

## Recruitment and Selection Policy and Procedure

Journey Independent School

September 2025



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**Review Date:** September 2026

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**Name of Responsible Committee/Individual:** CEO

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Target Audience: All staff

Related Documents:

- Disclosure and Barring Policy
- Equality Policy
- Redeployment Procedure
- Keeping Children Safe in Education ([www.gov.uk](http://www.gov.uk))
- Childcare (Disqualification) Regulations 2018
- Equality Act 2010
- Probationary Policy and Procedure
- Redundancy/Restructuring Policy

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## **POLICY STATEMENT**

The success of the Journey Independent School relies on recruiting and selecting the right people with appropriate skills, knowledge, qualifications, experience, abilities and competencies to meet current and future requirements. The group endeavours to recruit and select the right people in a fair, consistent, timely and cost-effective manner in line with current legislation and statutory requirements. Safeguarding sits at the heart of the groups recruitment and selection processes, ensuring our young learners' safety is central to our recruitment and selection processes, decisions and outcomes.

The final decision for all recruitment and appointments within the group sits with the CEO.

### **1. PURPOSE AND SCOPE**

The group is committed to equality and fair treatment in recruitment and selection and all appointments will be based on merit. The group will ensure that recruiting managers follow this procedure, safeguarding those children for whom it has a duty of care. The purpose of the Recruitment and Selection Policy and Procedure is to provide a fair, consistent and transparent framework that adheres to employment legislation and statutory requirements, enabling managers to:

- attract the best possible applicants to vacancies
- ensure that the safeguarding and welfare of children and young people sits at the heart of recruitment and selection and is robust throughout the process
- follow a fair and consistent process in recruiting and selecting employees
- adhere to all relevant legislation and statutory requirements
- ensure the most cost-effective use is made of resources
- give applicants a clear understanding of the post and what is expected of them, measuring candidates against the criteria in a fair, transparent and reasonable way
- minimise the risk of making an unsuitable appointment

The group recognises the legal obligations it has as an employer under the Equality Act 2010, the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000, Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002, the Data Protection Act 2018 & GDPR, and the Human Rights Act 1998. The group also understands its statutory obligations and the CEO with support from HR will ensure policies, procedures, processes, training and associated documentation is reviewed in line with changing legal and statutory requirements. Shortlisting, assessments and selection processes will always be carried out without regard to the nine protected characteristics:

- age,
- disability,
- gender reassignment,
- marital or civil partnership status,
- maternity or pregnancy,

- race,
- religion or belief or
- sexual orientation
- any criminal history

The group supports applications from candidates with a disability and will make reasonable adjustments where possible, at all stages of the recruitment process. The group will review and develop recruitment procedures in accordance with legislation, and all staff involved in the recruitment and selection process will be made aware of the Equality Act 2010. As all recruitment will be based on merit, discussions about reasonable adjustments will be separate from consideration of the applicant's suitability for the post applied for.

The group also recognises its legal obligations in safeguarding vulnerable groups and this procedure adheres to the requirements of the Police Act 1997, the Rehabilitation of Offenders Act 1974, the Protection of Children Act 1999, the Education Act 2002 and statutory guidance (e.g. Keeping Children Safe in Education and Disqualification under the Childcare Act 2018).

## **2. ROLES AND RESPONSIBILITIES**

The CEO is responsible for ensuring this policy is applied fairly and consistently across the group. The CEO is responsible for ensuring candidates and employees are treated fairly and consistently across the group. The CEO approves all recruitment requests.

The CEO is responsible for monitoring the application of this policy within the group, and ensuring the group's policy, procedure and recruitment and selection processes are adhered to. They are also responsible for ensuring all employees have access to appropriate training and development to enable them to apply this policy fairly, consistently and professionally, in line with legal and statutory requirements.

### *Ongoing vigilance*

Local Governing bodies should ensure they have processes in place for continuous vigilance, maintaining an environment that deters and prevents abuse and challenges inappropriate behaviour.

The HR Department is responsible for overseeing the introduction, implementation, monitoring and review of this policy and will report to the CEO as required. The HR Department will provide advice, guidance and support in the implementation of this policy and procedure, acting as a point of contact.

The HR Department will ensure that this policy is implemented fairly and consistently, whilst also ensuring that relevant employment legislation and statutory guidance is adhered to.

Managers and staff must ensure they carry out recruitment and selection fairly and consistently in line with this policy and procedure, accessing support, guidance and training as and when required. Managers must also provide appropriate, constructive feedback to internal candidates at shortlisting and appointment stages. Detailed, meaningful feedback should be offered to all unsuccessful candidates following an assessment process.

## **3. EQUALITY AND DIVERSITY**

The group is committed to:

- Promoting equality and diversity in its policies, procedures and guidelines, adhering to the Equality Act 2010.
- Delivering high quality teaching and services that meet the diverse needs of its student population and its workforce, ensuring that no individual or group is disadvantaged.

