



Safer Recruitment Policy and Procedures

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VERSION CONTROL			
Version	Date	Author/Reviewer	Substantive changes since the previous version
DRAFT V0.1	May/June 23		Updated policy for ONE Academy Trust. Merges the previous WAT & Believe policies.
DRAFT v0.2	Sept 23	DD/GB/JC	Reformatted.
DRAFT v0.3	'live'	DD/JC	Content updated. Recruitment of Ex-Offenders inserted (statutory requirement) Amended August 24
V1	Oct 24	DD/JC/GB	Consulted with Admin Teams & Headteachers. Approved for issue

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- ONE05-02 – Recruitment Checklist
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- ONE05-06 – Safer Recruitment Guidance for Selection Panels
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- ONE05-18 – Risk Assessment Template (Self-employed Contractors)
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ONE03 - Recruitment of Members, Trustees and Governors

1. Introduction

- 1.1 ONE Academy Trust is committed to safeguarding and promoting the welfare of children. We expect everyone working with us to share this commitment.
- 1.2 Good practice and equality of opportunity are integral to the trust's recruitment and selection processes which will be handled in a fair, equitable and transparent way.
- 1.3 The principles of this policy are:
- To protect children and ensure all possible precautions are taken to prevent unsuitable people from being employed by the trust;
 - To ensure the appointment of all employees is based on their abilities and potential and in accordance with the provisions of the Equality Act 2010;
 - To ensure compliance with the requirements of the Department for Education Keeping Children Safe in Education (most recent version).
 - To ensure that appointments are made in line with the requirements set out in the Education (Independent School Standards) Regulations 2014.
- 1.4 The board of trustees is aware of the guidance and provisions of the Equality Act 2010 and is committed to ensuring consistency of treatment and fairness. It will abide by all relevant equality legislation, including the duty to make reasonable adjustments where these are deemed either necessary or appropriate. If employees need assistance or adjustments to understand and comply with this procedure and/or attend meetings, they should contact their line manager at the earliest opportunity. Job applicants should contact the person named in the recruitment information.
- 1.5 This policy complies with the DBS Code of Practice, obligations under the Data Protection Act and GDPR, the general provisions of employment law, Keeping Children Safe in Education and the Trust's Safeguarding and Equality Policies.
- 1.6 This policy does not form part of any employee's contract of employment, and it may be amended at any time.

2. Delegation of responsibility for making appointments

- 2.1 We will ensure that those involved in the recruitment and employment of staff to work with children have received appropriate safer recruitment training. Every selection panel will have at least one member who has undertaken safer recruitment training.
- 2.2 The board of trustees delegates all appointments for the following:
- Support staff and teacher appointment below the level of Headteacher to the Headteacher
 - Executive Team appointments (with the exception of Executive Leaders) to the CEO
- 2.3 Senior Trust appointments, including the CEO, Headteachers and senior executive trust appointments, will be made by the Board of Trustees. A representative from the Board of Trustees will be present on the selection panel and hold delegated authority to act on behalf of the trust board in the decision making for the selected candidate/s. All senior appointments (headteacher and above) will be reported to the trust board.

3. Considerations before recruitment

- 3.1 Before any recruitment actions is taken the line manager and Headteacher/CEO (for trust appointments) will determine:
- whether there is a requirement to recruit a replacement
 - whether alternative arrangements could be considered to redistribute the work tasks or cover the role without the need for a replacement
 - whether there is an operational requirement to fill the vacant position
- 3.2 Any recruitment approval must be sought from the Chief Financial Officer prior to advertising the role.
- 3.3 Prior to any recruitment taking place, the job description and person specification should be reviewed to ensure it reflects the duties and responsibilities of the role. If this is not the case, the job description and person specification will be amended, taking into account HR advice. For support staff roles the new job description will be evaluated under the National Job Evaluation Scheme and the trust's Pay and Grading Structure (once this is implemented). Any amendments to the salary range for a post must be approved by the Chief Financial Officer before the position is advertised. For teaching posts, the salary will be determined in line the School Teachers Pay and Conditions Document. For Trust leadership positions, the salary range will be determined through a role comparison exercise as detailed in the relevant pay policies.

