



# AVANTI SCHOOLS TRUST

## Safer Recruitment Policy



Summer 2022

*Review date: Summer 2025*

# SAFER RECRUITMENT POLICY

This Policy is a Category 1 Policy (Full Delegation)

This policy is in force until further notice from:	Summer 2022
This policy must be reviewed by no later than*: <i>*this refers to the term in which the Policy must be reviewed by the appropriate Committee for recommendation to the Board.</i>	Summer 2025
Policy Author(s):	Head of People
Date policy reviewed by Committee and Minute reference	People & Governance Committee: 05.07.22
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## **Recruitment Selection Policy and Procedure**

### **Introduction**

Avanti Schools Trust (AST) is committed to safeguarding and promoting the welfare of children and young people and requires all staff and volunteers to demonstrate this commitment in every aspect of their work.

The appointment of all employees will be made on merit and in accordance with the provisions of Employment Law, [Keeping Children Safe in Education \(KCSiE\)](#) and the Trust's Equality Policy. We will comply with the requirements of part 3 of KCSiE.

AST will ensure that people are treated solely on the basis of their abilities and potential and that no job applicant is treated unfairly by reason of a protected characteristic as defined within the Equality Act 2010.

AST has established this policy to embed safer recruitment practices throughout the Trust by creating robust and effective practices and procedures, helping to deter, reject or identify people who might be unsuitable for working with children, and to emphasise the safeguarding and welfare of children and young people in our care.

### **Delegation of Appointments and Constitution of Appointments Panels**

AST delegates the authority to offer employment for all posts in schools below the Senior Leadership Team (SLT) level to the Principal except for Philosophy, Religion and Ethics (PRE) teachers (see further below). All appointments will have taken part in a robust interview process including panels (detailed below) before any offer is made.

The Lead Practitioner for PRE and the CEO will be involved in shortlisting and all further stages of the recruitment process for any PRE vacancies.

The Education Director and the CEO will be invited to be involved in shortlisting and all further stages of the recruitment process for any SLT vacancies.

For vacancies for Principals and above, or Senior Central Team roles;

- Those on the shortlisting panel must also form part of the interview panel unless there are circumstances outside of the control of the panel.
- The shortlisting panel should be comprised of a minimum of three people, one of which should be a Board member, where possible.
- For Principals, this should also include an invitation to the School Stakeholder Committee (SSC) chair.
- Interview panels may consist of multiple stages with varying panels assessing separate tasks and criteria. These separate panels should remain consistent across all candidates.

Selection panels for posts below Principal or Senior Central Team level will comprise a minimum of two people (normally three). Every selection panel will have at least one member who has undertaken safer recruitment training. The panel will have involvement with advertising, shortlisting,

observations and interviews. They may be required for other elements of the recruitment process depending on the role and school.

## **Advertising**

### **Job descriptions and person specifications**

All job descriptions and person specifications will set out the role's safeguarding responsibilities and will be prepared using the Trust's standard templates where available. The precise range of responsibilities will differ but every post, whether paid or voluntary, will include responsibility for ensuring the safety and security of children and young people.

### **Advertising and applicant packs**

We desire a balanced approach between internal and external appointments. Our default approach will be to first advertise internally to Avanti employees. An appropriate panel, as outlined above, will assess the applications against the Job Description and Person Specification. Only if it is clear that the internal candidate's application closely matches the JD and PS will the candidate(s) be taken forward to interview. In other cases, where the match is less clear, the process will move straight to advertising externally and all internal candidates will be invited to apply. We will omit the step of internal advertising and go straight to external in any case where the Executive determines that it would be in the best interests of the Trust to do so. In situations where the Principal is relatively inexperienced (less than five years of headship), any internal-only candidates for teaching/leadership will involve the Education Director or their nominee. Trustees will be provided an analysis of internal versus external appointments on an annual basis to help ensure that a healthy balance between internal and external appointments is being achieved.

Wherever the advertisement is placed, it will include information on the Trust's commitment to safeguarding and promoting the welfare of children and the requirement for a DBS check. The applicant pack will include: a copy of the Trust's Child Protection and Safeguarding Policy and Procedure, a statement of the Trust's commitment to child safeguarding, the Trust's safeguarding competencies for staff and volunteers and the safeguarding responsibilities of the post as per the job description and personal specification. It will also confirm whether the post is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020.

### **Application forms**

All appointments will require a standard application form for every applicant. Stand alone CVs will not be accepted. We will expect and require candidates for all posts, paid or voluntary, to provide a full employment history and to account for any gaps or discrepancies either on the application or, subsequently, at the interview. Applicants submitting an incomplete application form will not be shortlisted.

