



# Safer Recruitment Policy

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## **1. Commitment & Purpose**

1.1 The Board of Trustees recognises that:

1.1.1 The legal requirements for recruiting employees to work at Q3 Academies Trust (QAT) include provisions specifically to protect students from harm, and that following these provisions is an essential part of its duty of care;

1.1.2 Recruiting the best people to QAT is vital for its continued success in providing the highest standards of education to its students; and

1.1.3 Not appointing the right people to our roles can have a negative impact on the QAT's performance and reputation.

1.2 The Board of Trustees is committed to:

1.2.1 Creating a safe environment for its students by operating safer recruitment practices in line with statutory requirements and guidance (including but not limited to Keeping Children Safe in Education ("KCSIE"));

1.2.2 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. In the very exceptional cases where we are required to discriminate due to a genuine occupational requirement, this will be approved by the Board of Trustees before any offer of employment is made;

1.2.3 Attracting the best possible applicants to QAT; and

1.2.4 Identifying, deterring and rejecting applicants who are unsuitable to work with its students;

1.2.5 Ensuring that all posts offered at QAT are made on the basis of merit and abilities (see further at 4 below).

1.3 The purpose of this document is to ensure that we identify, deter and/or minimise people who pose a risk of harm by working at QAT and with our students. This means that all employees involved in the recruitment and selection of employees and volunteers know the processes, expectations and requirements for safer recruitment, and follow this Policy & Procedure so as to minimise the risk of harm to its students.

## **2. Scope**

This document applies to all people who carry out work at any of the academies in QAT, whether paid, voluntary, supplied by an agency or under a contract of service.

## **3. Roles & Responsibilities**

3.1 The Board of Trustees is responsible for ensuring that this document is reviewed and ratified on an annual basis and for sitting on occasional selection panels, when senior leaders such as the Chief Executive/Executive Leader (Head of School, Director of Finance and Operations or Vice Principal) is being sought.

- 3.2 The Chief Executive is responsible for ensuring that the Policy & Procedure is being followed fairly and consistently, and for sitting on selection panels for senior leadership roles and/or senior support staff roles as appropriate
- 3.3 Heads of School are responsible for:
- 3.3.1 Leading and managing on all recruitment and selection and on making final decisions on appointments, subject to approval from the Chief Executive, except for Head of School and Vice Principal roles.
- 3.3.2 Promoting the welfare of children and young people at every stage of the recruitment process (see 4.0).
- 3.4 HR is responsible for ensuring that:
- 3.4.1 all staff have access to the latest version of this Policy & Procedure; and
- 3.4.2 all staff involved in recruitment and selection processes (including those maintaining the SCR) are given opportunities for training;
- 3.4.3 induction processes are carried out promptly and thoroughly for all new staff;
- 3.4.4 an updated log of Safer Recruitment Trained staff, governors and trustees is maintained. in each academy. The HR Manager should be notified when staff need to be trained. (This should also be recorded on the SCR).
- 4. Delegation of appointments**
- 4.1 The Board of Trustees delegates the power to offer employment for all QAT posts to the Chief Executive and/or Head of School.
- 4.2 Heads of School may not delegate the power to offer employment to any other member of staff or governor.
- 5. Selection panels**
- 5.1 Selection panels for all QAT posts will comprise a minimum of three people and should reflect the nature of the post.
- 5.2 In accordance with the statutory requirement in Keeping Children Safe in Education (“KCSIE”), every selection panel will have at least one member who has undertaken accredited Safer Recruitment Training. However, it is good practice for any other panel members who are supporting the Chief Executive or Head of School with recruitment to also be safer recruitment trained.
- 5.3 Individuals should avoid conflicts of interest, where possible during the recruitment and selection process by not sitting on a selection panel if they know and/or have a personal connection or relationship with a candidate. Similarly, internal and external applicants may request that the members of a selection panel be changed if they become aware of a potential conflict of interest.

## **6. Safer Recruitment Training**

- 6.1 All members of the senior leadership team across QAT are required to be safer recruitment trained. In addition, other staff involved in recruiting and selecting staff are encouraged to attend this training. Training should be refreshed every two years, or sooner, if there are significant changes in statutory guidance or associated legislation.
- 6.2 Although there are no specific requirements as to the number of governors and/or Trustees that should be safer recruitment trained, internal accredited QAT Safer Recruitment Training will be made available to them on an ongoing basis.
- 6.3 HR colleagues in each academy will maintain an updated list of employees, governors and Trustees who have completed accredited safer recruitment training, including date of course and course provider, and promptly notify the HR Manager when training needs to be refreshed.
- 6.4 HR will ensure that copies of Safer Recruitment Training Certificates are kept on individual employees' personnel files as soon as training has been completed.