The group is committed to providing equality of opportunity for all and ensuring that all stages of recruitment and selection are fair. Job descriptions, person specifications, advertisements and other recruitment and selection documentation must only contain objective, justifiable, non discriminatory information. Managers should take care not to include:

- Explicit references to age or age ranges
- Language that could be perceived as age bias (such as young, mature, energetic)
- Specifications for a particular gender, race, religion or age unless it is defined as a Genuine Occupational Qualification
- Language that could be perceived as discriminatory (e.g. 'must be fit', 'able bodied', 'generally healthy', or 'able to drive')
- Qualifications that could be age bias (e.g. GCSEs) without adding 'or equivalent'

The Equality Act 2010 allows for specifications to include a requirement for a particular gender, race, sexual orientation, religion or age as long as it is defined as a Genuine Occupational Qualification. Managers must seek advice from the CEO if they believe that a vacancy they have approval to recruit has a genuine occupational qualification.

#### **4. PRINCIPLES**

The group adheres to the following principles in recruitment and selection:

- All applicants will receive fair and reasonable treatment.
- The job description/person specification is an essential tool, which is used throughout the process and applied equally to all applicants.
- Recruitment decisions will be based on the assessment of how candidates match the criteria detailed in the job description/person specification (e.g. knowledge, skills, qualifications, experience, abilities and competencies).
- The persons involved in the short-listing of the candidates for interview should be the same people who will be involved in the interviews for consistency throughout the process.
- Selection should be carried out by at least two people, preferably three people where possible. At least one member must have received recruitment and selection and safer recruitment training.
- Selection should be based on a minimum of a completed application form, shortlisting and interview.
- All posts will normally be advertised, unless there are specific circumstances (e.g. situations requiring ring-fencing or slotting, such as people at risk and seeking suitable alternative employment via the group's Redeployment Procedure).
- The Equality Act 2010 requires the group to make reasonable adjustments to the recruitment process if an applicant makes us aware that they have a disability. This applies to the entire recruitment process, from advertisement to appointment and the group is committed to meeting this requirement.

### **Safer recruitment and selection procedure**

Safer recruitment is one of the strands of safeguarding and promoting the welfare of children, the school is committed to a process that promotes the welfare of children.

Person specifications will state that evidence of working within a child protection culture and promotion of a safeguarding culture as essential.

Advertisements for positions will include a clear statement regarding the group and the school's commitment to safeguarding and the need for an enhanced DBS check, such as: "The group is committed to safeguarding and promoting the welfare of children and applicants will undergo child protection screening appropriate to the post, including checks with past employers. The role is exempt from the Rehabilitation of Offenders Act 1974 and therefore candidates will be subject to an enhanced DBS certificate. The role is also engaged in regulated activity and will therefore require a children's barred list check. Shortlisted Applicants will be required to complete a self-disclosure".

Questioning of candidates at interview will include robust questions about the safeguarding of children.

## **5. DOCUMENTATION**

The recruitment process will be documented at each stage, resulting in a clear audit trail and transparency of decisions. All documentation relating to the recruitment process should be retained for 6 months from the date of the appointment decision by the HR Department. Documentation relating to the successful candidate will be transferred to their personal file. By keeping appropriate records, the group can demonstrate in the event of an enquiry or complaint that appropriate procedures have been followed. Information on candidates must be treated in the strictest confidence and restricted to those directly involved in the recruitment process.

The HR Department will use appropriate ICT to manage the recruitment process and therefore vacancy and applicant data will be stored electronically and all recruitment documentation will adhere to the requirements of the Data Protection Act 2018 and the General Data Protection Regulations 2016.

## **6. RECRUITMENT AUTHORISATION**

All recruitment requests must be approved by the CEO prior to a vacancy being advertised. Before any decision is made to advertise a vacancy the CEO must be convinced that a vacancy exists that requires filling (via the recruitment authorisation process). The recruiting manager must consider fully the need to recruit and detail their requirements when completing the Recruitment Request Form.

The recruiting manager must consider:

- Whether the post needs to be filled and how best to fill it

- Any required changes to the role and responsibilities
- Any changes to the qualifications, knowledge, skills, experience and competencies required for the role alongside the potential re-evaluation requirements
- Any foreseen/expected future changes to the job or department
- Organisation changes elsewhere in the group alongside potential redeployees

The recruiting manager should seek advice and support from the CEO prior to completing the Recruitment Request Form and throughout the ensuing recruitment and selection process.

## **7. JOB DESCRIPTION/PERSON SPECIFICATION**

The recruiting manager is responsible for describing the role and responsibilities clearly, concisely and accurately within the job description/person specification. The responsibility for this rests with the CEO who will liaise with the external HR provider. This will ensure consistency of approach across the group. The final decision around pay and grade will not be implemented without consultation with the CEO.

