



# Recruitment and Selection Policy

## Endeavour Multi Academy Trust

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## **Policy Statement**

The Endeavour Multi Academy Trust is an employer who abides by all legislation relating to the recruitment and selection of staff.

The Trust is committed to:

- improving performance by recruiting and selecting the best people. It aims to attract potential employees who have the relevant knowledge, skills, qualifications, experience, behaviours and talent to make a positive and innovative contribution.
- safeguarding and promoting the welfare of children, young people and vulnerable adults and expects all staff to share this commitment.
- the principles of equal opportunities in the recruitment and selection of staff and promotes fair treatment.

## **Who the Policy Covers**

This policy applies to the recruitment and selection of all employees and volunteers of Endeavour Multi Academy Trust, and the use of third-party workers, including agency staff and contractors.

Any reference to “the Trust” refers to The Endeavour Multi Academy Trust.

The Endeavour Multi Academy Trust commends the principles set out in this policy for adoption by the Local Governing Board to apply to the recruitment and selection of school staff.

## **Purpose**

The purpose of this Recruitment and Selection Policy is to ensure that the best candidates are recruited on the basis of their ability and potential to support the delivery of our corporate strategy:

- to safeguard our young people.
- is based on performance and capability.
- Is carried out through a process that supports our values and behaviours.
- demonstrates value for money.
- Is completed in an equal and inclusive way that complies with employment and equality legislation and good practice.

Accordingly, this policy will ensure that:

- a fair, open, transparent and consistent approach is taken to all aspects of recruitment.
- selection is valid and justifiable and based on an individual’s relevant skills, knowledge and experience.
- current employment legislation is adhered to, to safeguard individuals’ right to fairness and equality of opportunity in conjunction with the business needs and values of the Trust.

## Policy Principles

This policy has been developed in line with the appropriate National Conditions of Service for employees of the Trust.

The Trust recognises its statutory duty under all relevant employment legislation and is committed to meeting them.

All recruitment and selection decisions must be equitable and fair and taken on the basis of the applicant's competence or ability assessed against the person specification for the post.

The selection criteria must be consistent and objective and communicated at the outset of the process. They must be adhered to throughout each stage of the recruitment and selection process.

All appointments must be made on skills, knowledge and experience – the candidate determined to be the best match with the stated requirements of the role (detailed in the person specification) should be offered the post.

Any member of staff involved in the selection of staff must be appropriately trained and comply with the requirements of this policy.

For core Trust roles, the Trust must ensure access to appropriate training, development and support to those involved in recruitment and selection activities.

Those responsible for recruitment in the Trust must ensure they are equipped with the necessary skills and knowledge, including Safer Recruitment Training, for undertaking recruitment in line with this policy framework.

All posts at Senior Management level must be approved by the Education Development Officer prior to advertisement. Headteacher appointments must be approved by the Trust and appointed to in conjunction with the Local Governing Board. Trustees will be represented in the selection process of Headteachers.

Decisions about all other posts, other than Senior Management, should be made by the Headteacher in conjunction with the Local Governing Board under the basis that the appointments fall within the budget agreed for each school.

CEO recruitment will be managed by the Board of Trustees.

All external appointments for support roles will be made on the minimum spinal column point of the assigned grade. Any exceptions to this require a justification to be approved by the Director of Education/CEO. Teaching posts will be paid in accordance with the Trust's Pay policy.

When advertising vacancies internally, the Trust should ensure that all appropriate employees in other schools in the Trust have access to the opportunity.

The Trust does not make payment for interview expenses.

## **Pre-employment Checking**

All pre-employment checks for new starters must be completed and deemed satisfactory before the successful candidate commences in their role.

There must be compliance with safer recruitment procedures and processes. Those responsible for recruitment and selection have a duty to scrutinise documentation and comply with appropriate regulatory body requirements.