## **7. A Safer Recruitment Process**

- 7.1 The importance of safeguarding and protecting students attending our academies will be promoted as much as possible throughout the recruitment process in order to deter would-be abusers. This means carefully planning all recruitment to ensure that there is enough time to recruit safely.
- 7.2 Whilst it is recognised that appointments often need to take place speedily to ensure continuity of provision for the students of QAT and to attract candidates, a timeline should be mapped out and planned by the Head of School or recruitment panel at the outset, working backwards from the anticipated start date. Advice should be taken from QAT HR as appropriate. ***Please refer to the Safer Recruitment Managers' Toolkit item 1. Model Timeline for Recruitment.***
- 7.3 Although timelines for the appointment of staff may vary depending on the time it takes to receive all of the appropriate pre-employment checks and for the candidate to serve a notice period, no appointment process should cut corners by avoiding the measures described in this document.

### **Step 1 – Reviewing staffing structure**

- 7.4 Before advertising any post, the Head of School /Chief Executive, should review its existing staffing structure, identify the cost to the base academy of the post (with on-costs) bearing in mind any budgetary constraints, and discuss with the Director of Finance and Operations as appropriate.

### **Step 2 – Preparing assessment methods & selection panel**

- 7.5 Identifying an appropriate selection panel and selection methods should take place at this stage. For selection panels see paragraph 5 above.
- 7.6 In addition to a face-to-face interview a variety of other selection methods may be used, such as:
- observation of current teaching practice within QAT or in the applicant's current school;
  - student council (comprising a panel made up of students from our academies);
  - a presentation;
  - in-tray exercises (such as written exercises or case studies); and/or
  - psychometric testing.
- 7.7 Those responsible for recruiting to a particular post shall determine the appropriate selection methods. They should be relevant and appropriate to the role and be based on the requirements for the particular post as set out in the job description and person specification.

### **Step 3 – Define role: Preparing Job Description and Person Specification**

- 7.8 An up-to-date and tailored job description and person specification is required for all posts. At the start of the recruitment process it is important to define what the duties and responsibilities of the post-holder will be (job description), as well as the qualifications, experience and knowledge needed to perform the role (person specification). Without these documents being in place, writing an effective advert and/or shortlisting will not be possible. Both documents should be reviewed and updated on an annual basis by the Head of School/Chief Executive in consultation with employees and HR to reflect any changes.
- 7.9 All Job Descriptions will, as a minimum include:
- 7.9.1 Job Title;
  - 7.9.2 Grade/Scale of Post (e.g. full time, part time, term time only);
  - 7.9.3 Job Purpose;
  - 7.9.4 Line Management details – who will line manage them and will they have line management responsibilities?
  - 7.9.5 Specific responsibilities & duties;
  - 7.9.6 The post-holder’s specific responsibility for safeguarding and promoting the welfare of children that they come into contact with through their job. This is because we all have responsibility for safeguarding in some way.

***Please refer to the Safer Recruitment Managers’ Toolkit item 2. Job Description.***

- 7.10 All Person Specifications will, as a minimum, include:
- 7.10.1 Qualifications required;
  - 7.10.2 Professional Registrations e.g. QTS or CIPD (if required);
  - 7.10.3 The skills, competencies, knowledge and previous experience required (where the Fluency Code of Practice applies (see further at 7.1.4 below), this should set out a candidate’s need to be able to “speak English with confidence and accuracy, using accurate sentence structures and vocabulary, all without hesitation and appropriate to the situation at hand”);
  - 7.10.4 The requirement to be cleared by the DBS for work with children, and where appropriate disqualification by association.
- 7.11 Each requirement in the person specification will be graded as either ‘Essential’ or ‘Desirable’. These grades will be used for shortlisting purposes after the closing date. How these issues will be tested – e.g. application form, interview and/or assessment, will be stated and will vary from post to post.

***Please refer to the Safer Recruitment Managers’ Toolkit item 3. Person Specification.***

### **Step 4 – Prepare Advert**

- 7.12 All vacancies will be advertised via appropriate channels to ensure equality of opportunity and to encourage as wide a field of applicants as possible. This will normally mean placing an advert externally. However, where there is a reasonable expectation that there are sufficient suitably qualified internal candidates, or employees are at risk of redundancy, vacancies may be advertised internally across QAT before an external advert is placed. Any internal recruitment process will follow the steps

in this document.

