LINCOLN ANGLICAN ACADEMY TRUST
DIOCESE OF LINCOLN

Safer Recruitment Policy for Employees and Volunteers

Schools serving their communities through excellence, exploration and encouragement within the love of God.

The diocese of Lincoln is called to faithful worship, confident discipleship and joyful service and our church schools bear witness to our belief that every child is made in the image of God and loved by Him. They were founded for the good of their local communities so that children can be educated through the values and stories of Christianity.

Status
Consulted with recognised Trade Unions – Not Agreed

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Excellence *Exploration* *Encouragement*

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1.Introduction

1.1 Recruiting the best people to our Multi-Academy Trust is vital for our continued success in providing the highest standards of education to our pupils.

1.2 Not appointing the right people to our roles can have a negative impact on the performance of our Trust.

1.3 The Head Teacher is responsible for deciding on the arrangements to recruit to any post, with the exception of the Head Teacher role and Deputy Head Teacher role where LAAT will be responsible.

1.4 In carrying out our recruitment processes we are committed to the creation of a safe environment for our pupils by operating safer recruitment practices in line with the statutory requirements and guidance.

1.5 We are also committed to ensuring that throughout our recruitment and selection processes no applicant is disadvantaged or discriminated against because of the protected characteristics of age, disability, gender, gender re- assignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief and sexual orientation.

1.6 In the very exceptional cases where we are required to discriminate due to an occupational requirement this must be approved by the Board of Directors who will provide reasons for this requirement.

1.7 Recruitment will be solely on the basis of the applicant's abilities and individual merit as measured against the criteria for the job. Qualifications, knowledge, experience and skills will be assessed at the level that is relevant to the job.

1.8 If an applicant makes the Trust aware, at any stage of the recruitment process, that they have a disability then reasonable adjustments must be considered to ensure the applicant is not disadvantaged by the process.

2. Scope and Purpose

2.1 The purpose of this policy is to set out our processes for recruiting, selecting and appointing any employee to work within LAAT. Thereby ensuring that the Trust meets its commitment to safeguard and promote the welfare of children and young people by carrying out all necessary pre-employment checks and procedures.

2.2 This policy aim is to ensure compliance with all relevant legislation, recommendations and guidance including the statutory guidance published by the Department for Education (DfE), Keeping Children Safe in Education – September 2018 (KCSIE), the Prevent Duty Guidance for England and Wales 2015 (the

Prevent Duty Guidance) and any guidance or code of practice published by the Disclosure and Barring Service (DBS).

3. Safer Recruitment

3.1 LAAT is committed to safeguarding and promoting the welfare of all pupils in its care. As an employer, the TRUST expects all staff and volunteers to share this commitment. Staff are bound by KCSIE and statutory provisions and this policy is intended to support our staff in meeting their obligations.

3.2 All recruitment must be in line with this policy to ensure that we identify, deter and prevent people who pose a risk of harm from working with our pupils.

3.3 The recruitment of all applicants and volunteers to our Trust must, without exception, follow the processes of safer recruitment. All offers of employment will be subject to us being satisfied that the applicant or volunteer is a suitable person to work with children and young people.

3.4 Any person involved in recruiting to our Trust must read the "Keeping children safe in education" (2018) guidance (or updated statutory guidance) produced by the DfE and our Trust's Safeguarding and Child protection policy. These can be obtained from LAAT.

LAAT will ensure that safer recruitment training is provided to those employees involved in recruiting to our trust.

3.5 All recruitment must be planned to ensure that there is adequate time available to recruit safely.

3.6 Any person who becomes aware that this policy is not being followed during recruitment must inform the Head Teacher or CEO immediately.

3.7 All of the checks described in Sections 11, 12 13 and 14 must be carried out and have been determined as satisfactory before an applicant can start their employment in the Trust.

4. Advertising

All advertisements will have the following statement about safeguarding children and young people and the requirement to have a DBS check:

The Trust promotes diversity and wants a workforce which reflect Christian Values. Applications are welcome from all, irrespective of gender, sexuality, race, religion, marital status, age, or disability.

The Trust is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. We will require the successful applicant to undertake an Enhanced criminal record check via the DBS.

