

Safer Recruitment Policy (May 2020)

EBN Trust

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Governor's Approved	14.5.20
Signed by Chair	
Version No	1
Date of Next Review	May 2021

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This policy is made available to all parents, prospective parents, staff and prospective employees of East Birmingham Network Academy Trust on our website and a hard copy can also be viewed at our Main Office.

1. Introduction

The EBN Academy Trust is committed to providing the best possible care and education to its students and to safeguarding and promoting the welfare of children and young people. We are also committed to providing a supportive and flexible working environment to all our members of staff. We recognise that, in order to achieve these aims, it is of fundamental importance to attract, recruit and retain staff of the highest calibre who share this commitment.

The aims of our Safer Recruitment policy are to:

- Comply with all relevant recommendations and guidance including the recommendations of the Department for Education (DfE) in "Safeguarding Children: Safer Recruitment and Selection in Education Settings" and the code of practice published by the Disclosure and Barring Service (DBS)
- Safeguard and promote the welfare of children by carrying out all necessary pre-employment checks
- Deter prospective candidates who are unsuitable to work with children
- Identify and reject applicants who are unsuitable to work with children
- Give clarity to all those applying for posts so that the academy can recruit the best possible staff on the basis of their merits, abilities and suitability for the position
- Support our Equal Opportunities policy by ensuring that all job applicants are considered equitably and consistently, so that no applicant is treated unfairly on any grounds, including race, colour, nationality, ethnic or national origin, religious belief, sex or sexual orientation, marital status, disability or age.

Members of the Senior Leadership Team (SLT), EBN Academy Trust Board of Directors and other Governors involved in the recruitment and selection of staff are responsible for complying with the provisions of this policy. During appointment procedure for any staff post, at least one member of the recruitment panel will hold a current certificate in Safer Recruitment.

2. Recruitment and Selection Procedure

2.1. Inviting Applications

Advertisements for posts, whether in newspapers, journals or on-line, will include the statement:

We are an equal opportunities employer and we are committed to safeguarding and promoting the welfare of children.

Prospective applicants will be supplied with the following:

- Job description and person specification
- Our Safer Recruitment policy (this document)
- An application form
- Recruitment Privacy Notice

All applicants for employment will be required to complete the application form. Incomplete application forms will not be accepted. Curriculum Vitae will not be accepted in place of the completed application form under any circumstances.

2.2. Short-listing and References

At least two members of the short-listing panel, one of which will be safer recruitment trained, will be involved in scrutinising application forms. Short-listing of applicants will be against the person specification for the post. Information concerning age, medical history, disability or criminal records disclosure will not be used to short-list candidates.

Whenever possible, references will be taken up on short-listed candidates prior to interview. All offers of employment will be subject to the receipt of a minimum of two satisfactory references, one of which must be from the applicant's current or most recent employer. If the current/most recent employment does/did not involve work with children, then the second referee should be from the employer with whom the applicant most recently worked with children.

Neither referee should be a relative or someone known to the applicant solely as a friend.

All referees will be sent a copy of the job description and person specification for the role for which the applicant has applied. They will also be asked to confirm the following:

- The applicant's dates of employment, salary, job title/duties, reason for leaving, performance, sickness and disciplinary record
- The applicant's suitability for the post in general
- The applicant's suitability for working with children
- Whether the applicant has ever been the subject of disciplinary procedures, including warnings, involving issues related to the safety and welfare of children (including any in which the disciplinary sanction has expired)
- Whether any allegations or concerns have been raised about the applicant that relate to the safety and welfare of children or behaviour towards children
- We will only accept references obtained directly from the referee on our official reference form with all sections completed. We will not accept references or testimonials provided by the applicant or on open references or testimonials.

We will compare all references with any information given on the application form. Any discrepancies or inconsistencies in the information will be taken up with the applicant before any appointment is confirmed. Where necessary, referees will be contacted by telephone or e-mail in order to clarify any anomalies or discrepancies; a detailed written note will be kept of such exchanges.

Where necessary, previous employers who have not been named will be contacted in order to clarify any anomalies or discrepancies; a detailed written note will be kept of such exchanges.

Unsuccessful applicants will be informed in writing. Successful applicants (candidates) will be invited to an interview.

2.3. Interviewing Candidates

All interview panels will consist of at least two members made up from either the EBN Academy Trust Board of Directors, EBN Academy Senior Leadership Team or other members of the Local Governing Board. At least one of these leaders will have successfully completed the Safer Recruitment Training.