4. Recruitment of staff

Advertising

- 4.1 Vacancies should be advertised and approved at the appropriate level. This is to ensure equality of opportunity and encourage as wide a field of candidates as possible. This will normally mean placing an advertisement externally. However, where there is a reasonable expectation that there are sufficient suitably qualified internal candidates, vacancies will be advertised internally first. In these circumstances, the recruiting manager may decide that certain parts of the recruitment process may be omitted but all candidates will be subject to interview. External recruitment may not be required if a suitable candidate is selected.
- 4.2 The recruiting manager will liaise with the HR manager regarding the content of the advertisement if any variations are required to the standard template.
- 4.3 The recruiting manager will determine if the vacancy will be advertised through the local authority scheme and/or other media.
- 4.4 When advertising roles, we will make clear:
- Our trust's commitment to safeguarding and promoting the welfare of children
 - That safeguarding checks will be undertaken
 - The safeguarding requirements and responsibilities of the role, such as the extent to which the role will involve contact with children
 - The provisions of the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020 apply. The Rehabilitation of Ex-Offenders Statement is published on the ONE Academy Trust website here.

4.5 Ideally job roles should be advertised for a minimum of two weeks.

5. Information for applicants

5.1 Applicants for the vacant post/s will be provided with:

- A job description outlining the duties and responsibilities of the role, including the safeguarding responsibilities of the position
- A person specification indicating the qualifications, skills and expertise regarded as essential or desirable for the role
- An application form or expression of interest as appropriate. N.B. CVs will not be accepted.
- Information about the trust/school and other general information (for external candidates)
- Information relating to the requirement for pre-employment checks to be undertaken if a formal offer of employment is made
- An outline of the main terms of employment including salary level
- The closing date for applications.

Application forms

5.2 The Trust's template application form must be used. Each school will include on the application form a link to their child protection and safeguarding policy.

5.3 If an applicant requires assistance to complete an application form or requires it to be in an alternative format (such as Braille) then this should be allowed.

Equality and diversity monitoring

5.4 Equality and diversity monitoring will be undertaken in line with the Trust's Equality and Diversity policy. Equality monitoring information will be separated from the application prior to the applications being evaluated.

6. Shortlisting and reference requests

6.1 Our shortlisting process will involve at least 2 people (preferably 3) and will follow the guidance which is set out in the Safer Recruitment Guidance for Selection Panels document.

6.2 The shortlisting panel will consistently apply the same criteria for selection for all shortlisted candidates for each role based on the information provided by the candidate in the application process against the requirements stipulated in the job description and person specification. The selection panel will agree the candidates to be called for interview. If the field of candidates is not deemed to be of the quality required, the panel may decide to re-advertise the post or make alternative arrangements to fill the vacancy.

6.3 Selection criteria may be weighted to recognise more important aspects of the job role. This should be done prior to the shortlisting taking place and applied consistently.

6.4 We will ask shortlisted candidates to:

- Complete the Self-declaration and Relevant Convictions Form. Candidates should be given the opportunity to discuss any relevant disclosures made. The information we will ask for includes:
- If they have a criminal history in the UK (subject to the provisions of the Rehabilitation of Offenders Act)
- Information about any criminal offences committed in any country in line with the law as applicable in England and Wales
- Whether they are included on the barred list
- If they have been subject to a child protection investigation.
- Whether they are prohibited from teaching
- Any information relating to the candidate living overseas which may affect their ability to work with children
- Sign a declaration confirming the information they have provided is true

Seeking references and checking employment history

- 6.5 The school/trust will take up two references for each shortlisted candidate, one of which will be from their current employer (completed by a senior person with appropriate authority). If a shortlisted candidate is not currently working with children, a reference will be sought from the most recent employment working with children to confirm details of their employment and reason for leaving. Where a candidate has worked in a school and a reference is received from the school, the reference must be confirmed by the headteacher as accurate in respect of any disciplinary investigations. The recruiting manager must follow up and verify any inconsistencies, or vague or concerning information with the person who provided the reference.
- 6.6 Any information included in the references will be dealt with in the strictest of confidence. 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 role that the candidate has applied for.
- 6.7 References from relatives or friends will not be accepted. Where an employment reference cannot be provided we may accept a character reference from an alternative professional (e.g. a college tutor, a voluntary organisation). References must be received from a verified source. References will be checked against the candidate's application form and any discrepancies will be discussed with the candidate. If a reference identifies any safeguarding concerns the panel will carry out a risk assessment (taking into account HR advice), based on the information provided. Should a decision be made to withdraw the interview invitation, the candidate will be informed as soon as reasonably practicably possible and advised of the reason for this. Details of the decision will be recorded and stored with the candidate's application information for a period of twelve months before being securely destroyed.
- 6.8 In line with KCSIE guidance, the School/Trust will carry out an online search as part of the due diligence process on shortlisted candidates. This check is designed to identify any incidents or

