



Recruitment Policy and Procedure, including Safer Recruitment

Audience:	School and academy staff, particularly Headteachers and administrative staff Local Governing Bodies
Reviewed:	January 2021 Reviewed November 2022
Other related policies / procedures	Safeguarding and Child Protection
Owner	Safeguarding Lead
Policy / procedure model	MAT policy: all Crofty schools use this policy Aligned: Policy to be adapted to school where indicated School policy: specific to needs of the school

PURPOSE

Crofty Trust recognises its staff as being fundamental to its success. A strategic and professional approach to recruitment processes enables the Trust to attract and appoint staff with the necessary competencies and attributes to fulfil its strategic vision, trust wide improvement plans and support the Trust's shared values.

The Trust is committed to safeguarding and promoting the welfare of all pupils in its care and would expect all employees, volunteers, and contractors to share this commitment.

AIM

To create a culture of safe recruitment, attract and recruit high quality candidates, ensuring equality of opportunity for all, and to appoint the best candidates to meet the objectives of the Trust and keep children safe.

To ensure that the safeguarding and welfare of children and young people takes place at each stage of the recruitment and selection process.

OBJECTIVES

The objectives of the 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, consistently and treated fairly in line with the Equality Act 2010;
- to ensure compliance with all relevant employment legislation, recommendations and guidance including the statutory guidance published by the Department for Education (DfE), Keeping Children Safe in Education - September 2022 (KCSIE) and 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).

PRINCIPLES

The Trust has a principle of open competition in its approach to recruitment and will seek to recruit the best applicants 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 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 statutory guidance (including KCSIE 2022 and Prevent

Duty Guidance) and any guidance or code of practice published by the DBS.

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.

The Trust aims to operate this procedure consistently and thoroughly while obtaining, collating, analysing, and evaluating information from and about applicants applying for job vacancies.

Stages of the Procedure to recruit

1. Identification of a vacancy
2. Advertising and candidate search
3. Short listing
4. Selection
5. Appointment or Withdrawal
6. Record keeping
7. Staff Induction

Roles and Responsibilities

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

This policy applies to all employed staff regardless of contract type and status. For volunteers, contractors, agency staff or visitors, please see the Policy and Procedure for Recruitment of Non-Employed Personnel (*currently in draft*). All appropriate recruitment checks will be carried out as it would be for all other employees.

It is the responsibility of the Trust Board to:

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

It is the responsibility of the Headteacher, or Senior Leader involved in the recruitment procedure to:

- ensure that safe recruitment procedures are followed and make sure all appropriate checks are carried out on all staff.
- promote welfare and safeguarding of children and young people at every stage of the procedure.

The Trust Board has delegated responsibility to Headteachers or Senior Leaders to lead on all school-based appointments, where appropriate School Governors will support these panels. Responsibility for Trust's shared team appointments are delegated to the CEO.

Recruitment and Selection Procedure

Stage 1 – Identification of a vacancy

This is a significantly important stage of the recruitment procedure and can impact on future strategic decisions, therefore all vacancies should be reviewed prior to recruiting and not automatically replaced.

A vacancy creates an opportunity to reconsider the overall functions and structure of an area. The recruitment and selection process should not commence until a full evaluation of the need for the role against the following has been completed:

- Do you need to replace this role?
- The strategic aims of the Trust and School Improvement Plans
- Any foreseeable changes that might impact on the role or the area
- School budget
- Current and future staff structures and skills
- Alternative solutions such as redeployment or recruiting to a different role
- Any relevant exit interviews information
- Any staff seeking redeployment from other schools in the Trust

Headteachers should discuss these questions with their School Improvement Partner and if the appointment is at a time other than annual budget setting complete the In Year Staffing Changes Form.

Once you have followed the staffing changes procedure and the requirement for a new appointment has been agreed then you can proceed to advertise.

Once the decision has been made to recruit, a time plan should be drawn up for the appointment process to enable it to be managed effectively. It is important in all circumstances to allow realistic timescales and ensure deadlines strictly adhered to. It is imperative to inform those concerned in making the appointment of the deadlines.

