



The Learning Academy Trust

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*Outstanding Together*  
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# Recruitment and Selection Policy for Employees and Volunteers The Learning Academy Trust (TLAT)

## 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.....	9
14.	Agency staff .....	9
15.	Breaches of the policy .....	9
16.	Record keeping and data protection.....	9
17.	Review of policy .....	9

### [Appendix 1: Childcare disqualification self-declaration form](#)

## 1. Introduction

- 1.1 Recruiting the best people to TLAT is vital for our continued success in providing the highest standards of education to our pupils.
- 1.2 Not appointing the right people to our roles can have a negative impact on the performance of TLAT.
- 1.3 The Head of School or Executive Principal is responsible for deciding on the arrangements to recruit to any post, with the exception of the Head or School or Executive Principal role where the Board of Directors of TLAT will be responsible.
- 1.4 In carrying out our recruitment processes we are committed to the creation of a safe environment for our pupils by operating safer recruitment practices in line with the statutory requirements and guidance.
- 1.5 We are also committed to ensuring that throughout our recruitment and selection processes no applicant is disadvantaged or discriminated against because of the protected characteristics of age, disability, gender, gender re-assignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief and sexual orientation.
- 1.6 In the very exceptional cases where we are required to discriminate due to an occupational requirement this must be approved by the Board of Directors who will provide reasons for this requirement.
- 1.7 Recruitment will be solely on the basis of the applicant's abilities and individual merit as measured against the criteria for the job. Qualifications, knowledge, experience and skills will be assessed at the level that is relevant to the job.
- 1.8 If an applicant makes TLAT 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 TLAT.
- 2.2 Sections 12 and 13 'Disclosure and Barring Service checks' also applies to volunteers in TLAT.

## 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 TLAT must, without exception, follow the processes of safer recruitment. All offers of employment will be subject to TLAT 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 TLAT must read the "Keeping Children Safe in Education" guidance (or updated statutory guidance) produced by the DfE and TLAT child protection policy. These can be obtained from the Academy office at all TLAT sites.
- 3.4 All recruitment must be planned to ensure that there is adequate time available to recruit safely.

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- 3.5 Any person who becomes aware that this policy is not being followed during recruitment must inform the Head of School or Executive Principal or [Child Protection Officer 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 TLAT.

#### 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 The Head of School or Executive Principal must give consideration to their advertising strategy for each vacancy. Although there is no legal requirement to advertise every job that arises, caution should be applied in appointing without external advertising. The repeated use of informal or internal methods needs to be reviewed to safeguard TLAT against any claims of indirect discrimination if recruitment methods perpetuate existing imbalances in the workplace.

All advertisements will have the following statement about safeguarding children and young people and the requirement to have a DBS check: *'TLAT is committed to safeguarding and promoting the welfare of its pupils and expects all those working at TLAT to share this commitment.'*

#### 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 form

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

#### 7. References

- 7.1 All offers of employment will be conditional upon receipt of at least two satisfactory written references. References will:
- (a) be requested for all shortlisted applicants, including internal applicants;
  - (b) include the applicant's current or most recent employer and where an applicant for a teaching post is not currently employed as a teacher, will include the applicant's most recent employer as a teacher;
  - (c) ask the current employer for details of any capability history in the previous two years, and the reasons for this;

- (d) be directly from the referee;
- (e) not be accepted if they are 'to whom it may concern' letters;
- (f) request information on the 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.

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. Short-listing

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

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

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

## 9. Interviews

9.1 A face to face interview must take place for all applicants to all posts. The use of video conferencing, Skype, Facetime or other similar technologies is only acceptable as part of a two stage interview process with the prior permission of the Board of Directors.

9.2 All those involved in interviewing must be properly trained. At least one person on the interview panel must have undertaken 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 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:

- (a) prepared appropriate questions for the role;
- (b) prepared appropriate questions to test the applicant's suitability to work with children and young people;

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- (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.

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.

## 10. Other selection methods

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

- (a) Observation of teaching practice in our academy or in the applicant's current school or academy;
- (b) One or more additional panel interviews (for example, a panel made up of pupils from our academy);
- (c) A presentation;
- (d) In tray exercises; and
- (e) Psychometric testing.