5. Job Description

5.1 A job description will be required for all posts which describes the duties and responsibilities of the post. It must be up to date, accurate and specific to the role. The job description must also include a person specification which outlines the necessary skills, experience, qualifications and knowledge requirements for the post.

5.2 All job descriptions and person specifications must reference to the responsibility for safeguarding and promoting the welfare of children.

6. Application form

All applicants are required to fill out our standard application form. CVs will not be accepted.

7. References

All offers of employment will be conditional upon receipt of at least two satisfactory written references. References will:

a) be requested for all shortlisted applicants, including internal applicants;

b) include the applicant's current or most recent employer and where an applicant for a teaching post is not currently employed as a teacher, will include the applicant's most recent employer as a teacher;

c) ask the current employer for details of any capability history in the previous two years, and the reasons for this;

d) be directly from the referee;

e) not be accepted if they are 'to whom it may concern' letters;

f) request information on the applicant's suitability to work with children and young people;

g) be requested before the interview; and

h) be explored further with the referee and with the applicant during the interview if necessary.

Where it has not been possible to obtain references before the interview any concerns that are subsequently raised will need to be resolved before the appointment is confirmed.

8. Short-listing

8.1 Candidates will be short-listed against the requirements of the person specification. The same people should carry out the short-listing and the interviews. The outcome of the short-listing process will be recorded and retained.

8.2 The equal opportunities monitoring form should be removed from the application and not provided to the short-listing panel.

8.3 The short-listing panel are responsible for scrutinising the application forms and identifying any gaps in employment or other areas that may affect an applicant's suitability to work with children and young people. A satisfactory explanation for any concerns must be obtained from the applicant during the interview process.

9. Interviews

9.1 A face to face interview must take place for all applicants to all posts. If an applicant is overseas, the use of video conferencing, Skype, Facetime or other similar technologies is acceptable for this purpose.

9.2 At least one person on the interview panel must have passed the appropriate safer recruitment training and the name of that panel member should be recorded on the recruitment file.

9.3 The purpose of the interview is to assess the merits of each applicant against the job description and person specification to establish their suitability for the post and to work with children and young people.

9.4 Interviews should be conducted with a minimum of two interviewers on the panel to enable one interviewer to assess the applicant, observe and make notes whilst the applicant talks to the other interviewer. At least one of the panel will have undertaken safer recruitment training

9.5 Before the interview commences the interview panel should have:

a) prepared appropriate questions for the role;

b) prepared appropriate questions to test the applicant's suitability to work with children and young people;

c) identified any areas for further probing, e.g. if a criminal record has been declared or if there are gaps in employment etc;

d) agreed assessment criteria which reflects the person specification; and

e) decided a structure to the interview and established which member of the panel will ask which questions.

A set of common questions relating to the requirements of the post will be asked of each applicant. Their response will determine whether that is followed up through further questioning.

Any gaps in employment history or declaration of a criminal record or caution must be explored further during the interview process.

10. Other selection methods

10.1 In addition to a face to face interview with the interview panel a variety of other selection methods may be used, such as:

a) Observation of teaching practice in our [school/academy/trust] or in the applicant's current school or academy;

b) One of more additional panel interviews (for example, a panel made up of pupils from our [school/academy]);

c) A presentation;

d) In tray exercises; and

10.2 Those responsible for deciding the arrangements for recruitment specific post will determine the selection method(s). They will be relevant and appropriate to the role and will be based on the requirements for the particular post as set out in the job description and person specification.

10.3 Candidates will be informed in advance if any selection methods are to be used in addition to a face to face interview and what these are.

11 Pre- employment checks

An offer of appointment to the successful applicant will be conditional upon the following:

a) receipt of at least two satisfactory written references (one of which must be their current or most recent employer);

b) verification of the applicant's identity, preferably from current photographic ID and proof of address;

c) verification of the applicant's medical fitness;

d) verification of qualifications where relevant (required to practice);

e) verification of professional status where applicable. For teachers, this will include checking that the individual has the required teaching qualification and has successfully completed any statutory induction, if required, through the TRA's Employer Access Online System;

f) satisfactory enhanced DBS check;

g) for teachers, verification that they are not subject to a prohibition order by checking the TRA's Employer Access Online System;

h) a clear children's barred list check (except supervised volunteers);

i) verification of right to work in the United Kingdom;

j) any further checks where the applicant has lived or work outside of the UK including receipt of criminal record information from overseas;

k) confirmation that the applicant is not disqualified from providing childcare;

l) For senior officers, completion of the Section 128 check as detailed in the Education and Skills Act 2008, with regard to prohibition or restrictions on an applicant taking part in the management of an Academy.

