Safer Recruitment and HR Administration Policy

2018-2019

CEO SIGNATURE:

CHAIR OF TRUST BOARD SIGNATURE:

DATE

17th September 2018

NEXT REVIEW DATE: annual (in line with Keeping Children Safe in Education and the Safeguarding and Child Protection Policy)

St Bartholomew's CE Multi Academy Trust is a private company limited by guarantee, with charitable status, registered in England and Wales (company number: 10312858) and whose registered office address is at St Bartholomew's Church of England Primary School, Sedgley Road, Penn, Wolverhampton WV4 5LG.

St Bartholomew's CE
Multi Academy Trust

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1. Introduction

1.1.1. St Bartholomew's CE MAT ("the Trust") and its constituent schools are committed to providing the best possible care and education to its pupils and recognises the importance of recruiting and retaining staff of the highest quality.

1.1.2. The purpose of this policy is to set out the requirements for the recruitment of staff to the Trust and its constituent schools. The aim is to:

- Attract the best possible candidates to vacancies;
- Deter prospective candidates who are unsuitable to work with children or young people; and
- Identify and reject candidates who are unsuitable for work with children and young people.

1.1.3. All decisions on recruitment will be made with regard to curriculum needs and financial circumstances.

1.1.4. This policy takes into account the provisions of 'Keeping Children Safe in Education' (DfE September 2018).

1.1.5. The Trust will abide by the existing legislation and in particular will not discriminate on the grounds of any of the protected characteristics listed in the Equality Act (2010), these being:

- Age;
- Disability;
- Gender reassignment;
- Race
- Religion or belief;
- Sex;
- Sexual orientation;
- Marriage and civil partnership; and
- Pregnancy and maternity.

1.1.6. The Trust will promote equality in all aspects of school life, including the recruitment of staff, as detailed in our trustwide Equality Policy.

1.1.7. For the purposes of this policy, the individual leading in the recruitment of the new role will be referred to as the "Lead Recruiter".

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2. Determining if a New Appointment / Change in Contract is Required

2.1.1. Different scenarios will occur where it is believed that a new member of staff is required such as an existing member of staff resigning or an increase in the needs of the Trust and its constituent schools but the first decision should not be to jump straight into recruitment.

2.1.2. These scenarios present an opportunity to look at alternatives to the existing staffing structure by looking at the resources that you have available, identifying how things can be done differently, ensuring the quality of teaching and learning whilst still being able to afford a sustainable financial position.

2.1.3. To assist with this decision making and to ensure that the Trust and its constituent schools take advantage of collaboration and the resources available across the Trust, a New Position / Change of Contract Request Form has been developed.

2.1.4. This form should be used prior to any new appointment or change in contract but **must** be used in the following cases:

- Appointment would be outside the agreed existing staff structure (e.g. brand new post);
- Any school that is Inadequate or Requiring Improvement; and
- Any school issued with an internal Notice of Concern.

2.1.5. Where used, the form **must** be completed by the school's HT/HOS (Headteacher/Head of School) or for central hub positions, the DFO.

2.1.6. Where this policy stipulates that the form **must** be used (s2.1.4) the completed template **must** be submitted to the CEO (Chief Executive Officer) for review prior to any recruitment or change in contract taking place. The CEO will consult with the DFO (Director of Finance and Operations) on the affordability of the post and once satisfied with the form, the CEO **must** sign and date the form as proof of authorisation.

2.1.7. Once authorised by the CEO, the DFO **must** inform the school's HT/HOS **within 2 working days** so that they can either start the recruitment process or action the completion of the Amendment to Contract/Personal Details Form. The DFO **must** also pass the authorised form on to the TBM (Trust Business Manager) for filing.

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2.1.8. Schools which are Good or Outstanding don't need to follow s2.1.6 except where the appointment would be outside the agreed existing staffing structure. However, the school's HT/HOS can choose to follow s2.1.6 for all appointments and changes in contract if they desire as the involvement of the DFO and CEO within the process may identify opportunities for wider trust collaboration that the school's HT/HOS may not be aware of.

2.1.9. However, prior to the process for any appointment or change in contract being started, the rationale for the change **must** be discussed with the CEO first.