The recruiting manager is responsible for ensuring the job description/person specification includes all the essential and desirable qualifications, knowledge, skills, experience and competencies required for the role, ensuring that the stipulated criteria are measurable and non-discriminatory. The manager must also propose the hours, employment status (e.g. full-time, part-time, term-time, permanent, and fixed-term) and working pattern. When completing or checking the job description/person specification, the recruiting manager should consider how each aspect will be measured. It is vital that care is taken when writing/reviewing the job description/person specification as this is used as a baseline for the recruitment and selection process (i.e. applicant's suitability for the post is measured against this throughout the process). Care must also be taken to avoid the inclusion of unnecessary, marginal or blanket requirements as this could lead to allegations of discrimination (e.g. ability to drive may be viewed as discriminating against disabled applicants unless justifiable).

Competencies should align to the group purpose, values and ethos. They should also link to safeguarding, detailing and measuring behaviours and attributes individuals must have or must acquire to perform effectively and safely at work. The CEO with support from HR can provide advice and support in reviewing, applying or developing competencies.

Essential criteria enable the recruitment panel to sift out candidates that will not be able to perform satisfactorily in the role. The recruiting panel must not shortlist a candidate that does not meet the essential criteria for the post. Desirable criteria help the recruiting managers differentiate between satisfactory and outstanding candidates.

The job description/person specification must be finalised before the vacancy is advertised as prospective candidates often use the advert, job description and person specification as a means of selecting or de-selecting themselves.

## **8. ADVERTISING**

If the recruitment request is approved, the CEO or Office manager will draft an advert that includes:

- an introduction to group and the specific school the role sits within, the ethos, values and benefits of working within the group and the school
- the role's purpose and key responsibilities
- basic details about the post e.g. job title, salary/pay point, hours
  
- the essential criteria (as stipulated on the job description/person specification) and any special working arrangements or requirements
- any additional payments, allowances or benefits as appropriate (e.g. any recruitment and retention premia or relocation assistance on offer)
- where possible, the intended date for assessment/interview (if applicable)
- a named contact for informal enquiries where possible
- details of how to apply
- the closing date for applications
- a safeguarding statement

All vacancies will be advertised on the group websites, and at a physical location within each school that is easy for staff to access, providing staff with every opportunity to apply for internal vacancies. Vacancies will also be shared with staff who are absent on a long-term basis (e.g. health, maternity, shared parental or adoption leave). External advertising may not always be required and should be carefully considered. An applicant pool can help reduce recruitment costs and time scales and the CEO may target candidates within an applicant pool where possible and appropriate. Selection from an applicant pool must follow the normal shortlisting process. The CEO will review recruitment requests against the redeployment register.

Internal candidates wishing to apply for a post advertised within the group will normally be offered a preferential interview, prior to external candidates, maximising opportunities for employees who wish to widen their experience and work at other schools in the group. However, they must demonstrate they have the relevant skills and experience to fill a post.

The CEO will provide recruiting managers with advice and costs in relation to the most appropriate media for external advertising to ensure that adverts are within budget whilst ensuring that they reach the target audience. The CEO will also check that the advert is free from discrimination in terms of its content, design and language.

## **9. REDEPLOYMENT**

The group is committed to retaining its workforce wherever possible. There may be occasions where staff meet the criteria for redeployment. Redeployees must apply for suitable alternative positions and will need to meet the essential criteria for the role in order to be shortlisted. The recruiting manager will be advised of any redeployees applying for their vacancies and may be required to interview a redeployee prior to other candidates.

Managers should refer to the Redeployment Procedure and seek advice from the CEO when considering a redeployee for a vacancy. If there are some differences between the two roles, the employee should be offered a four week trial period.

## 10. EXPRESSIONS OF INTEREST

The group may, in exceptional circumstances, utilise an internal expression of interest recruitment process. This may be justifiable for a temporary appointment, for example, where the role is of a specialist nature or where a developmental opportunity is available

internally and can be ring-fenced for a particular group of staff. Organisational changes may also result in ring-fenced opportunities for affected staff. Managers must read the Redundancy and Restructuring Policy, and seek advice from the CEO.

Expressions of interest allow for a quick turnaround and remove the external element of recruitment. However, this is the only difference to the normal recruitment process as once application forms are received the normal recruitment and selection processes follow (e.g. shortlisting, interviews, assessments etc.).

## 11. APPLICATION AND SHORTLISTING

Once a vacancy has been advertised, applicants will be able to access the relevant information and application form online. The application pack will include as a minimum:

- Application form - The application form must have a clear statement which sets out that certain spent convictions and cautions are protected and not subject to disclosure, below is the standard statement to be included in the school application form.

The amendments to the Exceptions Order 1975 (2013 & 2020) provide that certain spent convictions and cautions are 'protected' and are not subject to disclosure to employers, and cannot be taken into account.

Guidance and criteria on the filtering of these cautions and convictions can be found on the Ministry of Justice website.

- Welcome letter
- Equal opportunities monitoring form
- Job description/person specification
- Summary of basic conditions of service (e.g. salary, annual leave, allowances, benefits, term time only)
- Additional information specific to the post (e.g. organisational structure, departmental information)
- Details of the DBS processes where appropriate

All applicants must complete an application form (a curriculum vitae (CV) will not be accepted); however, disabled applicants may submit their application in an alternative format, in liaison and agreement with the CEO. Recruiting managers can shortlist online and shortlisted candidates can be notified online. Applications submitted online will require signing by the applicant if they are invited to an assessment process.