12. Definition of Regulated Activity and Frequency

The new definition of regulated activity (i.e. work that a barred person must not do) in relation to children comprises, in summary:

12.1 Unsupervised activities: teach, train, instruct, care for or supervise children, or provide advice/ guidance on well-being, or drive a vehicle only for children

12.2. Work for a limited range of establishments ('specified places'), with opportunity for contact: e.g. schools, children's homes, childcare premises. Not work by supervised volunteers

Work under 1 or 2 is regulated activity only if done regularly: Full guidance can be found at the link below.
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/550197/Regulated_activity_in_relation_to_children.pdf

An academy is not permitted to check the Children's Barred List unless an individual will be engaging in "regulated activity". An academy is required to carry out an enhanced DBS check for all staff, supply staff and governors who will be engaging in regulated activity. However, an academy can also carry out an enhanced DBS check on a person who would be carrying out regulated activity but for the fact that they do not carry out their duties frequently enough i.e. roles which would amount to regulated activity if carried out more frequently.

13. Disclosure and Barring Service (DBS) checks – new employees and volunteers

The Trust will carry out DBS checks as follows for new appointments, before the employee or volunteer starts work:

Should you have any DBS certificate presented to you with a disclosure on it you must seek advice from LAAT HR team as soon as possible for a recruitment decision to be made centrally.

Who?	Definition	Type of check
Employees who will be engaging in regulated activity	As an educational institution which is exclusively or mainly for the provision of full-time education to children, [name of School/Academy/Trust] is an establishment specified in the relevant legislation. Activity carried out in this establishment will therefore be regulated activity relating to children if it meets the definition in the relevant legislation, including that it is carried out:	An enhanced DBS check with children's barred list check will always be obtained

	i. Frequently (for example once a week or more); or i. On more than three days in any period of 30 days. Note – personal care of a child because of age, illness or disability including physical help with eating, toileting, washing, bathing or dressing is always regulated activity regardless of how frequently it is carried out.	
Unsupervised / Supervised Volunteers	As above	An enhanced DBS check with children's barred list check may be obtained – Please see Volunteer Risk Assessment

In exceptional circumstances within schools, a new employee or volunteer may be able to start before the enhanced DBS check has been received, but not before the children's barred list check has been completed. The School must ensure that appropriate supervision and risk assessment is in place until the DBS check has been received.

DBS certificates will only be issued to the applicant. All applicants must produce the disclosure when requested to do so. The disclosure will be scrutinised to ensure it is authentic and to detect any fraud. The DBS disclosure number and date of the check must be recorded in the Single Central Record (SCR). With the applicants consent we will photocopy their certificate which will be held for no longer than necessary and processed in line with the Data Protection Act 1998 and General Data Protections 2018.

Any applicant who refuses to produce their DBS disclosure will not be able to start work at the Trust and the conditional offer will be withdrawn as satisfactory checks are not in place. Any volunteer who refuses to produce their disclosure will not be able to volunteer in the Trust.

Individuals can have their DBS certificate kept up to date and take it with them from role to role where the same type and level of check is required. Applicants or volunteers should be asked if they have subscribed to this service. The cost of this service is £13 per year. The expectation is that individuals personally fund this if required. Where the applicant or volunteer has subscribed they should provide the Trust with the original disclosure document to be verified and the Trust will check the online update for any changes.

Information relating to an individual's criminal record will only be shared with the relevant people to enable the Trust to make a decision about their suitability to work

with children and young people. It will be held for no longer than is necessary and will be processed in line with the General Data Protection Regulations and the Data Protection Act 2018.

