



# Recruitment and Selection Policy for Employees and Volunteers

Lead SLT	OCH
Statutory Policies – these have to be referred to legal	✓
Trade Union Consultation	✓
Complies with DfE Guidance	✓
Complies with Legislation – The Equality Act 2010	✓
Approved by the Governors’ Finance and Resources Committee	✓
Date of next review	Summer 2019

## Contents

1.	Introduction.....	3
2.	Scope and Purpose .....	3
3.	Safer Recruitment.....	3
4.	Advertising.....	4
5.	Job Description.....	4
6.	Application form.....	4
7.	References .....	4
8.	Short-listing .....	5
9.	Interviews .....	5
10.	Other selection methods.....	6
11.	Pre- employment checks .....	6
12.	Disclosure and Barring Service (DBS) checks – new employees and volunteers.....	7
13.	Disclosure and Barring Service (DBS) checks - existing employees and volunteers.....	8
14.	Agency staff.....	9
15.	Breaches of the policy .....	9
16.	Record keeping and data protection .....	9
17.	Review of policy.....	9
	Appendix 1: Disqualification from Childcare information for new employees .....	1

## **Introduction**

- 1.1 Recruiting the best people to the Academy is vital for our continued success in providing the highest standards of education to our pupils.
- 1.2 Not appointing the right people to roles can have a negative impact on the performance of the Academy.
- 1.3 The Principal is responsible for deciding on the arrangements to recruit to any post, with the exception of the Principal role where the Governing Body will be responsible.
- 1.4 In carrying out a recruitment process the Academy is 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 The Academy are also committed to ensuring that throughout the 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 the Academy are required to discriminate due to an occupational requirement this must be approved by the Governing Body 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 Academy 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.

## **Scope and Purpose**

- 1.9 The purpose of this policy is to set out our processes for recruiting, selecting and appointing any employee to work within the Academy.
- 1.10 Sections 12 and 13 on Disclosure and Barring Service checks also applies to volunteers in the Academy.

## **Safer Recruitment**

- 1.11 All recruitment must be in line with this policy to ensure that the Academy identify, deter and prevent people who pose a risk of harm from working with students.
- 1.12 The recruitment of all applicants and volunteers to the Academy must, without exception, follow the processes of safer recruitment. All offers of employment will be subject to the Academy being satisfied that the applicant or volunteer is a suitable person to work with children and young people.

- 1.13 Any person involved in recruiting to the Academy must read the “Keeping children safe in education” (2015) guidance (or updated statutory guidance) produced by the DfE and the Academy’s child protection policy. These can be obtained from the academy intranet.
- 1.14 All recruitment must be planned to ensure that there is adequate time available to recruit safely.
- 1.15 Any person who becomes aware that this policy is not being followed during recruitment must inform the HR Manager in the first instance who will refer to the Principal/Designated Safeguarding Lead as appropriate immediately.
- 1.16 All of the checks described in **this Policy** must be carried out and determined as satisfactory before an applicant can start their employment in the Academy.

## **Advertising**

- 1.17 Any vacant position will normally be advertised via the appropriate channels to ensure the most appropriate field of applicants is obtained. What is appropriate may vary depending upon the requirements and nature of the vacancy.
- 1.18 All advertisements will have the following statement about safeguarding children and young people and the requirement to have a DBS check:

*The Elizabethan Academy is committed to safeguarding and promoting the welfare of its pupils and expects all those working at the Academy to share this commitment.*

## **Job Description**

- 1.19 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 all of the necessary skills, experience, qualifications and knowledge requirements for the post.
- 1.20 All job descriptions and person specifications must make reference to the responsibility for safeguarding and promoting the welfare of children.

## **Application form**

- 1.21 All applicants are required to fill out a standard application form. CVs will be accepted but will not replace the application form.

## **References**

- 1.22 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;
  - (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 applicants 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.

1.23 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.

1.24 In order to comply with the Equality Act 2010, information relating to sickness absence will only be requested after a conditional offer of employment has been made.

## Short-listing

1.25 Applicants will be short-listed against the requirements of the person specification **and / or job description**. Governors are not required to be involved in the shortlisting process. The outcome of the short-listing process will be recorded and retained.

1.26 The equal opportunities monitoring form will be removed from the application by the HR Manager and not provided to the short-listing panel.

1.27 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.

## Interviews

1.28 A face to face interview must take place for all applicants to all posts. The use of video conferencing, Skype, Facetime or other similar technologies is acceptable for this purpose.

1.29 All those involved in interviewing must be properly trained. At least one person on the interview panel must have passed the appropriate safer recruitment training.

1.30 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.

1.31 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. Where possible a Governor will be included in the interview panel.

1.32 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.
- 1.33 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.
- 1.34 Any gaps in employment history or declaration of a criminal record or caution must be explored further during the interview process.

### **Other selection methods**

- 1.35 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;
  - (b) One or more additional panel interviews (for example, a student panel selected by the Principal from the Student Council);
  - (c) A presentation
  - (d) In tray exercises, group exercise and data analysis
  - (e) Psychometric testing.
- 1.36 Those responsible for deciding the arrangements for recruitment to a 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.
- 1.37 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.

### **Pre- employment checks**

- 1.38 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;
  - (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 NCTL's Employer Access Online System;

- (f) satisfactory enhanced DBS check (see Section 11);
- (g) for teachers, verification that they are not subject to a prohibition order by checking the NCTL'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 worked outside of the UK including receipt of criminal record information from overseas;
- (k) confirmation that the applicant is not disqualified or disqualified by association from providing childcare by completing the Declaration at Appendix 1.

1.39 All checks must be confirmed in writing, retained on the personnel file and recorded in the single central record (SCR).