- 7.13 The advert for a vacancy will demonstrate QAT's commitment to safer recruitment and vetting procedures in order to act as a deterrent to would-be abusers. All adverts will display the following:
- 7.13.1 QAT name and logo and the name and logo of the base Academy;
  - 7.13.2 Post Title;
  - 7.13.3 Clarification that employee will be employed by Q3 Academies Trust with confirmation of the base academy;
  - 7.13.4 Hours (this should indicate if full or part time);
  - 7.13.5 Grade (support) or scale (teachers);
  - 7.13.6 Salary range including any allowances offered e.g. TLR;
  - 7.13.7 Permanent or Fixed Term (if fixed term the duration of the contract should be stated);
  - 7.13.8 Summary of ethos of base academy;
  - 7.13.9 Main responsibilities of the post;
  - 7.13.10 How to apply – with link to application pack on base school and QAT website;
  - 7.13.11 Who to direct informal queries to/arrange a visit;
  - 7.13.12 Closing date and interview date (if known);
  - 7.13.13 Assessment methods and dates (if known);
  - 7.13.14 Reference to the Fluency Code of Practice, where appropriate (see 7.14 below);
  - 7.13.15 Safeguarding Children/DBS Statement:

*“Q3 Academies Trust is committed to safeguarding and promoting the welfare of children and young people and requires all staff and volunteers to share and demonstrate this commitment. The successful applicant will be expected to meet the essential requirements of the person specification and will be subject to pre-employment checks including a health check, an enhanced Disclosure and Barring Service check and satisfactory references.”*

**Please refer to the Safer Recruitment Managers' Toolkit item 4. Advert.**

- 7.14 On 21 November 2016 the government introduced a new code of Practice under immigration law which applies to all public bodies (including academies). This means that it is now a statutory requirement for all new and existing public sector workers who are in a 'customer facing' role to be able to speak English fluently.
- 7.15 The government has advised that Teachers are unaffected by the new code as they are already subject to a language standard (through annual appraisal against the Teacher Standards). However, given the nature of work in academies, a lot of other roles will be covered, such as reception staff, teaching assistants, lunchtime supervisors, learning mentors, and other roles depending on their duties and interactions with parents and the public.
- 7.16 The Code states that fluency relates to an employee's "ability to speak with confidence and accuracy, using accurate sentence structures and vocabulary, all without hesitation and appropriate to the

situation at hand”.

- 7.17 All staff involved in recruitment must ensure that adverts for new customer facing roles state that: “this post is subject to the new statutory fluency code of practice. As such, candidates will be required at interview to show that they can speak fluent English”.

### **Step 5 – Prepare Application Pack**

- 7.18 All adverts should include a link to a “QAT Candidate Application Pack” on the QAT and/or base academy website, which will include the following:

7.18.1 QAT Application Form and Guidance Notes for Applicants

7.18.3 Job Description

7.18.4 Person Specification

- 7.19 Prospective applicants must complete, in full, and return a signed application form. Incomplete application forms will be returned to applicants where the deadline for completed forms has not passed. CVs are not accepted in place of application forms.

- 7.20 All covering letters sent with application packs will include the following paragraph:

“Q3 Academies Trust is committed to safeguarding and protecting the welfare of children as its number one priority. This commitment extends to robust recruitment, selection and induction processes”

### **Step 6 – Shortlisting & Reviewing Application Forms**

- 7.21 Prior to the closing date, the Head of School, HR or other appropriate member of the selection panel shall prepare a shortlisting matrix ready for shortlisting by using some or all of the essential criteria from the relevant person specification. ***Please refer to the Safer Recruitment Managers’ Toolkit item 5. Shortlisting Matrix***

- 7.22 Recruitment Monitoring Declaration forms and/or details of positive disclosures shall be removed from the application documents before shortlisting takes place to minimise discrimination.

- 7.23 On or around the closing date, a minimum of 2 members of the selection panel will meet or be provided with copies of all application forms so that shortlisting can take place. This will help prevent bias/subjective decisions and mean that the paperwork can be scrutinised more clearly. The selection panel will shortlist applicants against the essential criteria of the person specification for the post as set out in the shortlisting matrix. Those panel members who complete the shortlisting shall score each candidate, ensuring that the criteria are applied consistently. Those who meet all of the relevant essential criteria will form a “long list”.

- 7.24 Once the long list has been agreed, the selection panel should take time to scrutinise/re-read these application forms to identify gaps in employment or other areas that may affect an applicant’s suitability to work with children and young people. These issues should then be raised at interview to ensure that a satisfactory explanation is received.

- 7.25 Unless there are exceptional circumstances, the shortlisting matrixes should be collated and handed into HR on the day of shortlisting so that they can be placed with all of the recruitment and selection paperwork.

- 7.26 All candidates will be checked against the Prohibited from Teaching (where applicable) list through the Employer Access Online service prior to interview. If the outcome of the check is clear, then the

application will proceed to shortlisting. If the check is not satisfactory, i.e. the candidate is prohibited from teaching, then the DBS will be informed and there will be no further contact with the applicant.