14. Disclosure and Barring Service (DBS) checks - existing employees and volunteers

a) An enhanced DBS check and a children's barred list check will be carried out for all existing staff and unsupervised volunteers where their contact with children or young people has increased from that at their time of appointment. (For Volunteers not in regulated activity a risk assessment needs to be carried out)

b) An enhanced DBS and children's barred list check may be carried out on any employee or unsupervised volunteer where the Trust has concerns about an individual's suitability to work with children and young people. An enhanced DBS (no barred list check) may be carried out on any supervised volunteer where the Trust has concerns about their suitability to work with children and young people.

c) DBS certificates will only be issued to the applicant. The Trust expects all applicants to produce the disclosure when requested to do so. Any existing employee who does not produce their DBS disclosure will be managed through the disciplinary procedure.

15. The Rehabilitation of Offenders Act 1974

The Rehabilitation of Offenders Act 1974 does not apply to positions which involve working with or having access to pupils. Therefore, any convictions and cautions that would normally be considered 'SPENT' **must be** declared when applying for any position at LAAT.

All existing employees are required to inform the Trust of any change in their criminal record. This includes convictions, cautions, arrests and police investigations. The Trust may require all employees to sign a declaration on an annual basis that there has been no change in their criminal record. Action may be taken as a result of any change or any failure to inform the Trust of any change.

16. Agency staff

In the case of agency staff, the Trust must ensure that the arrangement with the agency imposes an obligation on the agency to carry out all recruitment checks as set out in section 10, including DBS and children's barred list checks, that the Trust would otherwise complete for its staff. The Trust must obtain written confirmation from the agency that these checks have been carried out and are satisfactory. This must be recorded in the single central record (SCR).

17. Visiting Speakers (and Prevent Duty)

LAAT will collect sufficient information about a visiting speaker as is reasonable in the circumstances to decide whether to invite and / or permit a speaker to attend the academy. In doing so the academy will always have regard to the (Visitors and Security procedures), the Prevent Duty Guidance and the definition of "extremism" set out in KCSIE which states :

"Extremism is the vocal or active opposition to our fundamental values, including the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces. Radicalisation refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups.

In fulfilling its Prevent Duty obligations a LAAT academy does not discriminate on the grounds of race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age.

18. Volunteers

Volunteers are recognised as a very valuable resource to supplement paid staff within an educational establishment or other setting working with children. They can also provide beneficial links with the local community. Volunteers are seen by children as safe and trustworthy adults and therefore we must ensure high standards of safeguarding practice when recruiting and using volunteers in order to keep children and young people safe.

No one has a right to be a volunteer in a school, the Head teacher should make a decision about whether volunteers would enhance the staff group and if so who those volunteers should be.

LAAT academies will request an enhanced DBS disclosure and Children's Barred List information on all volunteers undertaking regulated activity with pupils at or on behalf of a LAAT academy (the definition of regulated activity as set out above will be applied to all volunteers).

Under no circumstances will a LAAT academy permit an unchecked volunteer to have unsupervised contact with pupils.

It is LAAT's policy that a new DBS certificate is required for volunteers who will engage in regulated activity but who have not been involved in any activities with the academy for three consecutive months or more.

LAAT will undertake a risk assessment on all volunteers who are not engaged in regulated activity to ascertain if a DBS should be undertaken

In addition, a LAAT academy will seek to obtain such further suitability information about a volunteer as it considered appropriate in the circumstances. This may include (but is not limited to the following):

a) Formal or informal information provided by staff, parents and other volunteers;(Information provided will be substantiated and investigated to ensure accuracy)

b) Character references from the volunteer's place of work or any other relevant source; and,

c) An informal safer recruitment interview.

Volunteer recruitment should be done with reference KCSIE 2018 and the LAAT guidance.

19. Breaches of the policy

Any instances of this policy not being adhered to will be taken very seriously and appropriate disciplinary action will be taken.

Any complaint in relation to this policy, including its application will be managed through the Trust's complaints policy, whistleblowing or grievance policy (for existing employees appropriate.

20.Record keeping and data protection

All application forms from non-appointments will be kept by the Trust for six months, unless a longer period can be justified by the Head Teacher / LAAT. Records will be treated as confidential and kept for no longer than necessary in accordance with the Data Protection Act 1998 and GDPR 2018.

21.Review of policy

This policy is reviewed regularly by the Trust in consultation with the recognised trade unions. We will monitor the application and outcomes of this policy to ensure it is working effectively.