



QUANTOCK

EDUCATION TRUST

RECRUITMENT POLICY

LINKS: Safeguarding & Child Protection Policy

DATE: October 2020

POSTHOLDER RESPONSIBLE: HR Manager

TRUSTEES/GOVERNORS COMMITTEE: Welfare

AUDIENCE: All schools, employees and volunteers within the Quantock Education Trust

STATUS: Ratified

DATE RATIFIED: 7 October 2020

DATE OF NEXT REVIEW: This Policy will be reviewed every 2 years

STATUTORY/NON-STATUTORY: Non Statutory

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1. Introduction

- 1.1 Recruiting the best people to the Trust is vital for our continued success in providing the highest standards of education to our pupils.
Not appointing the right people to our roles can have a negative impact on the performance of the Trust.
- 1.2 The Headteacher is responsible for deciding on the arrangements to recruit to any post, with the exception of Headteachers and Deputy Head Teachers roles where the CEO will be responsible along with Local Governance Committee (LGC)/Trustees.
- 1.3 In carrying out our recruitment processes we are committed to the creation of a safe environment for our pupils by operating safer recruitment practices in line with the statutory requirements and guidance.
- 1.4 The Trust are also committed to ensuring that throughout our recruitment and selection processes no applicant is disadvantaged or discriminated against because of the protected characteristics of age, disability, gender, gender re-assignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief and sexual orientation.
- 1.5 In the very exceptional cases where we are required to discriminate due to an occupational requirement this must be approved by the Trustees who will provide reasons for this requirement.
- 1.6 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.
- 1.7 If an applicant makes the Trust aware, at any stage of the recruitment process, that they have a disability then reasonable adjustments must be considered to ensure the applicant is not disadvantaged by the process.

2. Scope and purpose

- 2.1 The purpose of this policy is to set out our processes for recruiting, selecting and appointing any employee to work within the Trust.
- 2.2 Section 13 on Disclosure and Barring Service checks also applies to volunteers in the Trust.

3. Safer Recruitment

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

- 3.3 Any person involved in recruiting to the Trust must read the “Keeping Children Safe in Education” (2020) guidance produced by the DfE and the Trust’s safeguarding and child protection policy. These can be obtained from your Headteacher, Designated Safeguarding Lead, website or HR Manager.
- 3.4 All recruitment must be planned to ensure that there is adequate time available to recruit safely.
- 3.5 Any person who becomes aware that this policy is not being followed during recruitment must inform the Headteacher/Designated Safeguarding Lead immediately.
- 3.6 All of the checks described in Sections 11 and 12 must be carried out and have been determined as satisfactory before an applicant can start their employment in the Trust.

4. Advertising

- 4.1 Any vacant position will normally be advertised via the appropriate channels to ensure the most appropriate field of applicants is obtained.
- 4.2 All advertisements will have the following statement about safeguarding children and young people and the requirement to have a DBS check:

‘Quantock Education Trust is committed to safeguarding and promoting the welfare of its pupils and expects all those working at the Trust to share this commitment.’

- 4.3 In accordance with Section 7 of the Immigration Act 2016, there is now a Public Sector fluency duty to ensure candidates have the necessary standard of spoken English to be met by their public-facing staff. For example, a teaching assistant required to communicate with pupils to support their learning, would be viewed as operating in a public-facing role. Adverts (and Job Descriptions) should be clear in the necessary standard of spoken English required for the role.

5. Job Description

- 5.1 A job description will be required for all posts which describes the duties and responsibilities of the post. It must be up to date, accurate and specific to the role. The job description must also include a person specification which outlines all of the necessary skills, experience, qualifications and knowledge requirements for the post.
- 5.2 All job descriptions and person specifications must make reference to the responsibility for safeguarding and promoting the welfare of children.

6. Application Forms

- 6.1 All applicants are required to fill out the Trust standard application form. CVs will not be accepted.

7. References

- 7.1 All offers of employment will be conditional upon receipt of at least two satisfactory written references, covering the past 5 years. References will:
- be requested for all shortlisted applicants;
 - 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;
 - ask the current employer for details of any capability history in the previous two years, and the reasons for this;
 - be directly from the referee;
 - not be accepted if they are 'to whom it may concern' letters;
 - request information on the applicant's suitability to work with children and young people;
 - i. be requested before the interview; and
 - ii. be explored further with the referee and with the applicant during the interview, or following the interview, if necessary.
- 7.2 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.
- 7.3 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.