2.1.10. In all instances prior to any recruitment process, the school's HT/HOS **must** notify the CEO and DFO so that they are aware of an appointment taking place. This isn't necessarily for prior authorisation, but certain implications of recruitment may need to be considered that the school's HT/HOS is now aware of for example, a restructure in another school where the staff at risk may need to be considered for the new post at another school within the Trust prior to external recruitment.

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3. Recruitment Panel

3.1.1. Any panel required during the recruitment process **must** comprise a minimum of two people but the Trust recommend that this should normally be three people. The Trust have an Appointment of Staff Grid which provides guidance on the individuals that **must** be involved in the different stages of recruitment depending on the job level that is being recruited. This Appointment of Staff Grid **must** be followed for all recruitment across the Trust and its constituent schools.

3.1.2. In accordance with statutory guidance, the Trust and its constituent schools **must** ensure that **at least one person** on any panel required during the recruitment process has successfully completed Safer Recruitment training.

3.1.3. The recruitment panels **must not** comprise any individual who is a close family member or close friend of any candidate.

3.1.4. For the purposes of this policy, a close family member is defined as one of the following:

- A parent, sibling or child;
- A spouse, civil partner or partner;
- An aunt, uncle, nephew or niece;

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- A grandparent;
- A sibling's or child's spouse, civil partner or partner; or
- A person who has lived with, and been part of, the candidate's family for more than two years but does not fall within any of the categories listed above.

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4. Advertising and Inviting Candidates

4.1.1. The TBM, in conjunction with school office staff and the school's HT/HOS, is responsible for advertising any new role within the Trust.

4.1.2. To facilitate this responsibility the Lead Recruiter **must** complete and submit the following forms to the TBM prior to any advert being placed:

- Job Advert Form;
- Job Description; and
- Person Specification.

4.1.3. To avoid the duplication of work, where a job description and person specification template exists for a particular role then these templates should be used. Contact the TBM for confirmation of whether any such templates exist for the role in question.

4.1.4. Advertisements for all posts **must** include the following statement:

"St Bartholomew's CE Multi Academy Trust is committed to safeguarding and promoting the welfare of children and young people and expects its entire staff to share this commitment. All post-holders will be required to have an Enhanced Disclosure from the Disclosure and Barring Service (DBS)".

4.1.5. Advertisements **must** specify:

- The job reference number;
- A brief description of the role, and where a teaching role, the main subjects to be taught and/or the nature of any leadership allowance;
- The start date of the appointment;
- Whether the post is permanent or fixed term and, in the case of fixed term contracts, the end date of the contract;
- The remuneration for the post will be expressed in terms of the applicable pay scales;

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- GDPR disclaimer relating to the use of data;
- Return email address of jobs@stbartsmat.co.uk and for candidates to include job reference in the subject line; and
- The closing date for applications.

4.1.6. The following documents **must** be available in the vacancy area of the website:

- Job advertisement;
- Job description and person specification;
- Safer Recruitment Policy; and
- Application form.

4.1.7. Candidates **must** also be made aware of the relevant policies, including the Safeguarding and Child Protection Policy.

4.1.8. Advertisements for external vacancies will normally be placed on the Trust website (with links to this from the individual school websites) and in any suitable relevant media.

4.1.9. In cases where a member of staff is employed on a fixed term contract, for less than two years, for a post which then becomes available as a permanent post, this post **must** be internally advertised. The existing member of staff **must** then apply for the post if they are interested in the position and if they are the only candidate they can then, subject to approval by the CEO, be offered the permanent post without further advertising.

4.1.10. Where there is a reasonable expectation that there are sufficient, suitably qualified internal candidates, or staff are at risk of redundancy, vacancies may be advertised internally before an external advertisement is placed. Any internal recruitment process **must** follow the procedures set out in this policy.

4.1.11. Once the advert has been placed the TBM **must** communicate this, along with the link, to following individuals:

- CEO;
- PA to the CEO;
- DFO;
- Head of each School within the Trust; and
- All school office staff within the Trust.

4.1.12. The TBM **must** remove or action the removal of the advertisement from all sources immediately after the closing date.

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5. Applications

5.1.1. All candidates for externally advertised posts **must** complete a Trust Application Form, which should be via email to jobs@stbartsmat.co.uk. An automatic email will be sent to the candidate by this inbox confirming receipt of the application.