All applications must be treated in the strictest confidence and restricted to those directly involved in the recruitment process.

Information disclosed under the Rehabilitation of Offenders Act 1974, and the amendments to the Exceptions Order 1975 (2013) & (2020) provide that certain 'spent' convictions and cautions are 'protected' and are not subject to disclosure to employers and cannot be taken

into account. The group must draw applicants' attention to the guidance on filtering on the Ministry of Justice Website:

<https://www.gov.uk/government/publications/new-guidance-on-the-rehabilitation-of-offenders-act-1974>

Disclosures must not be taken into consideration at the shortlisting stage. Self-Disclosure forms must only be provided to those candidates who have been shortlisted. Any disclosure made must be provided to the interview panel in a sealed envelope so that they may ask the candidate questions at the interview. Anybody who makes disclosures must also be subject to a DBS Enhanced and Barred list check. Attention must be drawn to guidance on the government website regarding what offences will not be filtered, these are known as specified offences. List of offences that will never be filtered from a DBS certificate - GOV.UK ([www.gov.uk](http://www.gov.uk))

Disclosed information (self-disclosure) can be considered against the Rehabilitation of Offenders Act (ROA 1974) and amendment order in 2020; information regarding unspent cautions and convictions plus any offences that would not be filtered can be discussed with the candidate as part of assessing their suitability to work with children. Employers are advised to contact the HR Manager if they require clarification on discussions regarding self-disclosures. Leaders must not appoint without clarifying with the CEO.

The CEO will ensure that the shortlisting process and outcomes align to the legal and statutory requirements. This may include the school considering on-line searches as part of their due diligence checks on shortlisted candidates. This may help identify any incidents or issues that have happened, and are publicly available online, which the school might want to explore with the applicant at interview.

Shortlisting must be conducted initially against the shortlisting essential criteria detailed in the job description/person specification, ensuring that the information on the application form is used to assess each applicant. The panel/persons involved in the short-listing of the candidates for interview should be the same panel of people who will be involved in the interviews for consistency throughout the process. This must be fairly and consistently applied to all applicants. If there are too many applicants shortlisted against the essential criteria, the panel may then use the desirable criteria. If there remain too many applicants to interview, the panel should seek further advice and guidance from the CEO.

The panel must not shortlist any applicant that does not meet the essential criteria of the post, as detailed in the person specification/job description. The CEO will provide additional advice to recruiting managers regarding candidates that flag disability considerations, criminal records or disciplinary alerts.

It is entirely acceptable to shortlist only one candidate or not to appoint at all. Selecting the best candidate for the role is essential and managers should not feel compelled to appoint a less than satisfactory candidate regardless of the demands of the department. Appointing the wrong candidate can be extremely costly and can have an adverse effect on performance and delivery.

Once shortlisting is completed, the HR Department will notify shortlisted applicants of the next steps, ensuring shortlisted candidates are aware of the need for them to bring appropriate identity evidence with them to their assessment day. The HR Department will therefore require details of the assessment process and be able to assist recruiting managers in designing an appropriate assessment process. The HR Department will discuss

with disabled applicants any special requirements they may have for the interview and arrange appropriate support, advising the recruiting manager as appropriate.

The group either:

- Contact candidates to thank them for their interest which tells candidates that if they have not been shortlisted, or
- Include a deadline date on the advert which tells candidates that if they have not been contacted by this date, they have not been shortlisted.

## **12. ASSESSMENTS**

The HR Department will advise managers on the suitability and options regarding the assessment process, ensuring that it does not breach legislation, good practice or safer recruitment guidelines. As a minimum, the assessment process will include shortlisting and an interview and candidates invited to interview will be advised of the assessment process. Alongside an interview, additional assessment tools may include:

- Student or stakeholder panel
- Lesson delivery/observations
- Seen/unseen presentations
- Keyboard/Typing tests
- In-tray exercises
- Knowledge or technical tests
- Group work
- Ability tests (e.g. numeracy/literacy)
- Data analysis

This list should be used as a guide as it is not an exhaustive list.

The HR Department will advise on the best approach when measuring candidates against the set criteria, ensuring that the assessment tools are appropriate, justifiable and in line with legislation, best practice and statutory guidelines. The HR Department will ensure that appropriately qualified, trained, experienced and knowledgeable staff will assess candidates. Students or stakeholders involved in the recruitment process will have access to training, advice and guidance and they will have clear parameters for their involvement. They will provide feedback to the recruiting panel.