issues that have happened and are publicly available online. The purpose of this check is to assess the suitability of shortlisted candidates for working with children and to assess if there is anything they had said or done which could significantly harm the reputation of the School/Trust, if appointed. This check is not to be used to obtain any other information about the candidate. All shortlisted candidates will be made aware an online search will be carried out.

- 6.9 The online check will be carried out by a member of staff who is not part of the shortlisting panel. The School/Trust must follow the criteria detailed on the online search record. The only information that will be shared with the recruitment panel will be information found that may suggest a candidate is not suitable to work with children (e.g. safeguarding or reputational risk). The panel will then review the information and decide whether the content is serious enough to address any concerns with the shortlisted candidate at the interview stage. The recruitment panel reserve the right to end the recruitment process for any candidates where the information obtained from the online search poses a significant risk to the Trust in terms of reputational risk or safeguarding if the candidates was to be appointed. All data held will be in line with the Trust's data processing and retention policy. Shortlisted candidates will be notified that an online check will be undertaken prior to the interview.

7. Interviews/selection event

- 7.1 The details of the selection process will be agreed by the selection panel, taking into account HR advice.
- 7.2 The School/Trust will write to the shortlisted candidates, ideally giving at least five days' notice of the interview/selection event and providing details of the interview/selection event (e.g. activities etc.).
- 7.3 Prior to the interview/selection event, the panel will agree the assessment methods to be used and the interview questions. The interview/selection event will be conducted in line with the Trust's safer recruitment guidance for selection panels. The selection process will be designed to test how each candidate meets the requirements of the job description and person specification and also to ascertain the candidate's understanding of child safeguarding issues. Each candidate will be assessed against the same criteria.
- 7.4 When interviewing candidates, we will:
- Probe any gaps in employment, or where the candidate has changed employment or location frequently, and ask candidates to explain this
 - Explore any potential areas of concern to determine the candidate's suitability to work with children
 - Discuss with the candidate any information which they have declared on the criminal convictions form
 - Record all information considered and decisions made.
- 7.5 The selection process will not directly or indirectly discriminate any candidate based on their protected characteristics as detailed in the Equality Act 2010.

- 7.6 At the end of the selection process the panel will consider all of the evidence from the whole selection process in order to decide on the suitability of candidates.
- 7.7 All documentation relating to unsuccessful applicants will be kept for a period of twelve months from the date of the interview, after that time it will be securely destroyed.
- 7.8 Should the selection panel decide the candidates are not suitable for the position they may decide to re-advertise or make alternative arrangements to fill the vacancy.

8. Pre-appointment checks and offer of employment

- 8.1 The offer of employment by the organisation and acceptance by the candidate is binding on both parties, subject to the necessary pre-appointment vetting checks being completed satisfactorily. NB: Where a current employee is a successful candidate, only checks for which up-to-date records are not held will be required:
- Proof of birth date (i.e. birth certificate). This is in accordance with the requirements of KCSiE and is used as part of verifying identity and checking for any unexplained gaps in education and employment history.
 - Verification of identity. Evidence of identity using the list of valid identity documents which comply with DBS identity checking guidelines will be required. Where an applicant has 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.
 - Verification of right to work in the UK. We will keep a copy of this verification for the duration of the member of staff's employment and for 2 years afterwards
 - Verification of relevant qualifications
 - Satisfactory DBS (Disclosure and Barring Service) Enhanced Disclosure. We will obtain the DBS certificate before the appointment date. We will not keep a copy of the certificate for longer than 6 months, but when the copy is destroyed we will still keep a record of the fact that vetting took place, the result of the check and recruitment decision taken
 - Further additional checks, as appropriate, on candidates who have lived or worked outside of the UK. This includes requesting a criminal records check for the country or countries where the individual has lived/worked. For teaching positions, the individual will be required to obtain a letter from the professional regulation authority in the country or countries they have worked, confirming they have not imposed any sanctions or restrictions and they are not aware of any reasons why they may be unsuitable to teach.
 - For candidates who qualified overseas, request evidence of professional standing, for example, a letter from the organisation that regulates teachers in the country where the applicant qualified, confirming their status as a teacher. Ideally, this document should also confirm that the applicant's authorisation to teach has never been suspended, barred, cancelled, revoked or restricted and that they have no sanctions against them. For countries where teachers are automatically eligible for QTS, see the list of [evidence required for teacher qualifications and professional recognition](#). For everywhere else, the [UK Centre for Professional Qualifications](#) can give advice on the organisations to contact. The letter of professional standing must be retained on the employment file.