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

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

Who?	Definition	Type of check
Employees who will be engaging in regulated activity	<p>As an educational institution which is exclusively or mainly for the provision of full-time education to children, The Elizabethan Academy 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:</p> <p>(a) Frequently (for example once a week or more); or</p> <p>(b) On more than three days in any period of 30 days.</p> <p>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.</p>	An enhanced DBS check with children's barred list check will always be obtained
Unsupervised volunteers	As above	An enhanced DBS check with children's barred list check will always be obtained

- 1.41 In exceptional circumstances a new employee or unsupervised 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 Academy must ensure that appropriate supervision is in place until the DBS check has been received.
- 1.42 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.
- 1.43 Any applicant who refuses to produce their DBS disclosure will not be able to start work at the academy 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 academy.
- 1.44 Applicants (free for volunteers) 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 academy with the original disclosure document to be verified and the academy will check the online update for any changes.
- 1.45 Information relating to an individual's criminal record will only be shared with the relevant people to enable the academy 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 Data Protection Act 1998.

## **Disclosure and Barring Service (DBS) checks - existing employees and volunteers**

- 1.46 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.
- 1.47 An enhanced DBS and children's barred list check may be carried out on any employee or unsupervised volunteer where the Academy 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 academy has concerns about their suitability to work with children and young people.
- 1.48 DBS certificates will only be issued to the applicant. The academy 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.
- 1.49 All existing employees are required to inform the academy of any change in their criminal record. This includes convictions, cautions, arrests and police investigations. The academy may require all employees to sign a declaration on an annual basis, or otherwise, 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 academy of any change.

## **Agency staff**

- 1.50 In the case of agency staff, the Academy 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 Academy would otherwise complete for its staff. The academy 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).

## **Breaches of the policy**

- 1.51 Any instances of this policy not being adhered to will be taken very seriously and appropriate disciplinary action will be taken.
- 1.52 Any complaint in relation to this policy, including its application will be managed through the Academy complaints policy or grievance policy (for existing employees).

## **Record keeping and data protection**

- 1.53 All written records of interviews, application forms and reasons for appointment or non-appointment will be kept by the academy for six months, unless a longer period can be justified by the Principal. Records will be treated as confidential and kept for no longer than necessary in accordance with the Data Protection Act 1998.

## **Review of policy**

- 1.54 This policy is reviewed annually by the Academy in consultation with the recognised trade unions. The Academy will monitor the application and outcomes of this policy to ensure it is working effectively.

## **Appendix 1: Disqualification from Childcare information for new employees**

This information is to make the applicant aware of their obligations relating to disqualification under the Childcare Act 2006 which came into force in schools and academies in late 2014.

The role that the applicant has been conditionally offered has been identified as one which the disqualification declaration applies to.

The applicant needs to be aware that there are certain things that may mean that they are automatically disqualified from providing childcare, which could affect whether the applicant can work in this role. These are whether the applicant or a member of their household has committed a disqualifiable offence or a disqualifying event. These broadly fall into the three categories below:

1. That the applicant or a member of their household has a caution/conviction for certain violent/sexual offences
2. Grounds relating to the care of children, or the children of others in the applicant's household
3. That the applicant or a member of their household has had registration refused/cancelled in relation to childcare

If a member of the applicant's household has committed a disqualifiable offence / event then the applicant would be automatically disqualified from providing childcare by their association with that disqualified person. This is known as 'disqualification by association'.

Members of the applicant's household also applies to anyone (either child or adult) who lives or works in the applicant household, not just their spouse or partner. When declaring information relating to others in the applicant's household, they should be aware that they are required only to declare information which is to the best of their knowledge. The applicant is not obligated to go home and start asking questions of others in their household relating to the above.

The applicant is required to disclose information relating to themselves that would usually be exempt from the Rehabilitation of Offenders Act, i.e. the applicant should declare convictions / cautions irrespective of whether they are considered spent or not.

When making a declaration relating to others living in your household, the Rehabilitation of Offenders Act would be applicable and therefore only those convictions / cautions which are classed as unspent would need to be disclosed. If the applicant is unclear on what spent and unspent means, they should let us know so that we can advise on each individual case.

Ofsted have provided a list of disqualifiable offences which can be found in Table A at: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/414345/disqual\\_stat-guidance\\_Feb\\_15\\_3\\_.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/414345/disqual_stat-guidance_Feb_15_3_.pdf)

The applicant needs to read through this and contact us before their employment commences if there is anything to declare under the disqualification guidance relating to the applicant or anyone else in their household. It is only the offences / events on this list that we require the applicant to declare. If the applicant is unsure of a specific offence / event is applicable after reading the Ofsted lists, then please let us know so that we can advise appropriately. If the applicant cannot access this information via the link then please also let us know.

The applicant should also be aware that from this point forward if their own, or anyone in their household's, circumstances change relating to the disqualification guidance, the applicant is obligated to inform us of this without delay.

The applicant will be required to sign a copy of this document to confirm that they have read this guidance and that they are clear relating to their obligations regarding disclosure pertaining to Disqualification under the Child Care Act 20016, so please be sure to contact us if any of these requirements are in any way unclear.

I, the applicant, have read and understood the information in this document.

Signed\_\_\_\_\_

Print name\_\_\_\_\_

Date\_\_\_\_\_

<b>DATE OF REVIEW:</b>	Summer 2017
<b>SIGNED ON BEHALF OF SENIOR LEADERSHIP TEAM:</b>	
<b>DATE:</b>	
<b>GOVERNING COMMITTEE:</b>	Finance and Resources
<b>SIGNED ON BEHALF OF GOVERNING BODY:</b>	
<b>DATE:</b>	
<b>DATE OF NEXT REVIEW:</b>	Summer 2019