Relevant documentation must be fully completed at each stage of the process. This will include the verification of original documents of candidates at the interview stage and the completion of all necessary pre-employment checks as specified in the DfE Keeping Children Safe in Education guidance document which includes but is not limited to, a right to work in the UK check, a Disclosure and Barring Service Check, Teacher Prohibition Check, Childcare Disqualification (where applicable), satisfactory references and medical assessment and overseas checks as appropriate. The Trust requires that an Overseas Police Check be carried out on all new starters if they have lived or worked outside of the UK for a continuous period of 3 months or more in the past 5 years.

The pre-employment checking and appointment process will not be circumvented for the sake of expediency.

At the end of the selection process, the preferred choice candidate will be made a conditional offer of employment subject to the acquisition of satisfactory pre-employment checks. Failure to satisfy all pre-employment checks may result in the withdrawal of a conditional offer of employment.

All pre-employment checks must be recorded on the Single Central Record in line with the guidance published in Keeping Children Safe in Education. Documents verifying the employee's identity, right to work and required qualifications will be retained on their personnel file.

If the Headteacher requires an individual to start work in regulated activity before the DBS certificate is available, a risk assessment must be completed and held on the personnel file. The Headteacher will seek a final decision from the CEO as to whether it is appropriate for this person to start employment after reviewing this document. As a minimum, the individual must be appropriately supervised and all other checks, including a barred list check, must have been completed.

Where an existing employee changes role, additional checks should be completed applicable to the role, for example, when an employee moves into regulated activity. If there are any concerns about an employee or an employee does not have the relevant DBS check because it was not applicable at the time of their appointment and their role has changed over time, it would be appropriate to complete a DBS check. An internal reference should be completed for all internal role changes.

## **Safer Recruitment**

The Trust has responsibility for ensuring that recruitment, selection, and retention decisions for posts working with children and vulnerable adults are safe, and it meets its statutory obligations as detailed in the Department for Education statutory guidance.

The Trust and all our schools are committed to safeguarding and promoting the welfare of children and young people/vulnerable adults and expect all staff and volunteers to share this commitment. All appointments are subject to an enhanced DBS clearance and pre-employment checks in accordance with Keeping Children Safe in Education.

As set out in the Department for Education statutory guidance:

- The Trust must keep a single central record for each school. The single central record must cover the following:
  - all staff (including supply staff and teacher trainees on salaried routes) who work at the school.
  - all members of the Local Governing Board, trustees and volunteers.
- The Trust is responsible for carrying out checks on employees seeking to work with children or vulnerable adults (or where their work may bring them into contact with either of these groups). These checks will be made in accordance with the Rehabilitation of Offenders Act 1974 (as amended), and with the Disclosure and Barring Service as appropriate. The Trust makes every subject of a criminal record check submitted to DBS aware of the existence of the code of practice and makes a copy available on request.
- In accordance with Keeping Children Safe in Education an online search will be carried out on shortlisted candidates as part of the organisation's due diligence checks and may help to identify any incidents or issues that have happened, and are publicly available online, which the organisation might want to explore with the candidate prior to appointment.

The online search will take place prior to interview by someone impartial to the process. The nature of this search is to determine if the candidate:

- Is qualified for the role
- Poses a potential safeguarding risk
- Risks damaging the reputation of the school or Trust

Any information found, if classed as inappropriate or a cause for concern, will be discussed with the candidate at interview and will form part of the recruitment process.

- At least one selection panel member must have completed Safer Recruitment Training.
- Shortlisted candidates will be asked to complete a self-declaration form of their criminal record or information that would make them unsuitable to work with children. The above information will only be requested from applicants who have been shortlisted. It will not be requested in the application form itself. The purpose of the self-declaration is so that candidates have the opportunity to share relevant information and allow this to be discussed and considered at interview before the DBS certificate is received. The Self-declaration form is shown in Appendix A of this policy.
- Two referees, one of whom must be the candidate's current or most recent employer, will be contacted by the school, ideally before candidates are interviewed. References will be collected using the Trust pro forma.

