyed in line with our responsibilities under UK GDPR.

Please note that original and copies of DBS certificates must not be retained on personal files and that the details should, instead, the information must be recorded on the Single Central Record. Details of any online checks do not need to be recorded on the Single Central Record but must be recorded in the individuals personal file.

## **19. Confidentiality and Data Protection**

This school recognises its obligations under the General Data Protection Regulation and associated legislation, and the rights of Employees with regards to the personal data held on them.

All records relating to the recruitment process will be gathered, processed, held, and shared in accordance with the requirements of the General Data Protection Regulation and Data Protection Act.

Please refer to the Trust Data Protection Policy and Privacy Notice for further details.