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**Title of Policy/Procedure** Blue Kite Trust Safer Recruitment Policy

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**Reviewer(s):** Head of HR

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**To be read in conjunction with the following policies:**

- Pay Policy
- Probation Procedure for Support staff
- Volunteers Policy
- Complaints Procedure
- Statement on employment of ex-offenders

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**Consultation Process** Policy consulted with TU's at The Blue Kite Academy Trust JCC

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**Policy Date:** 1 September 2021

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**Review Date:** 1 September 2022 in accordance with KCSIE 2022

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**This policy is to be ratified by:** People and Culture Committee

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## **1 Aims and scope of the policy**

- 1.1 This policy applies to the recruitment and selection of all teaching, support and centrally employed staff at the Blue Kite Multi Academy Trust (BKAT).
- 1.2 BKAT is committed to taking decisions in accordance with the 'key principles of public life': objectivity, openness and accountability. It recognises the requirement for a fair and transparent policy to recruit and pay new employees in accordance with the relevant pay and conditions of service under which they are employed.
- 1.3 This policy is also designed to ensure that people who are unsuitable to work with children and their families are deterred and prevented from working within the school environment. The policy is updated annually in accordance with the DfE Keeping Children Safe in Education guidance (KCSIE). Recruitment and selection processes focus on safeguarding children by reducing the risk of harm through the employment of suitable, appropriately screened, vetted and checked individuals.
- 1.4 KCSIE 2021 states 'those involved with the recruitment and employment of staff to work with children have received appropriate safer recruitment training. BKAT have secured Hays online safer recruitment training for all staff, governors and volunteers who are involved in recruitment processes and also commission an external safeguarding consultant.
- 1.5 The Trustees of the BKAT are the employers of all staff. However, the Local Governing Bodies have overall responsibility for staffing matters including recruitment as set out in the BKAT Scheme of Delegation.
- 1.6 The BKAT actively promotes equal opportunities, aims to eliminate discrimination, promote positive attitudes to disabled people and take account of disabilities in any staffing dealings, including recruitment.

## **2. Policy statement**

- 2.1 The BKAT is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.
- 2.2 The BKAT aims to ensure that recruitment effectively and efficiently supports the provision of high-quality education. The school's objective in carrying out recruitment is to fill vacancies with people of the highest quality, drawn from the widest possible 'pool', cost effectively and without undue delay, whilst adhering to principles of fairness and equality.
- 2.3 No employee, potential employee or applicant will be unlawfully disadvantaged on the grounds of age, race or ethnicity, disability, gender and marital status, gender identity, sexual orientation, religion or belief or trade union membership
- 2.4 This Policy is underpinned by:
- Legislation specifying employment rights
  - Equality Legislation
  - Legislation and guidance for the protection of children
  - Legislation, policy and guidance giving rights of access to information at of all stages of the recruitment process.

2.5 In addition to the other forms of discrimination set out in the Equality Act, people with a disability, as defined in the Equality Act 2010, are protected from:

- Unfavourable treatment due to something connected with their disability;
- Failure to make “reasonable adjustments” – these must be made if a disabled candidate is placed at a substantial disadvantage. What is reasonable will depend on the effectiveness of the adjustment in overcoming the disadvantage and the ability of the employer to make the required changes.

### 3. Responsibilities for recruitment and selection

3.1 The Trustees have overall responsibility for all staff appointments in BKAT. The Trustees may delegate these responsibilities to the CEO, Headteachers, Local Governing Bodies, or a group of governors or Trustees.

3.2 The Trust is moving towards carrying out all of its recruitment functions through PS People, an HR software package that has been adapted to meet all safer recruitment requirements. Until this is fully rolled out individual schools will continue to carry out manual recruitment functions, and using the standard documentation set out in this policy.

3.3 Once PS People is fully implemented across all schools, prior to any post being advertised headteachers will need to follow a recruitment requisition process that will need to be endorsed by the Trust senior team.

3.4 The Trust central team will consider the financial implications of backfilling a post, creating a new post, or increasing the working hours of an existing post and whether the job description, pay and grade are appropriate.

3.5 If a complaint is received it should be dealt with in line with the Trust Complaints procedure. Where complaints are in relation to discrimination advice should be sought from the CEO/Head of HR prior to any response.