The following stages will need to be accommodated into your time plan:

Activity	Condition	Approx. Working Days	Your Planned Dates
Complete In Year Staffing Changes form for approval	Post receipt of completed form	2	
Review the Crofty job description and person specification	Can be accessed via google drive at any time	0	
Drafting of the advert	Templates exist but specific requirements must be requested via the In Year Staffing changes form or direct the school SIP.	2	
Publication and website dates for advertising	Posted on the Trust and school page alongside CC website and Indeed. Any other methods will need requesting	2	
Closing date	Minimum of two weeks unless rationale is provided	10	
Shortlisting date	On receipt of completed paperwork	5	
Interview date	Minimum of a weeks' notice provided to candidates	5	
Decisions made and candidates informed	With completed paperwork	2	
Completion of statutory safer recruitment checks and relevant correspondence to confirm start date.	Maximum 3 months for DBS but average is 2-3 weeks. References average is approx. 2-3 weeks	15	
Total:		43	

Stage 2 - Advertising and candidate search

Vacancies will only be advertised subject to:

- A completed and agreed In Year Staffing Changes form
- Schools should use the agreed Crofty advert for the role, but the school must provide any relevant school related information.

Job Descriptions - A job description is a key document that clearly and accurately sets 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, behaviours and expertise that are required to do the job. The person specification will include a specific reference to suitability to work with children.

The Trust has agreed role job description and person specification templates which will be used unless the recruiting manager requires amendments that can be justified, any changes need to be agreed with the Director of Education (DoE). These are accessible on the shared Crofty MAT Admin and Recruitment drive.

Advertising - To ensure equality of opportunity, the Trust will advertise all vacant posts to encourage as wide a field of applicant as possible; normally this entails an external advertisement. All vacancies will be advertised on the Trust website. HR and Headteachers will agree and regularly review the methods of attracting candidates and the content of any press and/or web-based advertisements. All web advertisements will be placed within two working days from receipt of all relevant recruitment documentation as outlined above. The placement of any press advertisements will be dependent on marketing deadlines.

Adverts will include: Title, location, salary, a brief description of the Trust, a brief description of the school, the role, successful applicant criteria, how to apply, closing date, proposed interview date and safeguarding requirements.

The closing date for applications will normally be a minimum of ten working days from the appearance of the advertisements.

Any advertisement will make clear the Trust's commitment to safeguarding and promoting the welfare of children, the responsibilities of the role, such as the extent to which the role will involve contact with children and that safeguarding checks will be carried out.

Advertised roles will make it clear that whether or not the role is exempt from the Rehabilitation of Offenders Act 1974 and the amendments of the Exceptions Order 1975, 2013 and 2020. If the role is exempt, the advert will make clear that certain spent convictions and cautions are 'protected', so they do not need to be disclosed to the Trust, and if they are disclosed, the Trust will not take them into account.

In extenuating circumstances, the Headteacher in consultation with the DoE may waive the need to advertise. This is likely to include the following circumstances:

- Where positions may provide suitable alternative employment for existing staff whose post has been identified as at risk of redundancy, including the termination of fixed term contracts, or following a restructuring exercise.

- Positions requiring specialised expertise, where the Headteacher can demonstrate that a comprehensive search has been conducted, and the nominated individual is the most suitable person for the position.
- Where the Headteacher can verify that the work is required for a specific purpose of no greater than 2-month duration.
- Where the position is identified as a professional development opportunity the school can with agreement from the DoE keep the vacancy as internal only to the Trust and will not need to advertise externally.

Application Forms (see Recruitment Resources Pack) - Candidates will be encouraged to apply via the Crofty website. Where this is not possible the school will send out an applicant recruitment information pack.

As a minimum an applicant recruitment information pack will include:

- An application form and equal opportunity form;
- Job description and person specification;
- Relevant information about the school and Trust, including a copy of, or a link to the Trust's Safeguarding and Child Protection Policy.

Applicants will be required to provide the following information:

- Personal details, current and former names, current address, and national insurance number;
 - Details of their present (or last) employment and reason for leaving;
 - Full employment history, (since leaving school, including education, employment, and voluntary work);
 - Qualifications, the awarding body, and date of award;
 - Details of referees/references (see below for further information); and
- A statement of the personal qualities and experience that the applicant believes are relevant to their suitability for the role advertised.

All candidates will apply using a Crofty Trust application form to demonstrate their suitability for the role, ensuring all gaps or discrepancies in their employment history are accounted for. **Incomplete application forms will not be shortlisted, and CVs will not be accepted.**

The application form will include the applicant's declaration regarding any convictions, cautions, reprimands or final warnings that are not "protected" as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in November 2020).

It is unlawful for a 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 a school. 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.

All documentation relating to applicants will be treated confidentially in accordance with the Trust's GDPR policy.