## Step 7 – Inviting Candidates to Interview

- 7.27 All shortlisted candidates will receive an invitation to interview letter using the model QAT template. **Please refer to the Safer Recruitment Managers' Toolkit item 6. Invite to Interview.** This reiterates our commitment to safeguarding and states that each candidate must bring evidence (original documents only) verifying their professional qualifications, identity, right to work in the UK and childcare disqualification paperwork for those in contact with students under the age of 8 (see Pre-Employment Checks below). This letter also clarifies that references will be sought on all short-listed candidates, including internal ones, prior to interview in line with KCSIE. References will be requested using the QAT covering letter and reference request form. **Please refer to the Safer Recruitment Managers' Toolkit item 7. Reference Request Form.**
- 7.28 In line with KCSIE, short-listed candidates' references must be taken up by HR or another appropriate manager immediately and in good time before the interview. Candidates are informed in the QAT application form, and again in the invite to interview letter that referees will be contacted prior to interview. We do tell all candidates that references will not be taken up until they have confirmed that they will be attending the interview so should this be reworded or are we going to change our policy on this and advise all applicants that we will apply for references for any shortlisted candidate – prior to them accepting the invitation).
- 7.29 All offers of employment will be conditional upon receipt of at least two satisfactory written references. References will:
- 7.29.1 Be requested for all shortlisted applicants, including internal applicants;
  - 7.29.2 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; (the referee must be in a more senior role than the applicant)
  - 7.29.3 Ask the current employer for details of any capability history in the previous 2 years, and the reasons for this;
  - 7.29.4 Be directly from the referee;
  - 7.29.5 Not be accepted if they are "to whom it may concern" letters;
  - 7.29.6 Request information on the applicant's suitability to work with children and young people
- 7.30 On receipt of references, the selection panel should review them carefully by checking against the information provided in the candidate's application form. Any discrepancies or areas of concern must be taken up by the selection panel at interview. A note should be kept of any additional questions asked and the responses.
- 7.31 QAT will not generally accept references from those writing solely in the capacity of friend or personal/character references, unless there are exceptional circumstances. However, this should be discussed with the Chief Executive and/or HR before any offer of employment is made. Telephone references will not be accepted unless followed up in writing by the referee using the QAT reference template. QAT reserves the right to seek references from the current employer even if the applicant has not listed them as referees on the application form. However, the applicant's permission will be sought in advance in line with good practice.
- 7.32 Where it has not been possible to obtain references before the interview, any concerns or

discrepancies must be investigated and resolved before the appointment is confirmed. If written references are not available before an interview, selection of a candidate will be deferred, with the panel adjourning and reconvening when the written references are available.

- 7.33 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.

### **Step 8 – Interview Preparation**

- 7.34 Prior to the interview, the selection panel should have:

7.34.1 Prepared appropriate competency based questions for the role

7.34.2 Prepared appropriate questions to test the applicant's suitability to work with children and young people (safeguarding)

7.34.3 Identified any areas for further probing, e.g. if a criminal record has been declared or if there are gaps in employment and/or discrepancies between references & the application form

7.34.4 Agreed assessment criteria which reflect the person specification

7.34.5 Agreed a structure for the interview (including who is asking what). ***Please refer to the Safer Recruitment Managers' Toolkit item 8. Interview Plan and Response Sheet.***

### **Step 9 – Holding Interview(s)**

- 7.35 A face-to-face interview must take place for all shortlisted applicants to all posts. The use of video conferencing, Skype, FaceTime or other similar technologies may be acceptable for this purpose depending on the circumstances e.g. for a candidate based overseas.

- 7.36 All those involved in interviewing must be appropriately trained. At least one person on the selection panel must have successfully completed accredited safer recruitment training in the last two years. See further at paragraph 6 above.

- 7.37 The purpose of the interview is to assess the merits of each applicant against the job description and person specification, and to establish their suitability for a) the post; and b) to work with children and young people.

- 7.38 All members of the Selection Panel who were responsible for shortlisting should carry out the interview unless there are exceptional circumstances.

- 7.39 On arrival for interview the original documents requested in the invitation to interview letter will be obtained from each candidate and copied (proof of identity, right to work in the UK and qualifications). Only original documents will be accepted. Essential qualifications required for the post, including those set by statute and/or detailed on the application forms will be sought. Any concerns about missing documents or incomplete paperwork will be notified to the panel immediately. The copies will be verified, signed and dated and held with the Pre-Employment Checklist pending the outcome of the interviews. If the candidate is successful, they will be placed on their personnel file on the day of the interview or as soon as possible afterwards. If the candidate is unsuccessful, then these, along with evidence of identity documents will be securely destroyed in line with the Data Protection Act 1998. (See 9.7)