8. Shortlisting

- 8.1 Applicants will be short-listed against the requirements of the job description and person specification. The same people should carry out the short-listing and the interviews. The outcome of the short-listing process will be recorded and retained.
- 8.2 The equal opportunities monitoring form must be removed from the application and not provided to the short-listing panel.
- 8.3 The short listing panel are responsible for scrutinising the application forms and identifying any gaps in employment or other areas that may affect an applicant's suitability to work with children and young people. A satisfactory explanation for any concerns must be obtained from the applicant during the interview process.

9. Interviewing

- 9.1 A face to face interview must take place for all applicants to all posts. The use of video conferencing, Zoom, Skype or other similar technologies is acceptable for this purpose.
- 9.2 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.
- 9.3 The purpose of the interview is to assess the merits of each applicant against the job description and person specification to establish their suitability for the post and to work with children and young people.

- 9.4 Interviews should be conducted with a minimum of two interviewers on the panel ideally with an equal gender balance to enable one interviewer to assess the applicant, observe and make notes whilst the applicant talks to the other interviewer.
- 9.5 Before the interview commences the interview panel should have:
- prepared appropriate questions for the role;
 - prepared appropriate questions to test the applicant's suitability to work with children and young people;
 - identified any areas for further probing, e.g. if a criminal record has been declared or if there are gaps in employment etc;
 - agreed assessment criteria which reflects the person specification; and
 - decided a structure to the interview and established which member of the panel will ask which questions.
- 9.6 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.
- 9.7 Any gaps in employment history or declaration of a criminal record or caution must be explored further during the interview process.
- 9.8 Candidates shortlisted for interview will be asked about their suitability to work with children. They will also be required to disclose and then discuss criminal convictions and/or cautions which are not protected under the amendments to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020) that may deem them unsuitable.

10. Other Selection Models

- 10.1 In addition to a face to face interview with the interview panel a variety of other selection methods may be used, such as:
- Observation of teaching practice in our Trust or in the applicant's current school or academy;
 - One or more additional panel interviews (for example, a panel made up of pupils from our Trust);
 - A presentation; and
 - In tray exercises
- 10.2 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.
- 10.3 Candidates will be informed in advance if any selection methods are to be used in addition to a face to face interview and what these are.

11. Level of Language Proficiency

- 11.1 Under the fluency duty public authorities are required to ensure that workers in public facing roles are fluent in English. This includes both teaching and support staff roles.
- 11.2 The Trust will accept a range of evidence of spoken English language ability as follows:
- competently answering interview questions in English;
 - possessing a relevant qualification for the role attained as part of education in the UK or fully taught in English by a recognised institution abroad,
 - passing an English spoken language competency test or possessing a relevant spoken English qualification at CEFR Level B1 or above, taught in English by a recognised institution abroad.

12. Pre- employment checks

- 12.1 An offer of appointment to the successful applicant will be conditional upon the following:
- receipt of at least two satisfactory written references (one of which must be their current or most recent employer);
 - verification of the applicant's identity, preferably from current photographic ID and proof of address;
 - verification of the applicant's medical fitness;
 - verification of qualifications where relevant;
 - 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 Teacher Services System www.gov.uk/teacher-status-checks-information-for-employers;
 - satisfactory enhanced DBS check (see Section 13);
 - for management positions (including Governors/Trustees if they are involved in management), verification that they are not subject to a section 128 direction by checking the Teacher Services System.
 - for teachers and other employees who hold QTS who are working in non-teaching roles, verification that they are not subject to a prohibition order by checking the Teacher Services System;
 - for teachers, satisfactory check of the 'Teachers sanctioned in other EEA member states' list to determine any restrictions/sanctions that have been imposed in other EEA member states, through the Teacher Services System.¹
 - a clear children's barred list check (except supervised volunteers);
 - verification of right to work in the United Kingdom;
 - any further checks where the applicant has lived or work outside of the UK including receipt of criminal record information from overseas;
 - confirmation that the applicant is not disqualified from providing childcare (see Appendix 1)
- 12.2 All checks must be confirmed in writing, retained on the personnel file and recorded in the single central record (SCR).