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. Pre- employment checks

11.1 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;

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- (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 work 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

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

## 12. Disclosure and Barring Service (DBS) checks - new employees and volunteers

12.1 TLAT 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, [name of School/Academy/Trust] is an establishment specified in the relevant legislation. Activity carried out in this establishment will therefore be regulated activity relating to children if it meets the definition in the relevant legislation, including that it is carried out:</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
Volunteers	As above	An enhanced DBS check with children's barred list check

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		will always be obtained
Supervised Volunteer	<p>Where an individual is a volunteer parent helper (e.g. carrying out activity that is unpaid such as swimming and beach school) they will not be engaging in regulated activity if:</p> <p>They are being supervised by someone that is in regulated activity; and</p> <p>(a) The supervision is regular and day to day (e.g. it is ongoing); and</p> <p>(b) The supervision is reasonable in all the circumstances to ensure the protection of children (this may take into account for example, the age, number and vulnerability of children the individual is working with and whether other individuals are helping to look after them)</p>	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.
Parent Helpers	Where parents engage in one off or irregular activities with the school where they remain fully supervised and do not engage in any regulated activity no DBS is required. However, if involvement become repeated or regular see above.	
Contractors /Agency staff	Please refer to the guidance on the recruitment and use of contractors and agency staff	

- 12.2 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 Academy must ensure that appropriate supervision is in place until the DBS check has been received.
- 12.3 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, with reference to the separate guidance note, 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.
- 12.4 Any applicant who refuses to produce their DBS disclosure will not be able to start work at TLAT 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 any of our academies.
- 12.5 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 this service. Where it is anticipated that a job role will have regular movement or deployment to trust or partner sites TLAT will fund the annual cost of the up to date DBS service. All other staff and volunteers will have DBS checks in line with current statutory guidance and the expectation is that they fund the update service themselves if they wish to. Where the applicant or volunteer has subscribed they should provide TLAT with the original disclosure document to be verified and TLAT will check the online update for any changes.

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12.6 Information relating to an individual's criminal record will only be shared with the relevant people to enable TLAT 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.

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

13.1 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.

13.2 An enhanced DBS and children's barred list check may be carried out on any employee or unsupervised volunteer where TLAT 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 TLAT has concerns about their suitability to work with children and young people.

13.3 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.

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

### 14. Agency staff

14.1 In the case of agency staff, TLAT 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 TLAT would otherwise complete for its staff. TLAT 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. Breaches of the policy

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

15.2 Any complaint in relation to this policy, including its application will be managed through the Trenance Learning Academy Trust's complaints policy or grievance policy (for existing employees).

### 16. Record keeping and data protection

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

### 17. Review of policy

17.1 This policy is reviewed by TLAT. We will monitor the application and outcomes of this policy to ensure it is working effectively.

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Date of review

Next review:

## Disqualification Declaration Form

This form is to be completed by all new staff before commencement of employment and all volunteers and completed by all staff and volunteers on an annual basis at the commencement of the autumn term.

Name:	
Post:	

**Important - Please read in full before completing the declaration**

Please answer the questions below to the best of your knowledge and sign the declaration at the end of this form. Please note that you must answer all questions for yourself AND for all others who live or work in the same household as you.

The definition of *'others in the household'* is wide and includes all/anyone who lives or works in the same property as you including partners, spouses, children, parents, flat-mates, lodgers, tenants on a permanent or temporary basis.

Please answer each question below by circling yes or no

**Questions relating to you:**

Since your DBS check with TLAT have you been cautioned or convicted of any criminal offence?	YES	NO
Have you been cautioned or convicted of any offences against a child?	YES	NO
Have you been cautioned or convicted of any violent or sexual offences against an adult?	YES	NO
Have you been barred from working with children by the Disclosure and Barring Service?	YES	NO
Have your children been taken into care?	YES	NO
Have or are your children the subject of a child protection order?	YES	NO
Has a court order been made in respect of a child under your care?	YES	NO

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Have you been refused registration or had registration cancelled in relation to childcare or a children's home or have you been disqualified from private fostering?	YES	NO
<b>Questions relating to ALL others in your household:</b>		
Has anyone in your household been cautioned or convicted of any offences against a child?	YES	NO
Has anyone in your household been cautioned or convicted of any violent or sexual offences against an adult?	YES	NO
Has anyone living or working in your household been barred from working with children by the Disclosure and Barring Service?	YES	NO
Does anyone in your household have children that have been taken into care?	YES	NO
Does anyone in your household have children that have been the subject of a child protection order?	YES	NO
Has anyone in your household had a court order made in respect of a child in their care?	YES	NO
Has anyone living in your household been refused registration or had registration cancelled in relation to childcare or a children's home or have they been disqualified from private fostering?	YES	NO

If you have answered YES to any of the questions above, please provide further information:

I have answered YES to one or more of the questions above because:

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I understand my responsibility to safeguard children and am aware that I must notify the Principal of anything that may affect my suitability or that of anyone living in my household.

I will ensure I notify the Principal immediately if the answers I have provided to the questions above change at any time.

I give permission for you to contact any previous settings, local authority staff, the police, the DBS, or any medical professionals, to share information about my suitability to care for children.

Signed ..... Date .....

**To be completed by the Principal**

I have reviewed the answers provided above and no further action is required.

Signed .....

Dated .....

Or:

I have reviewed the answers provided above and the following action has been taken (continue on additional sheet as required):

Signed.....

Dated .....