- 7.40 The Selection Panel shall conduct the interview in accordance with the previously agreed interview plan. Each member of the Selection Panel shall take a detailed note of the responses. The QAT application form allows candidates to inform us of any gaps in their employment history. The Selection Panel must ensure that they investigate any gaps and explore patterns of repeated change in career or employers at interview. ***Please refer to the Safer Recruitment Managers' Toolkit item 8. Interview Plan and Response Sheet.***
- 7.41 The amount and level of questions should be relevant to the nature of the role. Although a set of common questions relating to the requirements of the post shall be asked of each candidate, their responses may lead to additional questions or clarification from the Selection Panel. Applicants should also be given an opportunity for questions.
- 7.42 The interview process should also allow time for any discrepancy in a candidate's application or references to be scrutinised and clarified. Interviewers will question candidates regarding any employment gaps, criminal record disclosures or cautions, previous experience, suitability for the post and their motivation to work with children.
- 7.43 The selection panel will be certain they have explored all relevant areas before they make a conditional offer of employment. All interview paperwork (application forms, interview notes, references etc.) should be promptly passed to HR for safekeeping/filing on successful candidate's personnel file.
- 7.44 The successful applicant will be contacted by an appropriate member of staff (usually the Chair of the selection panel, Head of School or Chief Executive) by telephone to advise them of the conditional offer of employment. The Selection Panel shall also promptly inform HR colleagues at base academies of the unsuccessful candidates so that they can be notified by email. Any unsuccessful candidates should be notified by a panel member by phone asap after their interview. Any unsuccessful applicant who requests feedback shall be given prompt feedback in line with the relevant interview notes by a panel member.

## **Step 10 – Pre-employment checks & conditional offers of employment**

- 7.45 Shortly after the interview has been completed and successful candidate(s) chosen, a conditional offer of employment will be made in writing to him or her. ***Please refer to the Safer Recruitment Managers' Toolkit item 9. Offer Letter.*** The offer will be subject to:
- 7.45.1 References & Employment history - Receipt of at least two satisfactory written references if they have not already been received (one of which must be their current or most recent employer). This will be the case for internal and external applicants. If a candidate for a teaching post is not currently employed as a teacher, we will (subject to their consent) check with the school, college or local authority at which they were most recently employed, to confirm details of their employment and reasons for leaving;
- 7.45.2 Right to Work in UK - Production of proof of eligibility to work in the UK, if not already received. This will be checked against the requirements of the Border Agency. Where Right to Work in the UK cannot be verified, the offer of employment will be immediately withdrawn and the Border Agency notified of the details of the applicant;
- 7.45.3 Verification of applicant's identity – It is vital that we know who our employees are and have evidence to prove this (preferably from current photographic identification and proof of address dated no older than 3 months ago);

- 7.45.4 Verification of qualifications - if not already completed on day of interview, successful applicants will be asked to provide evidence of the professional and/or essential qualifications that they have detailed on their application form;
- 7.45.5 Verification of professional status/registration where applicable - For teachers, this will include checking that the individual has the required teaching qualification and has successfully completed any statutory induction through the NCTL's Employer Access Online System. Other posts may require evidence of professional registrations as an essential criterion in the person specification;
- 7.45.6 Satisfactory enhanced DBS Check – see further below at 9;
- 7.45.7 A clear children's barred list check (except supervised volunteers);
- 7.45.8 Prohibition Order - For all staff commencing employment from 1st April 2014 and those with a teaching qualification, even if they are not applying for the post of teacher; verification that they are not subject to a prohibition order issued by the secretary of state, which prevents them from teaching. This is done by checking the NCTL's Employer Access Online System;
- 7.45.9 Overseas Checks - Any further checks where the applicant has lived or worked outside of the UK for 12 months or more in the last 10 years (including certificate of good conduct or confirmation that the process for obtaining is underway and/or that an appropriate risk assessment has been completed);

All individuals who have lived or worked outside of the UK must undergo the same checks as all other staff and employees within the Trust. In addition, further checks appropriate to relevant events that may have occurred outside the UK that need to be considered. Such checks may include: criminal record checks for overseas applicants – Home Office guidance can be found on [.GOV.UK](http://www.gov.uk); and for teaching positions; obtaining a letter of professional standing from the professional regulating authority in the country in which the applicant has worked. Advice about which regulatory or professional body applicants should contact is available from the National Recognition Information Centre for the United Kingdom, UK NARIC.

Where such evidence is not available the Trust will seek alternative methods of checking suitability and or undertake a risk assessment that supports informed decision making on whether to proceed with the appointment. Although sanctions and restrictions imposed by another regulating authority do not prevent a person from taking up teaching positions in England, the Trust will consider the circumstances that led to the restriction being imposed when considering a candidate's suitability for employment.