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

13.1 The Trust 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 engaged in regulated activity	<p>As an educational institution which is exclusively or mainly for the provision of full-time education to children, Quantock Education Trust is an establishment specified in the relevant legislation.</p> <p>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</p>	An enhanced DBS check with children's barred list check will always be obtained

	with eating, toileting, washing, bathing or dressing is always regulated activity regardless of how frequently it is carried out.	
Unsupervised volunteers	As above	An enhanced DBS check with children's barred list check will be obtained Those applying for Chair of Trustee posts (after 01.04.17) must also have their identity verified for a stipulated professional as part of their DBS check as per the below link: https://www.gov.uk/government/publications/identity-verification-for-new-chairs-of-trustees
Supervised volunteers	Where an individual is a volunteer (e.g. carrying out activity that is unpaid) they will not be engaging in regulated activity if: They are being supervised by someone that is in regulated activity; and The supervision is regular and day to day (e.g. it is ongoing); and The supervision is reasonable in all the circumstances to ensure the protection of children (this may take into account for example, the age, number	We are unable by law to obtain a barred list check on a supervised volunteer. We will however obtain an enhanced DBS check (with no barred list check) for supervised volunteers.

	and vulnerability of children the individual is working with and whether other individuals are helping to look after them)	
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- 13.2 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 Trust must ensure that appropriate supervision is in place until the DBS check has been received.
- 13.3 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 applicant's 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.
- 13.4 Any applicant who refuses to produce their DBS disclosure will not be able to start work at the Trust and the conditional offer will be withdrawn as satisfactory checks are not in place. Any volunteer who refuses to produce their disclosure will not be able to volunteer in the Trust OR any of our schools.
- 13.5 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 the DBS Update Service. The cost of this service is £13 per year. The expectation is that individuals personally fund this if required. Where the applicant or volunteer has subscribed they should provide the Trust with the original disclosure document to be verified and the Trust will check the online update for any changes.
- 13.6 Applicants will only be asked to declare convictions and cautions that are not protected under the amendments to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020)
- 13.7 Information relating to an individual's criminal record will only be shared with the relevant people to enable the Trust to make a decision about their suitability to work with children and young people. It will be held for no longer than is necessary and will be processed in line with the Data Protection Act 1998.

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

- 14.1 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.
- 14.2 An enhanced DBS and children's barred list check may be carried out on any employee or unsupervised volunteer where the Trust has concerns about an individual's suitability to work with children and young people. An enhanced DBS (no barred list check) may be carried out on any supervised volunteer where the Trust has concerns about their suitability to work with children and young people.
- 14.3 DBS certificates will only be issued to the applicant. The Trust expects all applicants to produce the disclosure when requested to do so. Any existing employee who does not produce their DBS disclosure will be managed through the disciplinary procedure.
- 14.4 All existing employees are required to inform the Trust of any change in their criminal record. This includes convictions, cautions, arrests and police investigations. The Trust will require all employees to sign a declaration on an annual basis that there has been no change in their criminal record. Action may be taken as a result of any change or any failure to inform the Trust of any change.

15. Agency Staff

- 15.1 In the case of agency staff, the Trust must ensure that the arrangement with the agency imposes an obligation on the agency to carry out all recruitment checks as set out in section 12, including DBS and children's barred list checks, that the Trust would otherwise complete for its staff. The Trust must obtain written confirmation from the agency that these checks have been carried out and are satisfactory. This must be recorded in the single central record (SCR).
- 15.2 Upon the engagement of an agency worker, the agency must be supplied with a copy of the Trust's Managing Allegations Procedure unless they have previously been provided with the most recent version of this procedure.

16. Breaches of the Policy

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

17. Record keeping and data protection

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

Appendix 1: Disqualification from Childcare information for new employees

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

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

So what does this mean in practice?

We need to make you aware that there are certain things that may mean that you are automatically disqualified from providing childcare (affecting your role within this school) by you having committed a disqualifiable offence or a disqualifying event. These broadly fall into the four below categories:

- 1 That you have a caution/conviction for certain violent/sexual offences
- 2 Grounds relating to the care of children
- 3 That you have had registration refused/cancelled in relation to childcare
- 4 That you have committed an offence overseas which would constitute an offence regarding disqualification under the 2009 Regulations if it had been done in any part of the United Kingdom.

Ofsted have provided a list of disqualifiable offences/events in tables A & B of the below guidance

<https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006/disqualification-under-the-childcare-act-2006>

You need to read through this and report to the Head without delay if there is anything to declare under the disqualification guidance. It is only the offences/events on this list that we require you to declare. If you are unsure of a specific offence/event is applicable after reading the Ofsted lists, then please let us know so that we can advise you appropriately.

You should also be aware that from this point forward if your circumstances change relating to the disqualification guidance, you are obligated to inform us of this without delay.

You will be required to sign to confirm that you are clear relating to your obligations regarding disclosure pertaining to Disqualification under the Child Care Act 2016, so please do make sure that you ask any questions that you are unclear on. If you wish to do this, please speak with the Head in person.

If you require additional information or help with any aspect of this, then please let the Head know so that we can take advice from our HR adviser on your behalf.

I have read and understood the information in this document.

Signed

Print name

School

Position Offered

Date