5.1.2. The TBM is responsible for managing the jobs@stbartsmat.co.uk mail account and for organising applications into the relevant sub-folder which should be job reference order.

5.1.3. Applications can also be received by post or hand delivered but email is the preferred route. Any applications not received by email **must** not be looked at and **must** be forwarded onto the TBM. This is to ensure that all applications are only reviewed after the closing date and as part of the shortlisting process to ensure a safe and fair recruitment selection.

5.1.4. Upon a role's closing date, the TBM **must** send all applications received onto the relevant individual for shortlisting.

5.1.5. Applications **must** not be accepted where a CV is provided in place of a completed Trust Application Form.

5.1.6. Applications received after the closing date will not normally be considered unless there is proof of a postal delay. Candidates are advised to submit their application via email to avoid late arrival.

5.1.7. For posts where it is known that recruitment is likely to be difficult, subject to consent from the candidate, references may be requested as the applications are received in order to reduce the time from the closing date to making the appointment. If this is required, then it **must** be decided upon by the Lead Recruiter prior to placing the advert and then administered by the TBM.

5.1.8. The Trust reserves the right to close applications early in order to meet the aims of this policy, although the expectation is that in the majority of posts this will not be the case. Where this is required, the school's HT/HOS **must** obtain prior authorisation from either the CEO or DFO.

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6. Shortlisting and References

6.1.1. The Lead Recruiter is responsible for organising the shortlisting process and deciding upon how many candidates will be interviewed following this process.

6.1.2. The shortlisting process **must** consist of a shortlisting panel, the make-up of which adheres to s3 Recruitment Panel.

6.1.3. Applications **must** be shortlisted against the criteria in the person specification, and this should be by using the Shortlisting Matrix.

6.1.4. The Lead Recruiter, supported by school office staff, is responsible for informing candidates that they have been shortlisted, the format of the recruitment day and what documentation they are required to bring to the recruitment day.

6.1.5. Where the post is for a teaching a role, the candidate **must** be informed that they will be required to undertake a lesson observation and where successful will then be invited for interview.

6.1.6. The Lead Recruiter **must** also inform the TBM of which candidates have been successful so that the TBM can inform the unsuccessful candidates. Where any candidates request feedback the TBM **must** direct them to the Lead Recruiter.

6.1.7. Where possible, two references will be taken up on shortlisted candidates prior to interview, one of which **must** be from the candidate's current/most recent employer and it is the responsibility of the Lead Recruiter, supported by school office staff, to ensure that these are obtained.

6.1.8. References should be sought and obtained directly from the referee. References or testimonials provided by the candidate **must** not be accepted.

6.1.9. Where necessary, previous employers who have not been named as referees may be contacted in order to clarify any such anomalies or discrepancies. Detailed written records **must** be kept of such exchanges.

6.1.10. If a candidate for a teaching post is not currently employed as a teacher, checks should be made with their most recent school to confirm details of employment and reasons for leaving. The Trust have a Reference Request template which **must** be used for all reference requests and this template can be obtained from school office staff.

6.1.11. Employees are entitled if requested to view their employment references.

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6.1.12. If the field of candidates is felt to be weak, the post may be re-advertised.

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7. Selection Process

7.1.1. The Lead Recruiter is responsible for choosing the most appropriate selection techniques applicable to the nature and duties of the post however, the final stage of the selection process **must** be an interview with the make-up of the interview panel adhering to s3 Recruitment Panel.

As mentioned in s6.1.5 all candidates for teaching posts **must** be required to undertake a lesson observation and, if appropriate, professional tasks.

7.1.2. Candidates who are successful in the initial stages of the selection process, such as a lesson observation and professional tasks, will be invited to attend for interview. Unsuccessful candidates will not be interviewed.

7.1.3. The interview should use the Trust's Interview Questions Template relevant to the role where such a template has been developed. These templates consist of a number of pre-defined questions that aim to ensure a safe, fair and effective recruitment process as well as the ability for the Lead Recruiter to choose their own questions beyond these.