The recruiting panel must prepare questions and assessments with the HR Department, advising the HR Department of the preferred schedule for the assessments. Templates for competency-based interview questions, presentation briefs, scoring sheets and assessment templates will be available from the CEO, alongside advice and guidance. The HR Department will normally support the recruitment process through booking rooms,

refreshments and facilities as required. This will be in conjunction with the Admin Team for complex assessment days. They can also conduct a variety of assessments to enable a thorough assessment of candidates against the criteria detailed in the job description/person specification. The HR Department will send the recruitment pack to the interviewer which will include:

- Job description/person specification
- Application forms
- Interview questions
- Other assessment documentation as appropriate
- Scoring sheets
- A terms and conditions sheet which details the basic employment details
- Schedule for the assessment process
- Advice regarding safeguarding, legal and statutory requirements

On the interview day, the HR Department will check the candidate's identity (including the candidate's eligibility to work in the UK), qualifications and membership of a professional body (where appropriate). The HR Department will notify the interviewer of any issues arising from these checks.

The interview panel must consist of at least two people, preferably three. At least one of them should have been involved in the shortlisting process and one of the panel members should be the person whom the post reports to. At least one of the interviewers must have completed safer recruitment training within the last three years. The HR Department will ensure that where required, reasonable adjustments are made for disabled candidates. If the recruiting panel has any concerns regarding a disabled candidate's ability to perform the role for which they have applied, they should seek advice from the HR Department.

The Equality Act 2010 limits the circumstances in which the recruiting panel can ask applicants' health related questions before offering them a post. The panel can only ask such questions where the ability to carry out specific functions is essential and intrinsic to the job, or to determine the need for making reasonable adjustments in the selection process, for example, to mitigate the impact of any disability the candidate has.

Candidates must not be asked questions related to their protected characteristics or trade union activities, as they have no bearing on a person's suitability for the job and could be unfairly discriminatory.

All questions must relate to the job as detailed in the job description and person specification, measuring the candidate's suitability against the criteria in a fair, transparent and consistent way. Each candidate will also be questioned about any gaps on the application form and their resilience and capacity to perform the role. The panel should remind each candidate that if they are selected as a preferred candidate, a DBS clearance will be necessary. They must also be advised that any offer is 'Conditional' subject to the group receiving satisfactory clearances, including references, identity check, qualification checks and a pre-employment medical clearance. The interviewers must make notes throughout the interview. Time should be allocated at the end of each interview for scoring to take place. Each interviewer must score each question and their comments on the form should ensure that each score is justifiable and that constructive feedback can be given. The

panel should complete the scoring sheet and return all documentation to the HR Department upon completion of the assessment process as it will be retained on the job file for 6 months.

### **13. Decision to Appoint and Clearances**

Once all assessments have been completed, each individual panel member will total their scores and usually the candidate with the highest scores in rank order will be the preferred candidate. The Chair of the panel must discuss their preferred candidate choice with the CEO in line with the Scheme of Delegation prior to offering a position. Only when the CEO has agreed with their preferred choice (in line with the Scheme of Delegation) can an offer (subject to satisfactory clearances) be made. Ultimately, the decision to appoint will be made by the CEO, having due regard to the views, opinions and preferences of the panel members. The Chair of the panel should discuss the offer with the preferred candidate, explaining that it is subject to satisfactory clearances.

The recruiting panel must also contact the unsuccessful candidates and provide them with access to constructive feedback that is honest and balanced, giving them examples of where they could improve in the future. The conditional offer will be confirmed, subject to satisfactory clearances, and the HR Department will notify the recruiting manager of the progress of satisfactory clearances. Recruiting managers must not arrange for a new starter to commence until they have received confirmation from the HR Department that all clearances have been received and all are satisfactory.

The HR Department will not contact unsuccessful candidates unless the recruiting manager specifically requests this.

All offers of employment must be made by the chair of the recruiting panel. A verbal offer is legally binding; therefore, all offers of appointment must be made in writing and conditional, subject to the necessary checks and clearances:

- References (One should be their current or most recent Headteacher/Principal, and one their previous employer, or in the case of newly qualified teachers, their training institution and one of their placements. In some circumstances it may be necessary to obtain 3 references, if a candidate has been employed for a private sector in-between public sector roles. In this instance, you must still refer back to any previous employer which involved the candidate working with children).
- Disclosure and Barring Service (DBS) Clearance
- Pre-Employment Medical Clearance
- Eligibility to Work in the UK
- Qualifications and Membership of Professional Bodies
- ID Check
- Childcare Disqualification Declaration (if relevant to setting).
- Prohibition Clearance

References should be sought on all short-listed candidates, including internal ones before interview so that any issues of concern can be explored further with the referee, and taken

up with the candidate at interview. References form an important part of the process and should be scrutinised for any inconsistencies against the application form. If a candidate for a teaching post is not currently employed as a teacher, the school (new employer) will confirm with the school or college at which they were most recently employed details of their employment and their reasons for leaving. For the purposes of safeguarding the school will apply this to applications for all staff roles. Therefore, applicants who have previously worked

in schools (despite this not being one of their last two employers) will be advised that the school will contact the last employment where they worked with children for a reference. Two written references are required from the candidate's present or most recent employer (paid work). For teaching posts this would normally be the Headteacher/Principal. References will not form part of the assessment scoring, but any concerns raised within a reference should be discussed with the HR Department and the CEO. Open references will not be accepted, therefore the reference template should be used.