### 4. The application pack

4.1 As part of the recruitment requisition process the school will provide the following information that will form the candidate application pack:

4.2 **Job description** - an up to date job description for the vacant post will be provided to ensure:

- it describes the main duties and responsibilities of the post in plain non-discriminatory language.
- It sets out the postholder’s responsibility for promoting and safeguarding the welfare of children and young persons, including the extent of the contact the person will have with children and his/her degree of responsibility for them.

4.2.1 The Trust HR team are developing a portfolio of standard job descriptions. For any new support staff roles that are not included here the school will need to provide a draft job description to the HR team so that it can be evaluated.

4.3 **Person specification** - the person specification sets out the selection criteria - specifying the essential and desirable attributes needed by the successful candidate.

These attributes will include:

- Qualifications, experience and any other requirements needed to perform the role.
- Competences and qualities that the successful candidate should be able to demonstrate, including suitability to work with children. These requirements will be justifiable and clearly defined to show that no section of the community is being unlawfully discriminated against.
- Where the post is considered 'customer facing', i.e. where the post holder is required to speak with members of the public (including children) as a regular and intrinsic part of their role, the person specification will note as an essential criteria the ability to fulfil all spoken aspects of the role with confidence and fluency in English.

4.4 **Application Form.** The application form has been updated in accordance with KCSIE 2021

- It includes a statement that it is an offence for individuals to apply for the role in they are barred in engaging in regulated activity relevant to children
- It includes a reference of where to find the school's child protection policies and procedures
- It includes a link to the Trust's statement of employment of ex-offenders
- It includes full details of the applicant's full employment history including reasons for any gaps in employment and a statement of how the applicant believes their skills and experience meet the requirements of the role.

4.5 **Advert** - to meet the requirements of Equalities legislation and KCSIE 2021 all adverts should be non-discriminatory and include as a minimum the following information:

- The skills, abilities, experience attitude and behaviours required of the role – this should include highlighting any specific safeguarding requirements of the role as per the JD
- The extent of contact with children ie. regulated activity
- A statement of the Trust's commitment to safeguarding and referring to the safeguarding checks that will be carried out
- The following statement 'This post is exempt from the Rehabilitation of Offenders act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020.'
- Link to BKAT [Work for us](#)

The majority of posts will be advertised internally and externally via ETeach/PS People however in certain circumstances the post will be advertised internally only. This will normally be in circumstances where the Trust are making redundancies or in circumstances where there are clear paths for career progression. Whether internal or external the above will apply.

**5. Shortlisting**

5.1 All applicants (internal and external) must complete an application form via ETeach/PS People. CV's alone will not be considered.

5.2 Applicants complete an Equal Opportunities Monitoring Questionnaire as part of the application form. This information is for monitoring purposes only and not accessible to the recruiting headteacher. Applicants will not be eliminated from the shortlist on the grounds due to a protected characteristic other than where a genuine

occupational requirement applies. Advice must be sought from HR before making such a decision.

- 5.3 All application forms will be scrutinised by at least 2 of the selection panel to ensure that they are fully completed and that the information provided is consistent and does not contain any discrepancies. Any anomalies or gaps in employment will be noted and taken up as part of the consideration of whether to shortlist the candidate.
- 5.4 Shortlisting will be made by reference to the essential, and if a large number of applications have been received, the desirable criteria detailed in the person specification will also be used and a shortlisting pro forma used.
- 5.5 The Equality Act 2010 limits the circumstances when an employer can ask general health related questions before a job offer has been made. Applicants will not be asked, as a matter of course, to complete generic health questionnaires as part of the application process. The Trust will however ask applicants if they require any reasonable adjustments that they require to undertake any part of the assessment/selection process. A template interview invite letter can be found at the end of this document.
- 5.6 Shortlisted candidates must complete and sign a self-declaration form disclosing any criminal record or information that would make them unsuitable to work with children. This is subject to Ministry of Justice guidance on the disclosure of criminal records. This allows the candidate to share any relevant information so that it can be discussed and considered at the interview prior to the receipt of the DBS certificate. If an electronic signature is provided this must be followed up with a hard copy signature at the interview.