The pro forma will be reviewed periodically and will include:

- General information about the candidate's previous professional performance and suitability for the post.
- The candidate's suitability to work with children and young people.
- Reference to any disciplinary warnings that are currently live on the candidate's file.
- Reference to any capability proceedings from the last 2 years for teaching staff.
- Any warnings, including time expired warnings relating to the safeguarding of children and young people.
- If the candidate is applying for a teaching post and is not currently employed as a teacher, the school/college/local authority where they were most recently employed as a teacher may be contacted.

Following reference checks, any concerns raised by referees will be put to the candidate at interview. Records will be kept of these conversations and further written references may be requested. Any uncertainties or issues followed up with the referee verbally will be recorded in writing.

### **Recruitment of Ex-Offenders**

As a Trust assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS), the Trust complies fully with the code of practice and undertakes to treat all applicants for positions fairly. The Trust undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.

The Trust can only ask an individual to provide details of convictions and cautions that the Trust is legally entitled to know about. Where a DBS certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act Regulations as amended), the Trust can only ask an individual about convictions and cautions that are not protected.

An application for a criminal record check is only submitted to DBS after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned.

The Trust ensures that all those who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. The Trust also ensures that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

The relevance of convictions should be judged against the following criteria:

- The seriousness of the offence and its relevance to other employees and children.
- The length of time since the offence occurred.
- Whether the offence was a one-off or part of a history of offending.
- Circumstances which led to the committing of the offence.
- Whether the applicant's personal circumstances have since changed.
- The country in which the offence occurred.
- Decriminalisation and remorse.

Anything that is disclosed in the self-declaration form at shortlisting stage, must be discussed at interview. The Trust will ensure that an open and measured discussion takes place on the subject of any offences or other matters that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.

The Trust undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

Not all criminal convictions will be a bar to employment. The results of a DBS check will be considered on an individual basis and the Trust will act in a proportionate manner when deciding whether or not to proceed with the appointment to the post in question. However, the protection and safeguarding of children/vulnerable adults is the Trust's primary concern.

The Trust processes information about an individual's criminal convictions in accordance with its Data Protection Policy and Privacy Notice for Job Applicants on processing special category personal data and criminal records data. In particular, data collected during recruitment is held securely and accessed by, and disclosed to, individuals only for the purposes of completing the recruitment process. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the Trust's Data Protection Policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the disciplinary procedure.

Once an individual is recruited, information about their criminal record gathered in the course of the vetting process will not be transferred to their personnel file.

## **Equality**

As an employer, the Trust is committed to ensuring that we provide equality of opportunity. Through our Recruitment and Selection Policy and procedures we aim to eliminate barriers and encourage applicants from all sections of the community by:

- ensuring recruitment and selection procedures are fair and equitable
- only considering applicants for jobs on the basis of their relevant experience, skills and abilities unless a Genuine Occupational Qualification (GOQ) exists for specific posts
- interviewing all applicants with disabilities who meet the essential criteria of the post
- offering adjustments as required to the interview process to enable those with disabilities, health conditions or specific needs to be able to take part in the interview
- ensuring that all employees receive fair and equal treatment in relation to their employment regardless of their contract type.

Full details of the Trust's commitment to promoting equal opportunities can be found in the Trust's Equality Policy.

## **Adults working with children who are not employed directly by the school**

### **Supply Staff**

The Trust will only use agencies which operate a Safer Recruitment Policy and supply written confirmation that all relevant checks have been satisfactorily completed. Schools will carry out identity checks when the supply staff member arrives for work.

### **Volunteers**

The Trust requires all volunteers to complete an application form confirming their work experience and providing contact details for at least two appropriate referees. References are taken up, as detailed in this policy.

The Trust will carry out DBS and pre-start vetting checks appropriate to the role for regular volunteers (as above). Volunteers who help on an occasional basis (e.g. trips/PTA events) must be supervised, in accordance with legislation and applicable risk assessments carried out by the Trust.

### **Students on Placement**

When volunteers are working in school as part of a recognised training course (such as PGCE, NVQ etc.), references and completion of an application form will not be required. However, the Trust requires proof of a DBS Enhanced Clearance with barred list check as appropriate and will carry out identity checks when the student arrives on site.