Details of enquiries and applications from suitable candidates will be retained for future reference on the HR database where permission is obtained. All other information on candidates will be disposed of appropriately and within the recommended timescales in accordance with GDPR.

Stage 3 – Shortlisting

The School Administrator will collate all applications, and Senior Leaders will shortlist possible candidates. The shortlisting process will be completed within a maximum of 5 working days of the vacancy closing date and in the Trust's recommended format (see Recruitment Resources Pack).

The School Administrator will send shortlisted candidates an interview invitation letter (see Recruitment Resources Pack). Wherever possible, the invitation will be confirmed verbally. The letter should give the selected candidates a minimum of 5 working days' notice.

Interview invitations will include:

- Invitation letter;
- Map;
- Information of the day/assessments;
- Any additional information provided to prepare for the interview/assessment; and
- Advice on what documentation to bring.

The School Administrator will also prepare interview packs and send to the interview panel members in advance of the interview date.

Interview panel packs will include:

- Application forms;
- Interview schedule (see Recruitment Resources Pack);
- Agreed interview questions on Crofty's format (see Recruitment Resources Pack);
- Assessment scoring sheet and summary sheet on Crofty's format (see Recruitment Resources Pack); and
- Information of documentation that must be copied and reviewed.

Shortlisted candidates will be asked to complete a self-declaration form of their criminal record or information that would make them unsuitable to work with children, so they have the opportunity to share relevant information and discuss it at the interview stage. The information we will ask for includes:

- if they have a criminal history;
- whether they are included on the barred list;
- whether they are prohibited from teaching;
- whether they are prohibited from taking part in the management of an independent school;
- information about any criminal offences committed in any country in line with the law as applicable in England and Wales;
- if they are known to the police and children's social care; and

- if they have been disqualified from providing childcare.

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 school.

Online Searches

We will also consider carrying out an online search on shortlisted candidates to help identify any incidents or issues that are publicly available online.

Stage 4 – Selection

Interviews - Interviews should be conducted within ten working days of shortlisting.

All applicants who are invited to an interview will be required to bring evidence of their identity, address, and qualifications. Only original documents will be accepted, and photocopies will be taken.

The Trust will consider any past disciplinary action or allegations carefully when assessing the applicant's suitability for the role.

As a minimum, the interview panel will normally comprise of the Headteacher or Senior Leader to facilitate the panel and a minimum of one and maximum of two other members of relevant staff. To make sure we recruit suitable people, we will ensure that those involved in the recruitment and employment of staff to work with children have received safer recruitment training. The interview panel members will be those who undertook shortlisting for a consistent approach.

A list of interview questions must be prepared by the panel in advance of the interview in the Trusts format (see Recruitment Resources Pack). Interview questions must relate to the job requirements and safeguarding and explore any anomalies or gaps in the candidate's employment history.

The interview process will explore the applicant's ability to carry out the role and meet the person specification. Prepare the questions and format of the interview and make sure all panel members are familiar with them in advance. Standard questions should be asked of all candidates to ensure consistency of approach. Depending upon a candidate's response the interviewer may probe and gain further information.

Selection is a two-way process; candidates are assessing the job and organisation, so it is important to present a positive image. The Headteacher or Senior Leader is responsible for ensuring that the panel arrangements, environment, and equipment for presentations are suitable and available on the day. They are also responsible for ensuring that help and support is available for all candidates and

any special requirements are accommodated.

The Headteacher or Senior Leader is responsible for deciding the most appropriate selection process for the position. An interview is normally the minimum selection method; however, it is recommended that consideration be given to incorporating multiple selection methods into the recruitment procedure.

These may include:

- Individual interviews;
- Written exercises;
- Presentations;
- Aptitude/ability tests;
- Visits to work locations;
- Group exercises;
- Micro teaching
- Observations or learning walks

Selection will be based on agreed competencies for the role, job description and person specifications. Recruitment and selection must be conducted as an evidence-based process and candidates should be assessed against agreed selection criteria, based on relevant knowledge, skills, competencies, experience, and qualifications to perform the role.

All interviewers will complete a Trust's Interview/Assessment Scoring Sheet, which will also be used for any notes made during the interview. If no clear favourite emerges, the criteria should be weighted in terms of their importance to the post in question.

Scoring is a matter of preference; you should use a simple scoring method using a 1-5 ranking or if you decide not to score then you should have a simple way of ranking the candidates and noting with evidence why one is higher than another.