- A barred list check for those who will be engaging in regulated activity. **Regulated activity** means a person who will be:
 - Responsible, on a regular basis in a school or college, for teaching, training, instructing, caring for or supervising children; or
 - Carrying out paid, or unsupervised unpaid, work regularly in a school or college where that work provides an opportunity for contact with children; or
 - Engaging in intimate or personal care or overnight activity, even if this happens only once and regardless of whether they are supervised or not
- A teacher prohibition check (if applicable)
- A 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.
- Verification of the candidate's mental and physical fitness to carry out their work responsibilities. ONE Academy Trust is legally required to verify the physical and mental capacity for the specific roles of anyone it employs, **after** an offer of employment has been made but **before** the appointment can be confirmed.
- All applicants to whom an offer of employment is made must complete a Health Questionnaire which should be returned directly to the occupational health provider. 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 i.e. proposed timetable, extra-curricular activities, layout of the workplace etc. If necessary the Occupational Health provider will make recommendations to mitigate the impact of any physical or medical condition on the applicant's ability to carry out the duties of the post in consultation with them. The Employer may also seek a further medical opinion from a specialist or request that the applicant undertakes a full medical assessment. No job offer will be withdrawn because of medical and physical impairment without first consulting with the applicant, obtaining medical evidence, considering reasonable adjustments and suitable alternative employment.
- Two satisfactory references
- A satisfactory online check by a person independent of the recruitment process.
- A check to ensure candidates are not disqualified under the 2018 Childcare Disqualification Regulations and the Childcare Act 2006 (this ensures that no member of staff who may potentially work with children under 8 years old is disqualified under the Act).

8.2 The successful candidate will be informed that the appointment is subject to the satisfactory completion of these checks. Where any of these checks are deemed to be unsatisfactory, the employer retains the right to withdraw the offer of employment, based on the information gathered. Where it is not possible to obtain information from abroad about an individual's suitability to work with children, the school/trust will seek alternative methods of checking suitability e.g. overseas employer references or undertaking a risk assessment to review whether or not to process with the appointment, taking into consideration the information received from the other pre-employment checks. HR advice should be sought.

8.3 If the prospective employee's DBS clearance shows a positive record, the Headteacher (or CEO for Trust appointments) will carry out a risk assessment based on the information on the

DBS certificate. In some cases, the offer of employment may be withdrawn following this risk assessment.

- 8.4 We will record all information on the checks carried out in the school's/trust's single central record (SCR). Copies of these checks, where appropriate, will be held in individuals' personnel files. We follow data protection legislation and best practice in retaining copies of these checks.
- 8.5 All new appointments are subject to a satisfactory six-month probationary period (with the exception of Early Career Teachers (ECT) who are subject to the ECT induction arrangements). The probationary period does not apply for internal candidates moving between roles.
- 8.6 Should the first appointable candidate decline the offer of employment or the position becomes vacant again within six months of the completion of the recruitment process, the panel may choose to offer the appointment to another appointable candidate in ranked order.