## **6. References**

- 6.1 The purpose of seeking references is to obtain objective and factual information to support the selection panel's decisions. References will always be sought and obtained directly from the referee, not via the candidate themselves. Open references for example addressed 'To whom it may concern' will not be relied upon.
- 6.2 Regardless of the type of post being applied for, references from the previous two employers covering at least the previous three years' employment history will be taken. If the previous employer is a school then the reference should be completed by the headteacher/principal/head of department and confirmed as accurate in relation to any disciplinary investigations. If the applicant does not have three years of checkable employment history as they have recently left school, college or university an academic reference will be accepted.
- 6.3 If the applicant is not currently employed the reference should be sought from the individual's most recent relevant employment and where relevant a reference should be secured from the last time the applicant worked with children. Where they have not previously worked with children a reference should be sought from the most recent employer.
- 6.4 Unless the applicant has not given consent, the references should be requested before interviews take place on all short-listed candidates so that any issues of concern they raise can be explored further with the referee, if appropriate, and taken up with the candidate at interview. In the event that consent is not given then references should be

requested following the conditional offer. An applicant will not receive less favourable treatment if they do not provide consent for a reference prior to interview.

6.5 References will not request details about the candidate's sickness record or disability, in order to ensure that they comply with The Equality Act 2010. Further information regarding the candidate's sickness record can be obtained after interview and for the successful candidate only.

6.6 On receipt, all references will be checked to ensure all the questions have been answered satisfactorily. The referee will be contacted to provide further clarification as appropriate, for example if answers are vague. Electronic references should be checked that they originate from a legitimate source.

6.7 The referee should confirm that they are satisfied with the applicant's suitability to work with children and provide any facts relating to substantiated safeguarding allegations. Referees should not be asked any information about allegations which are unsubstantiated, unfounded, false or malicious.

6.8 A template reference form can be found at the end of this document.

## **7. Assessment and Selection**

7.1 A range of selection methods can be used to identify the most suitable person for the role. The selection methods used will be relevant, non-discriminatory and cost effective.

7.2 Appointments will be based on merit and the suitability of each candidate for the job, as evidenced against the person specification, and demonstrated by the selection methods. Selection methods will not disadvantage any particular group and all applicants will be treated in a consistent and a non-discriminatory manner.

7.3 All candidates will be notified in advance of any test procedures.

7.4 Each candidate will be given:

- the same core set of questions and their answers fully noted. Answers may be probed further as appropriate
- questions to assess personal behaviours towards safeguarding and suitability to working with children, with outcomes being fully recorded
- probing questions related to gaps in employment and frequency of moving roles/location
- from the details on the Application form relating to their full criminal history, the opportunity to discuss the circumstances of their declarations either at interview or in a separate meeting.

It maybe necessary to make reasonable adjustments if a candidate declares a disability

## **8. Decision making, feedback and offers of employment**

8.1 Each member of the selection panel will score each candidate at the end of each interview using the interview pro forma before the overall scores are agreed collectively and the best candidate chosen. If additional selection methods are used, these will be fed into the decision-making process at the end, and the candidate who best meets the selection criteria chosen.

- 8.2 All candidates will be notified of the outcome of the interview as soon as possible. However, the selection panel will wait until the successful candidate has verbally accepted the offer before informing unsuccessful candidates, unless they are clearly unsuitable for the post.
- 8.3 All candidates will be offered feedback on their performance during the selection process and an explanation of the decision, if requested.
- 8.4 The successful candidate will be sent a conditional offer of employment letter subject to satisfactory completion of all pre-employment checks.
- 8.5 Schools should retain all information relating to the recruitment process for 6 months including:
- assessment and selection criteria used (person specification);
  - application of assessment and selection criteria (e.g. application form);
  - interview and other selection method notes (e.g. question proformas, test results, panel members notes);
  - reasons for decisions made;
  - any additional information such as copies of qualifications, etc
- 8.6 All recruitment paperwork relating to the successful candidate will be retained and held on his/her personal file in the school office and on PS People. A recruitment checklist should be completed
9. Pre-employment checks
- 9.1 An offer of appointment to the successful candidate will be conditional upon:
- 9.2 The receipt of at least **two satisfactory references** (if those have not already been received). See paragraph 6
- 9.3 Verification of the **candidate's identity** (original documentation will be seen and a copy taken). Best practice is to check the name on the birth certificate and current address.
- 9.4 A satisfactory **Enhanced DBS** including a **children's barred list check** for all posts in regulated activity. The following guidance can be found at the end of this document:
- DBS FAQ's
  - DBS update service
  - Processing a DBS check
  - Applicant information
  - Employee starting work prior to DBS certificate is available
  - Positive disclosure
- 9.5 Pre-employment health screening that is targeted, necessary and relevant to the job which has been offered. A pre-employment health questionnaire should be sent to the Trust's Occupational Health provider.
- 9.6 Verification of the candidate's Right to work in the UK. This template can be found at the end of this document.