Short-listed candidates will be invited to attend a formal, face-to-face interview, at which their relevant skills and experience will be discussed in more detail. Candidates will always be required to:

- Explain any gaps in their employment history satisfactorily
- Explain any anomalies or discrepancies in the information available to the recruiters
- Declare any information that is likely to appear on the DBS disclosure
- Demonstrate their capacity to safeguard and protect the welfare of children and young people
- Answer questions aimed at obtaining evidence of how the candidate meets the criteria listed on the person specification; the same areas of questioning will be covered for each candidate

All candidates who are invited to an interview will be required to bring the following evidence of identity, address and qualifications:

- Current photograph driving licence and full birth certificate OR current passport (where an applicant claims to have changed his/her name by deed poll or any other mechanism, e.g. marriage, adoption, statutory declaration, he/she will be required to provide documentary evidence of the change.
- Two utility bills or statements (from different sources) showing their name and home address
- Documentation confirming their National Insurance Number (P45, P60 or NI Card)
- Original documents confirming any educational and professional qualifications referred to in their application form, including, for teachers, proof of Qualified Teacher Status. If there is any doubt of authenticity, the relevant awarding body will be contacted
- Proof of eligibility to work in the United Kingdom (see appendix notes for full list)

Based upon the candidate's performance at the initial interview, they may be asked to return for a second interview where they will be required to:

- Demonstrate their competency to carry out the roles and responsibilities as detailed in the job description for the post; all teaching posts will include the teaching of a lesson to children of an appropriate age, all support roles will have key skills assessed
- Answer questions aimed at obtaining evidence of how the candidate would aim to fulfil the roles and responsibilities as detailed in the job description for the post
- Answer questions aimed at obtaining evidence of the candidate's motives, attitudes and behaviour in relation to the role

The notes taken and documentation used in the interview process will form part of the formal record of why candidates were, or were not, selected. For unsuccessful candidates these records will be retained for six months by the academy and then destroyed, unless the candidate specifically requests that we keep their details on file. Successful candidate's notes will be kept on file for the duration of their employment and for a minimum of six years afterwards.

Unsuccessful candidates will be informed in writing and offered a telephone debrief up to a week after the date of the letter. The initiative is with the unsuccessful candidate to initiate the debrief.

2.4. Conditional Offer of Employment

If it is decided to make an offer of employment following the interviews, any such offer will be conditional on the following:

- The agreement of a mutually acceptable start date and the signing of a contract incorporating the EBN Academy Trust's standard terms and conditions of employment
- The receipt of two satisfactory references as detailed above (if not already been received)
- Verification of professional status, as appropriate, such as GTC registration, NQT status
- Verification of medical fitness in accordance with DCSF Circular 4/99 Physical and Mental Fitness to Teach of Teachers and Entrants to Initial Teacher Training
- Satisfactory completion of the probationary period, as detailed in the contract

In addition to these checks and, in accordance with the recommendations of the DfE in "Safeguarding Children: Safer Recruitment and Selection in Education Settings", the academy applies for a new enhanced criminal record disclosure from the Criminal Records Bureau (CRB) in respect of **ALL** prospective staff members (unless the "three month rule" applies), advisors and volunteers.

- An Enhanced DBS Disclosure will contain details of all convictions on record including current and spent convictions (including those which are defined as "spent" under the Rehabilitation of Offenders Act 1974) together with details of any cautions, reprimands or warnings held on the Police National Computer. It may also contain non-conviction information from local police records which a chief police officer thinks may be relevant in connection with the matter in question
- As the individual is applying for a position working with children or young adults, it will also reveal whether he/she is barred from working with children or vulnerable adults by virtue of his/her inclusion on the lists of those considered unsuitable to work with children or vulnerable adults maintained by the DfE and the Department of Health'.

Applicants with recent periods of overseas residence and those with little or no previous UK residence will also be asked to apply for the equivalent of a disclosure, where one is available in the relevant jurisdiction(s).

If the above conditions are satisfied and the offer is accepted then the applicant will be issued with a contract of employment as confirmation of employment.

If a candidate is found to be on the DfE List 99 or the protection of Children Act List, or if the enhanced DBS disclosure shows s/he has been disqualified from working with children by a court, or if s/he is found to have provided false information in his/her application, or if s/he is the subject of serious expression of concern as to his/her suitability to work with children, these facts will be reported to the Police and the DfE Children's Safeguarding Unit.