On receipt, references should be checked to ensure that all specific questions have been answered satisfactorily. The referee should be contacted to provide further clarification as appropriate, for example if the answers are vague or if insufficient information is provided. They should also be compared for consistency with the information provided by the candidate on their application form. Any discrepancies should be taken up with the candidate. On receipt, references should be verified with the person who provided the reference.

In the event that references are deemed unsatisfactory by the panel, the candidate must be advised of this. If the panel concludes that the references are unsatisfactory and the conditions in the offer letter have not been satisfied, the school can withdraw the offer of employment.

Schools are advised to contact their HR Department. Where candidates request access to the references supplied to the school by the previous employer, schools must pay due attention to the General Data Protection Act 2018, schedule 2.

The HR Department will contact the preferred candidate to arrange for them to complete the online DBS application form (unless the preferred candidate has used the update service), providing the candidate with advice and guidance in line with DBS guidance and the group's DBS Policy.

In the circumstance where a DBS check contains any disclosures (convictions, cautions, reprimands and warnings) and the panel decide to appoint the candidate, the recruitment panel must record the reasons for not treating the conviction information as a reason not to appoint and retain a note of the reasons, including details of any advice sought and obtained, on the successful candidate's personnel file. It is recommended that advice be sought from the HR Manager regarding information contained on DBS certificates. Disclosures must not be taken into consideration at the shortlisting stage. Any disclosure made must be provided to the interview panel in a sealed envelope so that they may ask the candidate questions at the interview. Anybody who makes disclosures must also be subject to a DBS Enhanced and Barred list check. Any information about past disciplinary action or allegations that are disclosed should be considered carefully when assessing the applicant's suitability for the post (including information obtained from the Teacher Services' checks).

The preferred candidate will complete their medical questionnaire and once assessed. If there are any health issues, these should be shared immediately with the CEO

It is a criminal offence to employ someone who is subject to immigration control and who does not have current and valid permission to be in the UK. The identity check, normally

undertaken on the assessment day, will include a check of the candidates' eligibility to work in the UK.

Qualifications and membership of professional bodies (where appropriate) will normally be checked on the assessment day. The HR Department will notify the panel of the outcome of these checks.

### *Pre-employment Checks*

These are checks which are required by law before employment commences;

a. Identity: importance of verifying the successful applicant's identity by reference to original documents. Candidates invited to interview should be asked to bring with them the necessary documents to verify their identity that will satisfy the requirements of the DBS in respect of the application for a disclosure. The successful candidate's birth certificate should be seen, wherever possible, in order to identify whether they have changed their name. This should be copied and placed in the personnel file.

b. Eligibility to work in the UK: it is an offence to employ someone who is not eligible to work in the UK so proof of eligibility must be checked before the offer of employment is confirmed. More detailed information is available on the UK Border freelance website [www.ukba.homeoffice.gov.uk](http://www.ukba.homeoffice.gov.uk)

c. DBS barred list: under the Protection of Freedoms Act 2012 schools have a legal duty to check that any person being appointed to work in regulated activity is NOT barred from working with children or – where applicable – working with vulnerable adults. This check must be done before the person commences in post even if they start pending a DBS certificate. A stand-alone barred list check can be undertaken by logging onto the DFE Sign In website and then Teachers Services; it's a free service. If there is a name-match, the person MUST NOT be allowed to commence in post until the paper certificate is received. DBS certificate: the successful applicant should be asked to complete an application for an enhanced DBS certificate and produce the required supporting documentation straight away. Everybody employed to work in a school is required by law to undertake an enhanced disclosure. Since 2016, all newly appointed governors (of maintained / VC schools) must undertake an enhanced DBS certificate. Existing governors without enhanced DBS were required to undertake a new check by September 2016. Governors are not in regulated activity and should not be checked against the barred list. The school must see the original paper certificate and not rely on a digital copy or confirmation from the registered / umbrella body.

d. Qualifications: the successful applicant should be required to provide original certificates or diplomas for all the academic or vocational qualifications required for the post, plus any that are relevant to the post. The documents should be checked to ensure that they refer to the applicant and it is also important to verify them with the awarding body.

e. Status: it is a requirement for some posts that the applicant is licensed or registered with a professional body. For example, in order to be employed as a teacher in a maintained

school, a person must usually have been awarded qualified teacher status and be registered with the relevant general teaching council.

f. Prohibition All those appointed to undertake 'teaching work' must be checked against the prohibition list and interim prohibition list before commencing in post. Schools can check these lists via the Teachers Services website. 'Teaching work' includes qualified / unqualified teachers and HLTAs but not teaching assistants – see Keeping children safe in education for more information. When recruiting teachers, it is important to also check for any past General Teaching Council for England (GTCE) sanction.

g. Prohibition from participation in management – anyone appointed to a management position in an independent school, academy or free school as an employee, group or proprietor must now be checked to ensure they have not been barred from management of an independent school by the Secretary of State. This check will usually be done as part of their enhanced DBS (state that the person is in 'management of an independent school' on the DBS application) or – if the person is not in regulated activity – via Teachers Services. This should be included as a column on the SCR in relevant schools.