The panel should discuss in advance if they intend to score the process and decide if they wish to add weight to certain aspects of the process.

For example:

- Score against the person specification – providing notes of evidence as to why each person does/does not meet each aspect of the specification.
- Score each activity and the questions.

On completion of selection the chair of the panel will complete a Trust interview summary form and ensure that they have taken copies and verified candidates ID, qualifications, and any other relevant information.

If a second interview is necessary, this should be conducted within a maximum of ten days of the original interview. The interview panel will consist of one or two senior staff members that have undertaken appropriate Safer Recruitment Training and were not involved in the original interview.

If there are any doubts as to the suitability of the candidates, the appropriate action would be to not recruit and to revisit the recruitment procedure to determine whether or not to re-advertise and explore alternative candidates or strategic solutions such as reviewing the role, the advertising tools used, the timing of the advertisement and the format of the selection process.

An offer of appointment will only be made on the basis of the consensus of the panel following adherence to the recruitment and selection procedures. If the panel is evenly split, the Chair will have the casting vote.

Stage 5 – Appointment or withdrawal

The Headteacher or Senior Leader will make a verbal conditional offer of appointment to the preferred candidate within 24 hours. It should be made clear to the candidate that this is conditional to satisfactory completion of all statutory pre-employment requirements. No formal offer of employment should be made before clearance of all statutory employment checks.

Once an offer of appointment has been accepted, the Headteacher or Senior Leader will contact unsuccessful candidates within 24 hours and provide feedback if requested.

Where any pre-employment statutory checks are unsatisfactory, the offer of employment will be formally withdrawn. You will be required to provide the individual with the reason for withdrawing the offer of employment.

Pre-employment checks - In accordance with the recommendations set out in KCSIE, the Trust and its schools carry out several pre-employment checks in respect of a prospective employees which include:

1. verification of the applicant's identity
2. the receipt of two references (one of which must be from the applicant's most recent employer) which the Trust considers to be satisfactory;
3. where the position amounts to "regulated activity" the receipt of an enhanced disclosure from the DBS which the school and Trust considers to be satisfactory;
4. 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;
5. confirmation that the applicant is not subject to a direction under section 128 of the Education and Skills Act 2008 which prohibits, disqualifies, or restricts them from being involved in the management of a school;
6. pre-employment health screening that is targeted, necessary and relevant to the job which has been applied for;
7. verification of the applicant's right to work in the UK;
8. any further checks which are necessary as a result of the applicant having

- lived or worked outside of the UK; and
9. verification of professional qualifications which the school deems a requirement for the post, or which the applicant otherwise cites in support of their application

For positions which involve "teaching work":

10. 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
11. the school being satisfied that the applicant is not, 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;

Full details of each stage can be found in the appendix of this policy.

Dealing with convictions - A candidate may disclose that they have a criminal record. Depending upon its nature and the relevance to the work, it may be decided that the conviction will not impact on the individual's ability to undertake the duties of the post.

The MAT operates a formal procedure if an individual declares a criminal record or 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 Headteacher. The Headteacher will use the information provided by the candidate alongside evidence available through the DBS check to complete a risk assessment (see Crofty Pre-recruitment Risk Assessment Form). This will then be discussed with the SIP/ DoE following the meeting to agree the decision to confirm or withdraw the offer of employment.

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 school 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.

Legal duty - Despite the best efforts to recruit safely there will be occasions when allegations of serious misconduct or abuse against children and young people are raised. This policy is primarily concerned with the promotion of safer recruitment and details the pre-employment checks that will be undertaken prior to employment being confirmed. Whilst these are pre-employment checks the MAT also has a legal duty to make a referral to the DBS in circumstances where an individual:

- has applied for a position at a MAT School despite being barred from working with children; or
- has been removed by a MAT School from working in regulated activity (whether paid or unpaid), or has resigned prior to being removed, because they have harmed, or pose a risk of harm to, a child.

If the individual referred to the DBS is a teacher, a School may also decide to make a referral to the National College for Teaching and Leadership.

Stage 6 – Record keeping

Single Central Record (SCR)

In addition to the various staff records kept in school and on individual personnel files, a single centralised record of recruitment and vetting checks is kept in accordance with KCSIE (January 2022). This is kept up-to-date and retained by each school office and the MAT Central Office for central employees. The Single Centralised Record will contain details of the following: -

- All employees who are employed to work at the school;
- all employees who are employed as supply staff to the school whether employed directly or through an agency;
- all others who have been chosen by the school to work in regular contact with children. This will cover volunteers, Governors, peripatetic staff, and people brought into the school to provide additional teaching or instruction for pupils but who are not staff members e.g.: sports coaches etc.