9. HR File and the Single Central Record

- 9.1 Recruitment and selection documentation for the successful candidate will be retained securely for the duration of their employment with the Trust, including:
- Application form – signed by the applicant
 - Interview notes
 - Job Description/person specification
 - References (1 for internal candidates, minimum of 2 for external candidates)
 - Proof of identity
 - Proof of right to work in the UK
 - Proof of current address
 - Proof of relevant qualifications
 - Verification of the successful completion of the statutory induction period using the Teacher Regulation Agency service (for teaching staff)
 - Certificate of good conduct (where person has lived/worked abroad for a period of over 3 months)
 - Letter of professional standing where teaching qualification has been obtained overseas
 - Evidence of medical clearance from the Trust's Occupational Health provider
 - Evidence of enhanced DBS clearance (including verification the original DBS certificate has been seen) and a barred list check. A copy of the DBS certificate will be retained for no longer than 6 months.
 - Prohibition from teaching check
 - Prohibition from management check (Section 128, where applicable)
 - Offer of employment letter and signed contract of employment

- Self-declaration from the employee confirming they are not disqualified under the 2018 Childcare Disqualification Regulations and the Childcare Act 2006 (included in the Self Declaration and Relevant Convictions Form).
 - Completed online search record.
- 9.2 Retention of personal information for employees following the end of their employment will be in accordance with the data retention policy. When retained documents have reached their data retention limit they will be securely destroyed.
- 9.3 We will process all personal information in accordance with data protection legislation, our data protection policy and our Privacy Notices, accessible from the ONE Academy Trust website [here](#).
- 9.4 The trust will maintain a Single Central Record of employment checks in accordance with Keeping Children Safe in Education.
- 9.5 The Trust will carry out audits on individual school's single central records and HR records to ensure compliance with statutory and good safeguarding practice.

10. Commencement of employment and induction

- 10.1 DBS disclosure certificates are sent to the subject of the check only, rather than to the Employer. It is a condition of employment that the original disclosure certificate is brought in and shown to the office manager (school-based employees) or Head Office HR for other employees prior to or on the first day of work. Employment will remain conditional upon the original certificate being provided and it being considered satisfactory.
- 10.2 The pre-employment checks detailed in this policy must be completed prior to the individual commencing employment. Exceptions may be made in extenuating circumstances subject to a satisfactory risk assessment and the approval of the CEO. Exceptions will never be made in the case of the barred list and teacher prohibition checks.
- 10.3 The first weeks and months are vital to the success of any new employee. Line managers should provide a comprehensive induction for all new employees in line with the school/trust induction checklist.
- 10.4 The induction process will comprise of two parts.
- 10.5 **Part 1** - An induction led by the line manager to familiarise the new employee with their new role including:
- Safeguarding induction training
 - Sharing of key policies
- 10.6 **Part 2** - New employees will also be required to complete some online training courses. They will be provided with a link to online training, through the relevant E-learning platform (currently National College). The induction process includes the following training in accordance with the Trust's annual Training Plan. This training may be subject to change, dependent on changes to statutory or operational requirements.
- Child Protection and Safeguarding

- Prevent Duty
- Data Protection
- Cyber Security
- Equality and Diversity
- Online Safety

- 10.7 There is an expectation that the online Child Protection and Safeguarding course is completed by the end of the first week of employment. The remainder of the induction courses should be completed as soon as is reasonably practicable (dates will be set). The progress of a new employee's induction is monitored by line managers. All essential training must be completed within the first six months of employment.
- 10.8 In addition to the online safeguarding course, further safeguarding training will be provided within each school, by the Designated Safeguarding Lead.

11. Safeguarding checks for other parties

- 11.1 The trust will ensure all appointments for governors, trustees, members and volunteers working in our schools are carried out in line with the Keeping Children Safe in Education requirements.

Volunteers

- 11.2 We will:
- Never leave an unchecked volunteer unsupervised or allow them to work in regulated activity
 - Obtain an enhanced DBS check with barred list information for all volunteers who are new to working in regulated activity and verify their identity
 - Carry out a risk assessment when deciding what safeguarding checks are required. Details of the risk assessment should be recorded.
 - 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 applicable).
- 11.3 No one under the age of 16 years old, e.g. work experience students, can have a DBS check. Headteachers should make an informed assessment as to whether the individual is suitable for a placement. It is expected that risk assessments will address safeguarding provision and ensure control measures are put in place to prohibit unsupervised access to children, meeting the 'regulated activity' criteria.