NB KCSiE makes clear that inclusion on s128 also prohibits an individual from serving as a governor in our group– members of governing bodies must therefore be checked against the s128 list.

h. Disqualification under the Childcare Act 2006 – the DfE has updated guidance for schools (31/08/18) which recruiters should ensure they have read and understood.

Schools are prohibited from employing a disqualified person in connection with the relevant childcare provision. New recruits should be advised of the Regs and asked to confirm that they are not disqualified from childcare. Schools are not required to keep information about disqualification from childcare checks on the SCR but may do so if they wish, bearing in mind that the law prevents employers from keeping records or details of someone's criminal history.

Schools should not apply this to every employee; they must assess which staff are covered by the Act. The criteria for disqualification relevant to a school setting include the following:

- Inclusion on the DBS Children's Barred List
- Being found to have committed certain violent and sexual criminal offences against children and adults, which are referred to in regulation 4 and Schedules 2 and 3 of the 2018 Regulations
- Certain orders made in relation to the care of children, which are referred to in regulation 4 and listed at Schedule 1 of the 2018 Regulations
- Refusal or cancellation of registration relating to childcare, or children's homes, or being prohibited from private fostering, as specified in Schedule 1 of the 2018 Regulations
- Being found to have committed an offence overseas, which would constitute an offence regarding disqualification under the 2018 Regulations if it had been done in any part of the UK

Staff covered by this legislation include the following:

- Early year's provision – staff providing care for a child up to and including reception age (including education in nursery and reception classes and/or any supervised activity such as breakfast clubs, lunchtime supervision and after school care)
- Later years provision – staff employed to work in childcare provided by the school outside school hours for children above reception age, but younger than 8 (this doesn't include education or supervised activity above reception age during school hours, but it does include before school settings (e.g. breakfast clubs) and after school provision)

- Staff employed by childcare providers (not employed by the school) who hire or rent school facilities or premises (the group will ensure the provider has appropriate policies and procedures in place regarding safeguarding children and the 2018 Regulations)

- The group will ensure agencies and other providers undertake appropriate checks for staff deployed to work at the group, including the requirement for staff to inform their employer they would be committing an offence if they are deployed to work in relevant childcare, or

are directly concerned in the management of such provision, if they are disqualified under the 2018 Regulations

- The group will ensure that self-employed contractors working in relevant childcare provision comply with the requirements of the legislation.

(The school will consider obtaining the DBS check, as self-employed people are not able to make an application directly to the DBS on their own account).

- The group must ensure that initial teacher training providers adhere to the legislation
- Staff directly concerned with the management of early or later year's provision are covered by the legislation

- Volunteers and casual workers directly concerned with the management of childcare provision or who work in relevant childcare on a regular basis (supervised or unsupervised) are covered by this legislation

Staff not covered by this legislation include the following:

- Caretakers, cleaners, drivers, transport escorts, catering and office staff who are not employed to directly provide childcare, However the group has opted to ensure ALL staff working within a relevant setting are subjected to the same clearance process.

- Most staff who are only occasionally deployed, and are not regularly required to work in relevant childcare are not automatically covered, therefore the CEO assesses the risk and thus exercise their judgement

- School governors are not covered by this legislation unless they volunteer to work in relevant childcare on a regular basis, or they are directly concerned with the day-to-day management of such provision

The group requires preferred candidates and staff to complete a self-declaration form to capture information relating to the 2019 Regulations. Questions are relevant and limited to the requirements of the legislation (e.g. cautions or convictions for a relevant offence; where a care order is issued with respect to a child who has been in the person's care; or whether they are named on the DBS Children's Barred List). The HR Department retains a record of all staff employed to work in or manage relevant childcare, including the date on which the disqualification checks were completed, ensuring OFSTED and independent inspectors can readily access this information.

All documents provided must be original and not photocopies. Until all these checks have been carried out ONLY a conditional offer of employment can be made. This must be stipulated in the correspondence. All original documentation must be photocopied and placed in files for consideration as part of the recruitment process.

Overseas Checks – All elements of the recruitment process should be applied to applicants from overseas in the same way as applicants resident in the UK. In all cases where an

applicant has worked or been resident overseas in recent years, the employer should, where possible, obtain a check of the applicant's criminal record from the relevant authority in that country. Not all countries provide that service, but the DirectGov website now includes a list of those countries that do and details of how information can be obtained from other countries, at:

[www.gov.uk/dbs-checks-requests-guidance-for-employers#overseas-applicants](http://www.gov.uk/dbs-checks-requests-guidance-for-employers#overseas-applicants)

For applicants that have lived or worked outside of the UK, the school must make any further checks it thinks appropriate so that the relevant events that occurred outside the UK can be considered, these checks could include:

- Criminal records checks
- Obtaining a letter (via the applicant) from the regulating body in the country / countries in which the applicant has worked, confirming that they have not imposed any sanctions or restrictions and / or any reason that they would be unsuitable to teach:
- Where available, such evidence can be considered together with information obtained through other pre-appointment checks to help assess their suitability

The DBS can only provide information that is held by police forces in the UK. That may include details of offences committed abroad by UK citizens or residents, but almost invariably will not include details of any offences committed abroad by foreign nationals who have never lived or worked in the UK.