Each term a peer review partner from within Crofty will review the Single Central Record to identify and highlight and missing information. Findings will be reported to the full Governing Body by the Headteacher.

The person responsible for updating the SCR will receive training each year, through the local authority (LA) audit process. After the autumn term LA audit has been undertaken and an audit report will be produced, this report will be shared with the safeguarding school governor, headteacher, school SCR administrator, safeguarding trustee and MAT DSL. Within a month of having received the audit report the school will be reaudited (by an appropriately trained peer from a

different school) to ensure that any outstanding actions have been undertaken.

Record Retention / General Data Protection Regulations (GDPR)

The Trust and its schools are legally required to undertake pre-employment checks. Therefore, if an applicant is successful in their application, the school or Central office will retain on their personnel file any relevant information provided as part of the application process. This will include relevant copies of documents obtained through the recruitment process.

This documentation will be retained by the school or Trust for the duration of the successful applicant's employment. All information retained on employees is kept centrally in the School/ Trust Office in a locked and secure cabinet. For employees appointed after April 2021 all HR records will be stored on the EduPay system and no paper copies retained.

The Trust Schools will retain all interview documentation on all unsuccessful applicants for a maximum period of 6 months, after which time the notes will be confidentially destroyed (i.e., shredded). The 6-month retention period is in accordance with GDPR.

Stage 7 - Staff Induction

All new employees will be given a local induction programme (which will clearly identify the school's policies and procedures and confirm the conduct expected of staff within the Trust) and attend a Trust induction in line with the Trust's Induction Procedure.

Equal Opportunities

The Trust is committed to promoting equal opportunities for all staff and job applicants. We aim to create a working environment in which all individuals are able to make best use of their skills, free from discrimination or harassment, and in which all decisions are based on merit.

We do not discriminate against staff on the basis of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation.

Appendices:

Definition of Regulated Activity

Any position undertaken at, or on behalf of a school 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.

A school is not permitted to check the Children's Barred List unless an individual will be engaging in "regulated activity". The MAT 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 MAT 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.

1. Verification of the applicant's identity

All applicants invited to attend an interview will be required to bring their original identification documentation such as passport, birth certificate, driving licence etc. with them as proof of identity in line with the DBS identity checking guidelines.

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

2. References

References can be requested for after shortlisting unless an applicant has indicated on their application form that they do not wish their current employer to be contacted at that stage. In all cases references will be sent for immediately after interview before appointment.

All offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory. One of the references must be from the applicant's current or most recent employer and be completed by a senior person with appropriate authority. If the current / most recent employment does / did not involve work with children, then the second reference where possible, 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. The MAT does not accept open references or testimonials, for example addressed 'To whom it may

concern'.

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.

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

If a candidate is not currently in employment verification of the individuals most recent employment will be obtained.

The Trust will also:

- Obtain verification of the individual's most recent relevant period of employment where the applicant is not currently employed;
- Always verify any information with the person who provided the reference;
- Ensure electronic references originate from a legitimate source;
- Contact referees to clarify content where information is vague or insufficient information is provided;
- Compare the information on the application form with that in the reference and take up any discrepancies with the candidate;
- Establish the reason for the candidate leaving their current or most recent post; and
- Ensure any concerns are resolved satisfactorily before appointment is confirmed.

3. DBS

The MAT 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 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 MAT's policy that the DBS disclosure **must** be obtained before the commencement of employment of any new employee.

It is the MAT's policy to re-check employee's DBS Certificates of any employee that takes leave for more than three months (i.e.: career break etc). This must be re-checked before they return back to work.

If there are concerns about an existing member of staff's suitability to work with

children all relevant check will be carried out as if they were a new member of staff. We will refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult where:

- We believe the individual has engaged in relevant conduct, or
- We believe the individual has received a caution or conviction for a relevant offence under the Safeguarding Vulnerable Groups Act 2006 Regulations 2009, or
- We believe the "harm test" is satisfied in respect of the individual (i.e., they may harm a child or a vulnerable adult, or put them at risk of harm and
- The individual has been removed from working in regulated activity (paid or unpaid) or would have been removed had they not left.

Members of school staff are aware of their obligation to inform the Headteacher of any cautions or convictions that arise between these checks taking place. MAT central staff will inform the CEO.