Where a role involves engaging in regulated activity relevant to children, we will include a statement in the application form or elsewhere in the information provided to applicants that it is an offence to apply for the role if the applicant is barred from engaging in regulated activity relevant to children.

We will also require applicants to provide:

- personal details, current and former names, current address and national insurance number;

- details of their present (or last) employment and reason for leaving;
- 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 post advertised and how they meet the person specification.

Applicants should be aware that providing false information is an offence and could result in their application being rejected or in summary dismissal if the applicant has already been appointed. This may also result in the matter being referred to the police and/or a professional regulatory body e.g. the Disclosure and Barring Service.

Candidates submitting an application form completed online may be asked to sign the form if called for an interview.

## Shortlisting

The selection panel will use an agreed short-listing form. The criteria for selection will be consistently applied to all applicants. The selection panel will agree on the candidates to be called for an interview.

When shortlisting, we will:

- ensure that at least two people carry out the shortlisting exercise (or at least three in the case of senior appointments)
- consider any inconsistencies and look for gaps in employment and reasons given for them, and
- explore all potential concerns.

Once we have shortlisted candidates, we will ask shortlisted candidates to complete and sign a self-declaration of their criminal record or any information that would make them unsuitable to work with children, so that they have the opportunity to share relevant information and discuss it at interview stage. We will also ask shortlisted candidates to sign a declaration confirming the information they have provided is true. The information we will ask for includes (where appropriate for the role):

- If they have a criminal history
- Whether they are included on the children's barred list
- Whether they are prohibited from teaching
- 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 local authority social care
- Any relevant overseas information.

Where possible, we will carry out an online search on shortlisted candidates to help identify any issues that are publicly available online.

In the event of only one external applicant a full shortlisting process will be followed to ensure that the standards of the Trust are not being compromised and that fairness of selection can be

demonstrated.

If the field of applicants is felt to be weak the post may be re-advertised.

### **Reference Requests**

Human Resources will take up at least two references (covering the last 5 years of employment, where applicable) on each shortlisted candidate. If a candidate for a post working with children is not currently employed as a teacher, a reference will be sought from the most recent employment working with children to confirm details of their employment and their reasons for leaving.

We will always expect to take a reference from the current employer.

Reference requests will ask the referee to confirm:

- the referee's relationship with the candidate
- details of the applicant's current post and salary
- performance history and conduct
- any disciplinary action involving the safety and welfare of children, including any in which the sanction has expired
- details of any substantiated allegations or concerns relating to the safety and welfare of children
- whether the referee has any reservations as to the candidate's suitability to work with children. If so, the Trust will ask for specific details of the concerns and the reasons why the referee believes the candidate may be unsuitable to work with children.

Wherever possible, reference will be made available to the interview panel prior to interview. All offers of employment are subject to satisfactory references being received.

References are the "property" of the Trust and strict confidentiality will be observed. Employer testimonials or 'bearer references' i.e. those provided by the candidate and/or marked 'to whom it may concern' will not be accepted. References must be in writing and be specific to the job for which the candidate has applied. The selection panel will not accept references from relatives or people writing solely in the capacity as a friend of the candidate for any post. References will be verified and any discrepancies may be discussed with the candidate at interview.

### **Interviews**

The format, style and duration of the interviews are matters for the selection panel to decide in consultation with Human Resources. Where possible, those who shortlist will also carry out the interview for a consistent approach. The above provisions regarding the delegation of appointments apply.

#### **Briefing:**

All candidates will be given relevant information about the Trust to enable the candidate to make further enquiries about the suitability of the advertised job.

**The formal interview:**

Before the interviews the selection panel will agree on the interview format. The questions asked will be aimed at obtaining evidence of how each candidate meets the requirement of the job description and the person specification and each candidate will be assessed against all of the criteria for the post. The same areas of questioning will be covered for each applicant. No questions which would be discriminatory in contravention of the Equality Act 2010 will be asked. The selection process for every post will include exploration of the candidate's understanding of child safeguarding issues. Each candidate will be asked to explain any unexplained gaps in employment, or where the candidate has changed employment or location frequently, they may be asked about the reasons for this. The interview will also include a discussion of any convictions, cautions or pending prosecutions, other than those protected under the Rehabilitation of Offenders Act 1974, that the candidate has declared and are relevant to the prospective employment.

In order to assess an applicant's suitability for the post, other selection activities, such as presentations, written exercises, group activities or carefully supervised activities with children or adults, may be included.

Any applicant who raises safeguarding concerns during the selection process will be rejected.

The recruitment documentation will be retained by HR for 6-12 months from the date of interview, after which all information about unsuccessful candidates will be securely destroyed. Under the UK General Data Protection Regulation (GDPR), applicants have the right to request access to notes written about them during the recruitment process. We will respond to such requests in accordance with the GDPR (or any replacement legislation).