- 7.45.10 Childcare Disqualification - If the academy in which the applicant will be based provides education and/or before and after school clubs or activities for students up to the age of 8, completion of a declaration confirming that they are not personally disqualified;
- 7.45.11 A satisfactory s.128 Prohibition check – (for those applying to be a governor/trustee; head teacher; member of SLT (including Head Office staff) or departmental head) which ensures that an applicant has not been prohibited from the management of schools. This is carried out by checking the NCTL's Employer Access Online System;
- 7.45.12 Medical Clearance – Successful candidates will be provided with a medical questionnaire when their conditional offer of employment is made. This is to verify their mental and physical fitness to carry out their role. Depending on the answers given by the candidate, a referral to Occupational Health ("OH") may be required to assess fitness for work. Provided that HR have chased and processed the candidate's pre-employment medical questionnaire, they will receive a response from OH before an employee starts employment at QAT. OH will not provide pre-employment medical clearance once an employee has already started in post so the employer should leave sufficient time to get this process

completed.

- 7.46 All of the checks at 7.45 are set out in a checklist on the candidate's HR file and must be verified by dated signature as each is completed. ***Please refer to the Safer Recruitment Managers' Toolkit item 10. New Starter Checklist.*** The results of these checks must be promptly recorded on the Single Central Record (SCR) in line with KCSIE.
- 7.47 Once all of the pre-employment checks have been satisfactorily completed, HR will advise the Head of School so that start dates can be finalised. This should be confirmed in writing in good time before the start date.

## **Step 11 – Employee Induction**

- 7.48 The pre-employment checks above must be completed before the employee starts work. Exceptions will only be made if this has been agreed by the Head of School/Chief Executive, and/or an appropriate risk assessment has taken place.
- 7.49 All new employees will be provided with a comprehensive induction programme within 4 weeks of starting employment. The induction programme should include, but is not limited to, the Academy's Behaviour Policy; procedures for managing children who are missing in education; the staff code of conduct and the Safeguarding Policy. Training on Safeguarding and/or Child Protection Policies (including identity of Designated Safeguarding Leads) should take priority and be provided in the first week of employment unless there are exceptional circumstances.
- 7.50 This is in addition to statutory induction for newly qualified teachers and probation for new support staff. The Head of School in each Academy is responsible for ensuring that arrangements are made for the suitable induction and training for all other employees new to QAT. The Chief Executive has parallel responsibilities for staff they Line Manage.

## **8. Disclosure of Criminal Records**

- 8.1 Posts within schools are exempt from the Rehabilitation of Offenders Act 1974 (updated guidance March 2014), therefore as a prospective employer, we encourage candidates to disclose any unspent and spent convictions during the application stage by including space for this on our application form. Disclosing a criminal background will not be used as a reason not to shortlist a candidate.
- 8.2 Having a criminal conviction will not necessarily bar a person from working with children. Successful candidates will be required to complete a DBS application form (and Disqualification by Association where appropriate). Once Enhanced DBS with barred list clearance is verified, any discrepancy in convictions declared on the application form and the DBS clearance will be discussed with the candidate and may lead to the offer of employment being withdrawn with immediate effect, even if the person has commenced work.
- 8.3 The Board of Trustees and/or Heads of School shall take advice on how to deal with any positive disclosures from the HR Manager, who will liaise with the Chief Executive and external agencies such as LADO and the DBS as appropriate. In addition, it requires the Head of School/Chief Executive to carry out the appropriate risk assessment in connection with a positive disclosure obtained through a check with the Disclosure and Barring Service rather than operating a blanket ban on any type of previous conviction revealed.

**9. Disclosure & Barring Service (DBS) Checks – new employees & volunteers**

- 9.1 An enhanced DBS check is needed for all staff in QAT in line with KCSIE (see appendix A for flow chart).
- 9.2 QAT will carry out DBS checks as follows for new appointments, before the employee or volunteer starts work:

<b>Who?</b>	<b>Definition</b>	<b>Type of Check</b>
All QAT employees and unsupervised volunteers	As an educational institution which is exclusively or mainly for the provision of full-time education to children, QAT is an establishment specified in the relevant legislation	An enhanced DBS check with children's barred list check will always be obtained
Supervised volunteers	As above	We are unable by law to obtain a barred list check on a supervised volunteer. However, we will complete a risk assessment when deciding whether or not to obtain an enhanced DBS certificate for any volunteer not engaging in regulated activity. (See Section 3, paragraph 170 in KCSIE 2019)

- 9.3 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.
- 9.4 The DBS disclosure number and date of the check must be recorded in the Single Central Record (SCR).
- 9.5 Any applicant who refuses to produce their DBS disclosure will not be able to start work at QAT 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 QAT or any of our academies.
- 9.6 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 (known as "portability") and they have a current certificate which has been issued within the last 3 months. The expectation is that individuals personally fund this if required. Where the applicant or volunteer has subscribed they should provide QAT with the original disclosure document to be verified and we will check the online update for any changes.
- 9.7 Information relating to an individual's criminal record will only be shared with the relevant people to enable QAT 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, and in accordance to the QAT Data Retention Policy.