7.1.4. Interviews should always be face to face. In rare circumstances e.g. if the candidate is abroad this may be conducted via a visual electronic link. Candidates **must** always be required to:

- Explain satisfactorily any gaps in employment;
- Explain satisfactorily any anomalies or discrepancies in the information available to the panel;
- Declare any information that is likely to appear on a DBS disclosure; and
- Demonstrate their capacity to safeguard and protect the welfare of children and young people.

7.1.5. Where an offer of appointment is to be made, the Lead Recruiter is responsible for informing that candidate and for informing the unsuccessful candidates along with providing professional and constructive feedback, if requested.

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7.1.6. The offer of employment and acceptance by the candidate is binding on both parties, subject to satisfactory completion of the pre-employment checks and satisfactory references. Upon verbal acceptance of the offer from the candidate the Lead Recruiter **must** immediately inform the TBM who **must** then send a written offer, which includes a reference to the offer being conditional to satisfactory completion of pre-employment checks to the candidate **within 2 working days.**

7.1.7. The Lead Recruiter **must** also inform, and support, the school office staff in completing the Appointment Notification Form and conducting the pre-employment checks, some of which may have been completed when the candidate came for interview.

7.1.8. Once the Appointment Notification Form has been completed this **must** be authorised in accordance with the Payroll Operations Manual and submitted by to the TBM copying in the CEO and DFO.

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8. Pre-Employment Checks

8.1. General Principles

8.1.1. All successful candidates **must** undergo the pre-employment checks listed below where the check required is applicable to the role:

- A satisfactory Enhanced DBS check and barred list check;
- A check that the candidate is not subject to a prohibition order, where applicable;
- Section 128 Direction check where applicable;
- EEA (European economic area) check where applicable;
- Receipt of medical clearance;
- Receipt of two satisfactory references;
- Evidence of qualifications; and
- Evidence of right to work in the UK.

8.1.2. All checks **must** be:

- Documented and retained on the personnel file;
- Recorded on the school's Single Central Record;
- Followed up if they are unsatisfactory or if there are any discrepancies in the information received;

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- Completed prior to the candidate starting their employment with the Trust and its constituent schools

8.1.3. The Lead Recruiter, supported by school office staff and the TBM, is responsible for ensuring all pre-employment checks are completed where applicable and for keeping the candidate informed of the progress.

8.1.4. Where a delay in the completion of the pre-employment checks is likely to cause a delay in the candidate's start date, the Lead Recruiter **must** inform the candidate, TBM and DFO as soon as possible.

8.1.5. Where pre-employment checks may delay the candidate's start date, exceptions may only be made in circumstances where a risk assessment has been undertaken and the Lead Recruiter has obtained prior authorisation from either the CEO or DFO. Exceptions **must not** be made in the case of the Barred List and Teacher Prohibition checks.

8.1.6. The Trust reserves the right not to proceed with or terminate employment with immediate effect if the DBS check reveals convictions which have not been declared on the application form or if any of the documents referred to above have been falsified in any way.

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8.2. DBS Check

8.2.1. Due to the nature of the work of the Trust, all employees and volunteers **must** undertake an Enhanced Disclosure and Barring Service check. Posts within schools are exempt from the Rehabilitation of Offenders Act 1974 (updated guidance March 2014), therefore as a prospective employer, the Trust encourages candidates to disclose any unspent and spent convictions during the application stage.

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

8.2.3. As soon as the candidate receives their DBS certificate the original certificate **must** be shown to school office staff or the TBM.

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8.2.4. The Trust expects supply/temporary worker agencies/contractors that are used by the schools to register with the DBS on their own account and to follow their policy or their own comparable policy. Proof of registration **must** be obtained by school office staff or the TBM before the Trust will commission services from any such organisation.

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8.3. Barred List

8.3.1. A separate Barred List check **must** be carried out if an individual is expected to commence employment before the DBS Certificate is available.

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8.4. Verification of Identity and Address (completed at interview)

8.4.1. All candidates **must** provide evidence of identity, address and qualifications, examples of which are set out below:

- Current driving license (including photograph) or passport or full birth certificate; and
- Two utility bills or statements (from different sources) which are less than three months old showing their name and home address; and
- Documentation confirming their National Insurance number (P45, P60 or National Insurance card).

8.4.2. Where a candidate claims to have changed his/her name by deed poll or any other mechanism (e.g. marriage, adoption, statutory declaration) they **must** provide documentary evidence of the change.