Members, trustees and governors

- 11.4 All trustees, local governors and members will have an enhanced DBS check without barred list information (unless they are working in regulated activity which then requires a barred list check).
- 11.5 The Chair of the Board of Trustees will have their DBS check countersigned by the Secretary of State.
- 11.6 All trustees, local governors and members will also have the following checks:

- A Section 128 check (to check prohibition on participation in management under Section 128 of the Education and Skills Act 2008).
- Verification of identity
- Other checks deemed necessary if they have lived or worked outside of the UK
- Right to work in the UK check

11.7 If the prospective trustee, local governor or member's DBS clearance shows a positive record, the Chair of the Board and CEO) will carry out a risk assessment based on the information on the DBS certificate.

Agency and third-party staff

11.8 We will obtain written notification from any agency or third-party organisation that it has carried out the necessary safer recruitment checks that we would otherwise perform and confirms the DBS certificate has been obtained by either the employment business or another such business. We will also check that the person presenting themselves for work is the same person on whom the checks have been made. A copy of the DBS certificate must be seen prior to allowing the individual entry into the school.

11.9 In situations where there is a disclosure on the DBS certificate, the Headteacher should then carry out a risk assessment to determine whether the individual is suitable to work in school.

Contractors

11.10 We will ensure that any contractor, or any employee of the contractor, who is to work at the school has the appropriate level of DBS check. This will be:

- An enhanced DBS check with barred list information for contractors engaging in regulated activity
- An enhanced DBS check, not including barred list information, for all other contractors who are not in regulated activity but whose work provides them with an opportunity for regular contact with children

11.11 We will obtain written confirmation from the employer of the contractor that the relevant checks, in line with Keeping Children Safe in Education, have been undertaken.

11.12 If an individual is self-employed, the school/trust will consider obtaining the DBS check (if they are unable to obtain a DBS check themselves). A risk assessment should be completed for self-employed contractors prior to them commencing work in school.

11.13 For self-employed contractors, 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 decide 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. This will include our evaluation of any risks, the control measures put in place, and any advice sought.

11.14 Contractors who have not had any checks will not be allowed to work unsupervised or engage in regulated activity under any circumstances.

11.15 The identity of all contractors and their staff will be checked on arrival at the school.

Trainee/student teachers

- 11.16 Where applicants for initial teacher training are salaried by us, we will ensure that all the same checks are completed as for employees.
- 11.17 Where trainee teachers are fee-funded, we will obtain written confirmation from the training provider that necessary checks have been carried out and that the trainee has been judged by the provider to be suitable to work with children.
- 11.18 Student photo ID will be required and must be verified prior to being granted access to the school.

Visitors

- 11.19 For visitors who are working in a professional capacity e.g. social workers, we will check the individuals' ID and obtain written evidence that the visitor's employer has undertaken the necessary appropriate checks. Photo identification will be required from individuals prior to entry into the school.
- 11.20 Under the Keeping Children Safe in Education we do not have the power to request DBS checks and barred list checks or ask to see DBS certificates for visitors such as children's relatives or other visitors attending an event at school. Senior managers will use their professional judgement about the need to escort or supervise visitors whilst in school.

Disclosure and Barring

- 11.21 It is the Trust's policy that no one should be allowed to start work in a post which requires DBS clearance without the necessary information being received by the employers. Limited exceptions will be considered by the CEO on the completion of a 'barred list' check and a risk assessment. The DBS checking process must have commenced.
- 11.22 Movement of employees within the Trust, e.g. to another school or taking up an additional role in another school, will not require a further DBS clearance, unless:
- there has been a break of more than three months between leaving the old post and taking up the new one;
 - there are concerns about the person, which may affect his or her suitability/fitness
 - previous clearance information is 3+ years old.
- 11.23 It is the Trust's policy to carry out DBS checks for all staff, governance roles and volunteers every three years. A phased programme will be implemented for the completion of new DBS checks for any employees whose DBS check is over three years old. The Trust reserves the right to undertake DBS checks outside of the 3-year timeframe, where deemed necessary.
- 11.24 Irrespective of the cycle of DBS renewals, during an employee's employment they have a duty to disclose if they have received a caution, charge, summons or are convicted of a criminal offence. They should inform their Headteacher, who will in turn inform Trust HR. All information is dealt with sensitively and confidentially. Failure to disclose such information may lead to disciplinary action being taken. All staff are required to complete a safeguarding checklist on an annual basis which includes a declaration that there are no changes to the status of their DBS check.