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

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 either with our Trust or an alternative employer.

Copies of DBS Checks

The DBS no longer issue Disclosure Certificates to employers; therefore, school employees/applicants should bring their Certificate to the school office/headteacher (for employees within 7 days of issue or applicants before they commence work or any project involving regulated activity).

4. Children's Barred List (Section 142 of the Education Act 2002)

The MAT applies for a check of the Children's Barred List as detailed above. The DBS maintains 'barred lists' of individuals who are unsuitable to work with children and vulnerable adults. It is a criminal offence for a person to work with a group from which they have been barred from working. It is also an offence for an employer to hire a person to work in a regulated activity with children if they have been barred from doing so.

5. Section 128 of the Education and Skills Act 2008

The MAT will carry out a section 128 check on all relevant staff. A section 128 direction prohibits or restricts a person from taking part in the management of an independent school, including academies and free schools. A person who is prohibited is unable to participate in any management of an independent school such as:

- a management position in an independent school, academy or free school

as an employee;

- a trustee of an academy or free school trust; a governor or member of a proprietor body for an independent school; or
- a governor on any governing body in an independent school, academy or free school that retains or has been delegated any management responsibilities.

Individuals taking part in 'management' may include individuals who are members of proprietor bodies (including governors if the governing body is the proprietor body for the school), and such staff positions as follows: Headteacher, any teaching positions on the senior leadership team, and any teaching positions which carry a department headship. Whether other individuals such as teachers with additional responsibilities could be prohibited from 'taking part in management' depends on the facts of each case.

A section 128 direction disqualifies a person from holding or continuing to hold office as a governor of a maintained school.

6. Medical Fitness

The MAT is legally required to verify the medical fitness of anyone to be appointed to a post at the school, **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.

Pre- Employment Health questions will only be asked before an offer of employment is made in circumstances allowed by law: for example, to check that the applicant could perform an intrinsic part of the job (taking account of any reasonable adjustments), or to see if any adjustments might be needed at interview because of a disability.

Medical information may be used to help the Trust to discharge its obligations as an employer e.g., so that a school may consider reasonable adjustments if an employee suffers from a disability or to assist with any other workplace issues.

The 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.

7. Right to work in the UK

All applicants invited to attend an interview will be required to bring their original identification documentation such as passport, birth certificate etc. with them as eligibility to work in UK in accordance with those set out in the Immigration,

Asylum and Nationality Act 2006 and DBS identity checking guidelines.

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.

8. Lived or worked outside of the UK

The Trust must carry out the same checks on individuals who have lived or worked outside the UK as all other staff in schools or colleges. This includes obtaining (via the applicant) an enhanced DBS certificate (including barred list information, for those who will be engaging in regulated activity) even if the individual has never been to the UK. In addition, the Trust must make any further checks they think appropriate so that any relevant events that occurred outside the UK can be considered.

These checks could include:

- criminal records checks for overseas applicants - Home Office guidance can be found on GOV.UK; and for teaching positions;
- obtaining a letter of professional standing from the professional regulating authority in the country in which the applicant has worked **confirming that they have not imposed sanctions or restrictions and that they are not aware of any reasons as to why the applicant might be unsuitable; and**
 - **any other checks the Trust deems necessary.**

Advice about which regulatory or professional body applicants should contact is available from the National Recognition Information Centre for the United Kingdom, UK NARIC. Where available, such evidence can be considered together with information obtained through other pre-appointment checks to help assess their suitability. Where this information is not available schools and colleges should seek alternative methods of checking suitability and or undertake a risk assessment that supports informed decision making on whether to proceed with the appointment.

Although sanctions and restrictions imposed by another regulating authority do not prevent a person from taking up teaching positions in England, schools and colleges should consider the circumstances that led to the restriction or sanction being imposed when considering a candidate's suitability for employment.

Further information can be found in DfE Guidance: Recruit teachers from overseas.

Some overseas qualified teachers can apply to the Teaching Regulation Agency (TRA) for the award of qualified teacher status (QTS) in England.

9. Professional qualifications

All applicants invited to attend for interview must be able to demonstrate that they have obtained any academic or vocational qualification legally required for the position and claimed in their application form.

For positions which involve "teaching work" – Prohibition check

Teacher Services should be used before appointing a teacher to check for:

- the award of QTS
- completion of teacher induction
- prohibitions, sanctions, and restrictions that might prevent the individual from taking part in certain activities or working in specific positions.