**Risk assessment – enhanced disclosure and barring certificate**

9.8 Whilst it is recognised that DBS certificates should ideally be obtained before an employee starts employment with QAT, the Board of Trustees will allow an employee to start before an enhanced criminal record certificate has been obtained if the Head of School/Chief Executive has a strong business case following a risk assessment and provided that an application for such a certificate has been submitted. In each case the Head of School is required to record the risk assessment and the decision, monitor the situation every fourteen days until the enhanced certificate from the Disclosure and Barring Service is received and to be accountable for the decision to allow the employee to start work. Alternatively, a portability form can be completed by HR if they have a current enhanced DBS certificate which has been issued within the last 3 months.

## **10. Disclosure and Barring Service (DBS) checks – existing employees and volunteers**

10.1 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 increases and/or or they secure a promotion or change of role within QAT (e.g. because they would now be classed as carrying out ("regulated activity").

10.2 A risk assessment should be completed to decide if an enhanced DBS (no barred list check) will be carried out on any supervised volunteer. ***Please refer to the Safer Recruitment Managers' Toolkit item 11. Risk Assessment.***

10.3 DBS certificates will only be issued to the applicant. QAT expects all applicants to produce the disclosure when requested to do so. Any existing employee who does not produce their DBS disclosure may need to be managed through QAT's disciplinary procedure.

10.4 All existing employees are required to inform the Head of School/Chief Executive of any change in their criminal record. This includes convictions, cautions, arrests and police investigations. QAT may require all employees to sign a declaration on an annual basis confirming that there has been no change in their criminal record. Action may be taken under QAT's disciplinary procedure if employees fail to notify the Head of School or the Chief Executive, without reasonable excuse, of any change in their criminal records.

## **11. Single Central Record ("SCR") & SIMS**

11.1 Each base academy within QAT will keep and maintain a single central record (SCR) of recruitment and vetting checks. The SCR will record all staff who are employed at the base academy, including supply agency staff, volunteers, all members of the governing body and those who provide additional teaching or instruction for students but who are not staff members, e.g. specialist sports coaches. There should also be a tab on each Academy's SCR for MAT/Head Office Staff. The SCR shall also indicate who undertook the checks and the dates on which the checks were completed or the relevant certificates obtained, (plus names of qualifications and documents produced as evidence where relevant)

11.2 Relevant checks include:

11.2.1 Verification of identity (name/date of birth/current address)

11.2.2 Qualifications (those required to do the job and any professional registrations (degree level upwards) required e.g. QTS, CIPD)

11.2.3 Prohibition checks (for all teachers commencing employment from 1st April 2014 via Employer Access Online or teaching assistants who were previously teachers)

11.2.4 EEA sanctions (for all teachers commencing employment since 18th January 2016)

11.2.5 Children's Barred List Check

11.2.6 Disclosure & Barring Service Check

11.2.7 Overseas criminal records check (anybody who has lived abroad for 12 months or more in the last 10 years)

11.2.8 Evidence of right to work in the UK

11.2.9 Confirmation re no positive disclosures under the Childcare Disqualification Act

11.2.10 Date satisfactory pre-employment references received & filed on HR file (must be before start date)

11.2.11 Evidence that s.128 check via secure access completed (for all staff employed in roles listed in 7.45.11)

## **SIMS**

11.3 HR shall ensure that a record is created on SIMS for all new starters prior to them commencing employment and that a staff code is allocated to each employee.

## **12. Agency Staff & Contractors**

12.1 Where we use employment agencies, the employee overseeing the recruitment process shall obtain written confirmation from them that they have carried out all the appropriate checks on staff supplied (including DBS and barred list checks) and that those are satisfactory before offering a position. ***Please refer to the Safer Recruitment Managers' Toolkit item 13. 3rd Party Letter.*** This must be promptly recorded in the SCR.

12.2 Students should not be left unsupervised where contractors such as builders are working.

12.3 Any contractors entering QAT premises to undertake activities which are not classed as "regulated" will still be required to verify their identity by photographic ID, e.g. passport or driving licence. This is to ensure that the named individual is who they say they are.

## **13. Volunteers**

13.1 As volunteers will be seen by our students to be safe and trustworthy, QAT will ensure that the necessary checks are carried out before they start a placement at QAT. Volunteers providing one-off support to a QAT academy will not be required to undertake a formal recruitment and selection process or a DBS or barred list check.

13.2 If, however, the volunteer is going to have an on-going role that involves regular contact with our students, a similar recruitment process, albeit less formal, should be followed as for a paid member of staff fulfilling a similar role. A volunteer should complete an application form and be provided with a role profile. ***Please refer to the Safer Recruitment Managers' Toolkit item 14. Volunteer Application Form/Role Profile.***

13.3 Whilst interviews should be more informal than for paid staff and should very much be a two-way process about selling the volunteer role to them, the interviewer should still probe into their attitudes, and their suitability for the role and to work with QAT students.