- 9.7 If the person has lived or worked overseas for a period of 3 months or more in the last five years additional checks should be carried out including further criminal record checks or a letter of good conduct from the relevant professional regulating authority (See DBS FAQ's)
- 9.8 Verification of qualifications (original documents will be seen and a copy retained) The Teacher Regulation Agency (TRA) Employer access service should be used to verify any award or QTS and the completion of teacher induction or probation. Where an individual has obtained qualifications from outside the UK they should be checked to ensure they meet the required standards in the UK. These can be checked via [www.naric.org.uk](http://www.naric.org.uk) or [www.gov.uk](http://www.gov.uk).
- 9.9 Using the TRA access service to check that teachers/HLTA's are not subject to any prohibitions, directions, sanction or restrictions that prevents them from carrying out teaching work.
- 9.10 An additional check for Trustees, Governors, CEO, Headteachers, Deputy and Assistant Headteachers that they are not subject to a section 128 direction that prevents them from taking part in the management of an Academy.
- 9.11 Additional childcare checks for certain categories of staff to ensure that they are not disqualified under the Childcare Act 2006. A self-declaration form should be sought from:
- Applicants who are employed to work with children aged 5 and under (including reception classes)
  - Applicants who are employed to work in wraparound care for children up to the age of 8 including breakfast clubs and after school care
  - Applicants who are directly responsible for the management of childcare provision

Satisfactory completion of the probationary period (for non-teaching staff)

## **10. Contracts of employment**

- 10.1 All employees will be provided with written details of the main terms and conditions of employment by their first day of employment in accordance with the statutory requirements.
- 10.2 The type of contract and the terms and conditions of employment will be clear and appropriate for the category of job and the needs of the service. If the contract is temporary the reason for this will be written in the contract.

## **11. Single Central Record**

- 11.1 All employment checks, including qualifications, DBS, identity and right to work in the UK will be placed on a single central record at the school which will be subject to Ofsted inspection.

## **12. Induction**

- 12.1 The Headteacher will make appropriate induction arrangements for all newly appointed staff.
- 12.2 In accordance with the KCSIE statutory guidance, new staff will, as part of induction, be given a copy of 'Part one' of that guidance. Where these policies are used, the school

will also provide a copy of (or provide access to) the Child Protection Policy, the Code of Conduct and the Guidance for Safer Working Practice for Adults who work with Children and Young People in Education Settings, with the expectation being that these are read fully and thoroughly. New staff will also be made aware of systems within the school which support safeguarding including the role of the designated safeguarding lead. A record will be made and kept on the HR record on PS People.

- 12.3 Where applicable, Head Teachers will follow the statutory induction programme for Early Year Career teachers

### **13. Probation period for Support staff**

The performance of new staff (ie. those that have not previously carried out a similar role at another Academy or maintained school) will be rigorously monitored during a probationary period of six months with close attention being paid to learning needs and performance issues. Meetings should be held and recorded at the 3 month and 5 months stage and subject to satisfactory performance the appointment confirmed.

### **14. Volunteers**

- 14.1 Recruitment of volunteers will be in line with the Trust Volunteers Policy

### **15. Remuneration**

- 15.1 Pay for teaching and support staff will be in accordance with the relevant Trust pay policy

### **16. Supply teachers**

- 16.1 Agencies providing supply teachers should provide written confirmation that it has undertaken all necessary pre-employment checks including an enhanced DBS check and barred list check if they will be involved in regulated activity.

- 16.2 If the DBS certification includes a disclosure of any criminal matter a copy should be sought and the school carry out the risk assessment which can be found at the end of this document (Handling a positive Disclosure).

- 16.3 The school should check the ID of the supply teacher when they present for work and include details on the SCR

### **17. Visiting Staff**

- 17.1 The Trust requires written confirmation from the relevant employer (eg. LA/NHS) that all necessary safer recruitment checks have been carried out.

### **18. Recruitment guidance and templates**

- 18.1 [Application Form](#)  
18.2 [Statement of employment of ex-offenders](#)  
18.3 [Shortlisting pro forma](#)  
18.4 [Template Interview invite letter](#)  
18.5 [Self-declaration and disclosure questionnaire](#)  
18.6 [Reference questionnaire template](#)  
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- 18.20 [Probation forms](#)
- 18.21 [Volunteer policy](#)
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