11.25 Headteachers, with the support of Trust HR, will consider, following a risk assessment, whether such a conviction or caution could affect the employee's ability to fulfil their contractual obligations. The issue may be dealt with in accordance with other relevant Trust policy documentation, e.g. the Disciplinary Policy. Depending upon the seriousness and circumstances of the criminal record, and the current role of the employee, the offence may be deemed as gross misconduct which may lead to dismissal.

Recruitment of candidates with past convictions

11.26 ONE Academy Trust aims to promote equality of opportunity for all, and recognises the importance of employment in the rehabilitation of ex-offenders. Criminal records will only be considered when a conviction is relevant.

11.27 Having an 'unspent' conviction will not necessarily bar applicants from employment. Suitability for employment will depend on the circumstances and background to the offence(s). The Trust and academies within it will not consider convictions that are not relevant to the work area. However, if a school knows or has any reason to believe that an individual is barred, it commits an offence if it allows the individual to carry out any form of regulated activity. There are penalties of up to five years in prison if a barred individual is convicted of attempting to engage or engages with such work.

12. Monitoring and review

12.1 This policy will be reviewed every three years as a minimum but can be revised as needed to reflect changes in legislation or improvements to working practices.

12.2 This policy will be approved by the CEO.

Policy Statement on the Recruitment of Ex-offenders

We promote equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records.

We are committed to the fair treatment of job applicants, our staff, and users of our services regardless of race, gender, religion, sexual orientation, responsibilities for dependents, age, physical/mental disability or offending background (all protected grounds).

We select all candidates for interview and appointment based on their competencies i.e. skills, qualifications and experience.

Any job offer will be subject to satisfactory completion of a range of statutory checks appropriate to the role. A statement to this effect is included in application forms and recruitment information.

An Enhanced DBS check will be carried out before the appointment to any job at ONE Academy Trust (including the schools within the Trust) is confirmed. This will include details of convictions and cautions (excluding youth cautions, reprimands or warnings) that are not 'protected' as defined by the Ministry of Justice. <https://www.gov.uk/government/publications/new-guidance-on-the-rehabilitation-of-offenders-act-1974>

As a user of the DBS service, ONE Academy Trust complies fully with the DBS Code of Practice and undertakes not to discriminate unfairly against any subject of a Disclosure based on conviction or other information revealed. In accordance with the Disclosure and Barring Service (DBS) Code of Practice, this statement of policy is made available to all job applicants at the outset of the recruitment process. The DBS Code of Practice is available at <https://www.gov.uk/government/publications/dbs-code-of-practice>.

Job applicants will also be required to disclose their relevant criminal record if they are invited to interview. A 'relevant conviction form' will be provided for applicants to complete and bring to interview. If a criminal record is disclosed by the applicant, it will be evaluated in accordance with current legislation and safer recruitment statutory requirements for educational establishments. At all times, the information will be confidential in accordance with data protection legislation and will only be seen by those who need to see it as part of the safer recruitment process.

We meet the requirements in respect of exempted questions under the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020), which requires you to disclose convictions and cautions except those which are 'protected' under Police Act 1997 – Part V and the amendments to the Exceptions Order 1975 (2013 and 2020). Guidance about whether a conviction or caution should be disclosed can be found on the Ministry of Justice website. If 'protected' convictions or cautions are disclosed, we will not take them into account.

Having a criminal record will not necessarily bar you from working for the Trust. This will depend on the nature of the position and the circumstances, background and nature of your offences. At interview, or in a separate meeting, we will discuss with you any offences or other matters that might be relevant to the position. Failure to reveal information that is directly relevant to the job could lead to the withdrawal of an offer of employment. We undertake to discuss any matter revealed in a DBS check with the person seeking the job before withdrawing a conditional offer of employment.

We ensure that people at the school/trust who are involved in the recruitment process have access to professional advice to identify and assess the relevance and circumstances of offences. We also ensure that they have received appropriate guidance in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.