13.4 All volunteers will be checked on the Teachers Services' website to ensure that they are not prohibited from teaching.

13.5 Volunteers who either a) work on a regular basis, whether supervised or not, in early or later years' childcare (see 11.1 for definition); or who are "directly concerned with the management of early or

later years' childcare" are covered by the childcare disqualification legislation and will be asked to complete a declaration prior to commencing a role at QAT.

13.6 KCSIE 2019 requires schools to undertake a risk assessment for any new volunteers to decide whether an enhanced DBS check is required for volunteers who are not in "regulated activity" i.e. A supervised volunteer. A risk assessment should be completed. **Please refer to the Safer Recruitment Managers' Toolkit item 11. Risk Assessment.** However, if a volunteer is not in regulated activity, then a barred list check cannot be legally be requested. QAT takes the view of the Safer Recruitment Consortium, that an enhanced DBS check should be undertaken if a volunteer will be coming into a school regularly and be having contact with students.

13.7 A basic induction process should be carried out for volunteers, ensuring that they have been trained on the QAT Safeguarding Policy and have access to other HR policies via the QAT website.

#### **14. Visitors**

14.1 All visitors will be will be asked by reception staff to complete a Single Central Record and Safeguarding Training Compliance sheet on arrival. **Please refer to the Safer Recruitment Managers' Toolkit item 15. Visitors/SCR Safeguarding and Training compliance sheet.**

#### **15. Complaints**

15.1 Any complaints about the way in which recruitment or selection of QAT staff has been conducted, should be addressed in writing to the Head of School (or Chief Executive if the complaint relates to an issue relating to head office appointments). These will then be investigated in line with good HR practice and a written response provided as soon as reasonably possible.

#### **16. Policy Breach**

16.1 Any person who becomes aware that this Policy is not being followed by another employee during the recruitment and selection process is encouraged to inform the Head of School or Chief Executive as soon as reasonably possible.

16.2 Any instances of this Policy not being followed will be taken very seriously and will be investigated in line with due process. Depending on the circumstances, this may or may not lead to disciplinary action.

#### **17. Record Keeping & Data Protection**

17.1 For unsuccessful candidates, all written records relating to the recruitment and selection process will be kept for six months unless a longer period can be justified by the Head of School and/or Chief Executive in consultation with HR.

17.2 For current employees, all written records will be kept for six years from leaving, unless a longer period can be justified by the Head of School in consultation with HR e.g. anticipated court and/or employment tribunal case work.

17.3 All records will be treated as confidential and kept for no longer than is necessary in accordance with the Data Protection Act 1998. (See 9.7)

#### **18. Review of Policy & Procedure**

18.1 This Policy will be reviewed annually by QAT, subject to consultation, to ensure that it is working effectively and is legally compliant.

## APPENDIX A – DEFINITION OF REGULATED ACTIVITY FROM KEEPING CHILDREN SAFE IN EDUCATION 2019

### Regulated activity

The full legal definition of regulated activity is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012. HM Government has produced a [Factual note on regulated activity in relation to children: scope](#).

Regulated activity includes:

- a) teaching, training, instructing, caring for (see (c) below) or supervising children if the person is unsupervised, or providing advice or guidance on physical, emotional or educational well-being, or driving a vehicle only for children;
- b) work for a limited range of establishments (known as ‘specified places’, which include schools and colleges), with the opportunity for contact with children, but not including work done by supervised volunteers.

Work under (a) or (b) is regulated activity only if done regularly.<sup>48</sup> Some activities are always regulated activities, regardless of frequency or whether they are supervised or not. This includes:

- c) relevant personal care, or health care provided by or provided under the supervision of a health care professional:
  - personal care includes helping a child with eating and drinking for reasons of illness or disability or in connection with toileting, washing, bathing and dressing for reasons of age, illness or disability;<sup>49</sup>
  - health care means care for children provided by, or under the direction or supervision of, a regulated health care professional.

**48** The Safeguarding Vulnerable Groups Act 2006 provides that the type of work referred to at (a) or (b) will be regulated activity if “it is carried out frequently by the same person” or if “the period condition is satisfied”. Paragraph 10 of Schedule 4 to this Act says the period condition is satisfied if the person carrying out the activity does so at any time on more than three days in any period of 30 days and, for the purposes of the work referred to at (a), apart from driving a vehicle only for children, it is also satisfied if it is done at any time between 2am and 6am and it gives the person the opportunity to have face to face contact with children. **49** It is not intended that personal care includes such activities as, for example, parent volunteers helping with costumes for school plays or helping a child lace up football boots.

APPENDIX B – FLOWCHART OF DISCLOSURE AND BARRING SERVICE