8.4.3. In all cases original (not photocopy) documents **must** be provided.

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8.5. Verification of Qualifications (completed at interview)

8.5.1. All candidates **must** provide actual certificates that evidence they have obtained any qualifications required legally or otherwise for the role. Qualifications legally required including QTS for teachers.

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8.6. Prohibition Order Check

8.6.1. A Prohibition Order Check **must** be carried out on all candidates to be employed as teachers.

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8.7. Section 128 Direction

8.7.1. A check against the 128 Barring List **must** be carried out for candidates for management positions.

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8.8. Asylum and Immigration

8.8.1. Before anyone starts work with the Trust, there is a legal obligation to confirm that they are eligible to work in the United Kingdom. This check **must** be carried out on every potential new employee, regardless of their nationality. Failure to confirm someone's asylum and immigration status due of their nationality would be contrary to the Asylum and Nationality Act 2006.

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8.9. Medical Fitness

8.9.1. It is a statutory requirement under the Education (Health Standards) (England) Regulations 2003 that anyone appointed to work with children or young people **must** be medically fit. It is the Trust's responsibility to be satisfied that the candidate has the appropriate level of physical and mental fitness before the appointment can be confirmed.

8.9.2. All prospective employees **must** complete a pre-employment health questionnaire.

8.9.3. Information provided will remain confidential to the Occupational Health provider and will be used to match the candidate's fitness to the proposed duties. Management will only receive an opinion of the candidate's fitness for the duties outlined.

8.9.4. In some cases candidates may be asked to attend for a health assessment.

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8.9.5. Failure to disclose or giving false information could lead to termination of employment.

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8.10. EEA Check

8.10.1. Where applicable a check **must** be carried out to establish any sanctions or restrictions an EEA professional regulating body has imposed.

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9. Issue of Contract and Personnel File

9.1.1. The Trust uses a third party HR provider to produce contracts of employment.

9.1.2. Once the TBM has received the authorised Appointment Notification Form, the TBM is responsible for liaising with the HR provider to action the issue of the contract of employment.

9.1.3. The HR provider **must** pass the contract on to the TBM for review prior to it being issued to the candidate.

9.1.4. The TBM **must** issue any correspondence with the candidate which includes:

- Contract of employment;
- Terms and conditions of employment;
- New Starter Form; and
- Pre-employment Medical Report.

9.1.5. The TBM is responsible for obtaining the completed documents listed in s9.1.4 from the candidate.

9.1.6. Each member of staff **must** have a personnel file either electronically or in paper form.

9.1.7. School office staff are responsible for ensuring that personnel files are kept up to date and there is a Personnel File Checklist to assist with this which **must** be used and completed where applicable for all members of staff.

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9.1.8. For new members of staff, the TBM **must** provide school office staff with the original copies of any completed documentation from the candidate for filing within the personnel file, for example the written offer letter and signed contract of employment.

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10. Induction

10.1.1. All new staff **must**:

- Read the Staff Code of Conduct and Safeguarding and Child Protection Policy;
- Read the Staff Handbook; and
- Read and confirm that they have read Part 1 of 'Keeping Children Safe in Education.'

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11. Record Keeping

11.1.1. Each of the Trust's constituent schools **must** maintain a Single Central Record collating when and by whom checks on identity, qualifications and outcomes of Barred List and DBS checks on staff were made.

11.1.2. There is a requirement to request full details of DBS checks carried out on staff through an agency and the need for the Trust to keep a record that checks have been verified, when and by whom.

11.1.3. A copy of all documents used to verify the successful candidate's identity and qualifications will be retained on the personnel file. Where this is an electronic file, all files within the personnel file **must** be password protected or access **must** be restricted to appropriate individuals.

11.1.4. All other documents obtained or used during the recruitment process for both successful and successful candidates **must** be retained. Under the Data Protection Act, applicants have the right to request access to notes written about them during the recruitment process. After 6 months, school office staff **must** securely destroy all information about unsuccessful candidates.

11.1.5. Information disclosed as part of a DBS check will be treated as confidential.

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12. Other Policies

12.1.1 This policy should be read in conjunction with the Trust Safeguarding and Child Protection Policy and the Equality Policy.

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