**Offer of Employment by the Selection Panel**

For all roles, the offer of employment by the Trust and acceptance by the candidate is binding on both parties, conditional on satisfactory completion of the necessary pre-employment checks. The successful candidate will be informed that the appointment is subject to the satisfactory completion of these checks.

**New Staff**

When appointing new staff, we will:

- Verify their identity
- Obtain (via the applicant) an enhanced DBS certificate, including the children's barred list check for those who will be engaging in regulated activity (see the definition below). We will obtain the certificate before, or as soon as practicable after, appointment, including when using the DBS Update Service.
- Obtain a separate children's barred list check if they will start work in regulated activity before the DBS certificate is available
- Verify their mental and physical fitness to carry out their work responsibilities
- Verify their right to work in the UK
- Ensure to capture their full employment history, (since leaving school, including education, employment and voluntary work) including reasons for any gaps in employment
- Verify their professional qualifications, as appropriate

- Ensure they are not subject to a prohibition order if they are employed to be a teacher
- Check that candidates taking up a management position are not subject to a prohibition from management (section 128) direction made by the secretary of state. Management positions are most likely to include, but are not limited to:
  - Principals
  - Headteachers
  - Deputy/Assistant Headteachers
  - Teaching posts which carry a departmental head role
  - Governors
  - Trustees

We will assess on a case-by-case basis whether the check should be carried out when appointments are made to teaching and support roles which carry additional responsibilities. In these cases, the determining factor is not the job title, but whether there are responsibilities which could be considered as 'taking part in management'

- Carry out further additional checks, as appropriate and on a risk assessment basis, on candidates who have lived or worked outside of the UK. Where available, these will include:
  - For all staff, including teaching positions: [criminal records checks for overseas applicants](#)
  - For teaching positions: obtaining a letter from the professional regulating authority in the country where 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
- For schools with pupils aged under 8: We will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we take a decision that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment on the individual's HR file. This will include our evaluation of any risks and control measures put in place, and any advice sought.

### **Regulated activity**

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

- will be responsible, on a regular basis in a school or college, for teaching, training instructing, caring for or supervising children
- will be working on a regular basis in a specified establishment, such as a school, or in connection with the purposes of the establishment, where the work gives opportunity for contact with children, or
- engage in intimate or personal care or healthcare or any overnight activity, even if this happens only once.

### **Existing staff**

In certain circumstances we will carry out all the relevant checks on existing staff as if the individual was a new member of staff. These circumstances are when:

- There are concerns about an existing member of staff's suitability to work with children; or
- An individual moves from a post that is not regulated activity to one that is; or
- There has been a break in service of 12 weeks or more.



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 (as defined by the Disclosure and Barring Service); or
- We believe the individual has received a caution or conviction for a relevant (automatic barring either with or without the right to make representations) offence, under the Safeguarding Vulnerable Groups Act 2006 (Prescribed Criteria and Miscellaneous Provisions) Regulations 2009; or
- We believe the 'harm test' is satisfied in respect of the individual (i.e. they may harm a child or 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 if they had not left.

### **HR file and Single Central Record**

Recruitment and selection information for the successful candidate will be retained securely and confidentially for the duration of their employment with the school including:

- application form – signed by the applicant
- interview notes – including explanation of any gaps in the employment history
- references – minimum of 2
- proof of identity
- proof of right to work in the UK
- evidence of further checks on people who have lived or worked outside the UK
- proof of relevant academic and professional qualifications
- Certificate of Good Conduct (where applicable)
- evidence of medical clearance from the Occupational Health service
- evidence of DBS clearance, children's barred list check and prohibition from teaching checks (where relevant)
- offer of employment letter and signed contract of employment.

For school appointments, Human Resources and the school will maintain a Single Central Record of employment checks in accordance with [Keeping Children Safe in Education](#). The link for the SCR will be shared by Human Resources to the Principal and other nominated staff members within the school who will have responsibility for updating the school's aspect of the SCR as and when changes are required.

### **Start of Employment and Induction**

The pre-employment checks listed in the earlier paragraph above must be completed before the employee starts work. Exceptions will only be made in circumstances where a risk assessment has been undertaken. Exceptions will never be made where the individual is on the children's barred list or subject to a teacher prohibition order.

All new employees will be provided with an induction programme which will cover all relevant matters of school policy but in particular safeguarding and promoting the welfare of children. The induction

programme will include safeguarding and child protection training (including online safety).

**Please also refer to our Child Protection and Safeguarding Policy and Procedure, any relevant legislation and any relevant guidance issued by the Department for Education.**