#### **14. CONFIRMATION OF AN OFFER OF EMPLOYMENT**

When all satisfactory clearances have been received, the HR Department will notify the recruiting manager and the successful candidate to advise that clearance has been received and to discuss a start date and time. The HR Department will send the preferred candidate a contract of employment prior to commencement in post and no later than the first day of work, and an email will be sent to all relevant departments to ensure appropriate arrangements are in place prior to the start date (e.g. IT and induction). The HR Department will close the job file and initiate an electronic personal file, scanning the successful candidate's recruitment, selection and clearance information onto the file, which will be retained in the secure HR electronic system.

For some staff, there may be a long period of time between the offer confirmation and start date (e.g. teachers have strict notice periods). It is vital that the organisation successfully onboards new starters (e.g. through electronic access to online documentation, welcome information and induction materials). The HR Department will send new starters information electronically in readiness for their successful commencement with the organisation.

Information includes the following: Induction details

- Dress code information
- Dates for the diary (the academic school calendar)
- School site
- group information regarding the various schools, the vision and ethos
- group Induction Policy
- Job description to be signed and returned
- Pay and benefit details
- Information about the area for new starters relocating (alongside information regarding relocation expenses or recruitment and retention premia where it is being accessed)

- Links to policies and procedures (code of conduct, child protection and on-line safety) and other relevant group and school information
- Links to statutory and mandatory training that new starters may wish to access prior to their commencement with the group

Managers are also encouraged to maintain contact with successful candidates, ensuring they feel welcome and a part of the team, the school and the group, even before they start.

Regular communication can dispel any worries new starters may have and it provides the manager and their new member of staff with opportunities for role clarity prior to formal commencement. It also allows the manager time before the new starter commences to begin to discuss key objectives and initial training and development needs and plans.

On the successful candidate's first day, their manager should welcome them and ensure they are fully supported in their first few days and weeks. Managers must complete the group's induction with their new starter and probationary meetings will be held with all new staff, ensuring any challenges and learning and development needs are addressed in a supportive, swift and effective way (managers of associate staff must read this policy in conjunction with the group's Induction Policy). New starters will also receive an invitation to the group induction, providing them with an opportunity to meet other new starters from across the group and the CEO.

### *Volunteers*

Volunteers are seen by children as safe and groupworthy adults. The same kind of process should apply when the school is recruiting volunteers to work with children. Because volunteers fill a very wide variety of roles the principle needs to be applied with common sense and the process may need to be adapted to cater for particular roles.

Parents who volunteer on a one-off occasion such as a day trip, a fete or a sports day there is no need for a formal process or for a DBS certificate or a barred list check.

If a volunteer is going to have an on-going role that involves regular contact with children, or means that the person will be on the premises when children are present regularly or frequently, a similar recruitment process should be adopted as would be used to recruit a paid member of staff filling a similar role. Although the process may be presented differently or adapted so that it is not as formal, the principles of safeguarding should still be the same. If a volunteer will be providing 'teaching' and has previously been a qualified teacher the school should check on the Teacher Services website that they are not prohibited from teaching. The Childcare Regulations (including disqualification from Childcare) apply to all volunteers providing early years or later years childcare.

Barred list checks cannot be undertaken for volunteers except in very specific circumstances (such as unsupervised volunteering, overnight activity or volunteers engaging in intimate care). In those cases the process should still include:

- Information about the organisation's commitment to safeguarding children
- Completion of an application or registration form
- Obtaining references
- A face to face interview
- Pre-employment checks similar to those which would be applied in the case of paid employment, including a DBS certificate.

Keeping Children safe in education says:

The school or college should undertake a risk assessment and use their professional judgement and experience when deciding whether to obtain an enhanced DBS certificate or any volunteer not engaging in regulated activity. In doing so they should consider:

- The nature of the work with children;
  
- What the establishment knows about the volunteer, including formal or informal information offered by staff, parents and other volunteers
- Whether the volunteer has other employment or undertakes voluntary activities where referees can advise on suitability.
- Whether the role is eligible for an enhanced DBS check
- Details of the risk assessment should be recorded

Volunteers should be provided with a role profile and undertake a full induction into the school, this induction should cover safeguarding and what is regulated activity.

## **15. MONITORING COMPLIANCE WITH AND EFFECTIVENESS OF THE POLICY**

Effectiveness and compliance of this Policy will be monitored on an annual basis.

## **16. REVIEW**

This Policy and Procedure will be reviewed within two years of the date of implementation with staff and relevant unions.