2.Criminal records checks for short-notice supply teachers

Should the need arise to use staff from supply agencies, we will ask to see documentation that those agencies have registered these staff with the DBS following our policy or their own comparable policy. Proof of registration will be required before the academy will commission services from any such organisation. The identity of all supply teachers, using either a current passport or a birth certificate **and** a current photo-card driving licence, will be checked upon their arrival at the academy and before they allowed to teach.

3.Induction

All newly appointed staff will undergo a programme of induction training relevant for their post. In addition to this all members of staff, whether teaching or support staff, will undergo induction training which will specifically address issues concerning the safeguarding of children and young people and the procedures detailed in the Academy Trust's Child Protection (Safeguarding) Policy.

4.Independent Safeguarding Authority

The Independent Safeguarding Authority's (ISA) role is to help prevent unsuitable people from working with children and vulnerable adults. We are required to report to the ISA within one month of leaving the academy any person (whether employed, contracted, a volunteer or student) whose services are no longer used because he or she is considered unsuitable to work with children. EBN Academy Trust understands that, in this context, ceasing to use a person's services includes dismissal, non-renewal of a fixed-term contract, no longer engaging/ refusing to engage a supply teacher provided by an employment agency, terminating the placement of a student teacher or other trainee, no longer using staff employed by contractors, no longer using volunteers, resignation, and voluntary withdrawal from supply teaching, contract working, a course of initial teacher training, or volunteering. We undertake that our reports will include as much evidence about the circumstances of the case as possible. We understand that "Compromise agreements" cannot apply in this connection.

5.Independent positive disclosure referral committee

The EBN Trust Board of Directors will always ensure any unsuitable people are unable to work with children and vulnerable adults. In the event that a prospective employee's disclosure application is returned listing known criminal convictions, it will be referred immediately by the Headteacher or Executive Headteacher to the relevant sub-committee of the Board of Directors. The decision whether to permit the appointment of the perspective employee will be made by the committee. A record of the discussion will be held on file.

6.DBS Renewal

It is the policy of the EBN Academy Trust to renew DBS checks for all staff every three years.

7. Policy Review

This Policy will be reviewed every 2 Years or when new guidance is issued by DfE.

Appendix 1: Asylum and Immigration Act 1996

In accordance with this act, members of staff are required to provide documentary evidence that they are legally entitled to live and work in the United Kingdom. See below:

- A document from a previous employer, the Inland Revenue, the Benefits Agency, the Contributions Agency or the Employment Service (or their Northern Ireland equivalents), showing your name and National Insurance number. This could be a P45, a pay slip, a P60, a National Insurance card or a letter issued by one of the Government bodies concerned.
- A passport describing you as a British citizen or as having the right of abode in or an entitlement to readmission to the United Kingdom.
- A passport containing a Certificate of Entitlement issued by or on behalf of the Government of the United Kingdom certifying that you have the right of abode in the United Kingdom.
 - A certificate of registration or naturalisation as a British citizen
 - A birth certificate issued in the United Kingdom or in the Republic of Ireland
 - A passport or national identity card issued by a State which is a party to the European Economic Area Agreement and which describes you as a national of that State.
 - A passport or other travel document endorsed to show that you are exempt from immigration control, have indefinite leave to enter, or remain in, the United Kingdom or have no time limit on your stay; or a letter issued by the Home Office confirming that you have such status.
 - A passport or other travel document endorsed to show you have current leave to enter or remain in the United Kingdom and are not precluded from taking the employment in question; or a letter issued by the Home Office confirming this is the case.
 - A United Kingdom residence permit issued to you as a national of a State which is a party to the European Economic Area Agreement.
 - A passport or other travel document endorsed to show that you have a current right of residence in the United Kingdom as the family member or a named national of a State which is a party to the European Economic Area Agreement and who is resident in the United Kingdom.
 - A letter issued by the Immigration and Nationality Directorate of the Home Office indicating that you are a British citizen or have permission to take employment.
 - A work permit or other approval to take employment issued by Work Permits (UK) or in Northern Ireland, by the Training and Employment Agency.
 - A passport describing you as a British Dependent Territories citizen and which indicates that the status derives from a connection with Gibraltar.

Signed Chair of the Governing Body: _____ **Date:** _____