Placement students are also required to complete the Childcare Disqualification Declaration if they are working within an Early Years/Foundation Stage or later years care setting [i.e. under eight years old].

### **Students on Work Experience**

Students on work experience will always be supervised. Any student over the age of 16 may be required to complete a Disclosure and Barring Service check depending on the nature of the work experience.

### **Contractors**

The Trust will ensure that contractors or sub-contractors working on site have been subject to the appropriate level of DBS check. Where a DBS check has not been undertaken, the individual/s will be supervised when on site with children. The Trust will check the identity of contractor staff on arrival.

This policy will be regularly reviewed and updated to reflect any changes to legislation and statutory guidance.

### **Data Protection**

The Trust will comply with the provisions of the Data Protection Act 2018 and GDPR. Applicant data will be processed by the Trust in accordance with the principles of this legislation and related modifications. Data relating to unsuccessful applicants will be held in accordance with the Trust's Record Retention Schedule.

Data relating to employees will be managed as necessary for the performance of the employee's contract of employment and/or the conduct of the organisation's business. The Trust will ensure that personal information about applicants and employees, including information in personnel files, is securely retained.

Where applicable, application forms, job adverts and recruitment briefs will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being offered the position.

### **Cross References**

This policy should be read in conjunction with the following policies and processes:

- Equality Policy
- Flexible Working Policy
- Redundancy and Reorganisation Policy
- Safeguarding process
- Local Government Modification Order

The above list is not exhaustive, and reference should be made to the Policy Section on the Trust's website.

## Appendix A

### Criminal records self-declaration form

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As part of our duty to safeguard pupils, we need to check whether you are barred from working with children, or whether you have convictions that would make you unsuitable to work with children or in the role you've applied for.

Please complete the following form as accurately as possible.

**Note:** you are not required to disclose convictions or cautions that are 'protected', as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013). If you're not sure whether one of your convictions is 'protected', you can [check here](#).

If you accidentally provide information about 'protected' convictions or cautions, we won't take this into account.

#### How we'll use this information

We'll use the information in this form to:

- Identify whether you may be ineligible for a role based on barring, a section 128 direction or childcare disqualification requirements
- Inform our conversations with you about any relevant details during the interview process

We won't use this information to make decisions about job offers.

If we offer you a position, we'll compare the information you've provided in this self-declaration with the information in your formal DBS check so that we only make decisions based on the most accurate information possible.

Name	
Role	

### Self-declaration

	YES/NO
<p><b>Delete this row if the role you're recruiting for isn't in regulated activity</b></p> <p>The role you've applied for is 'regulated activity', so is eligible for a barred list check.</p> <p>Are you barred from working in regulated activity with children (i.e., are you included on the Disclosure and Barring Service Children's Barred List)?</p>	

	YES/NO
Do you have any unspent conditional cautions or convictions under the Rehabilitation of Offenders Act 1974?	
Do you have any adult cautions (simple or conditional) or spent convictions that are not protected as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2020?	
Have you committed an offence overseas which would have resulted in disqualification if it had occurred in the UK?	
<p>Delete this row if the role you're recruiting for isn't a <a href="#">management position</a></p> <p>Are you subject to a section 128 direction?</p>	
<p>Delete this row if the role you're recruiting for isn't in covered by <a href="#">childcare disqualification requirements</a></p> <p>Have any orders relating to the care of children, as set out in schedule 1 of the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018, been made in respect of you?</p> <p>This includes, but is not limited to:</p> <ul style="list-style-type: none"> <li>➤ Orders disqualifying you from caring for children</li> <li>➤ Orders disqualifying you from private fostering</li> <li>➤ Any refusal of an application for you to be registered in relation to a children's home</li> <li>➤ Care/child protection orders issued in respect of a child in your care</li> </ul>	

<p>Delete this row if the role you're recruiting for isn't in covered by <a href="#">childcare disqualification requirements</a></p> <p>Have you been convicted of committing, or been given a caution, reprimand or warning since 6 April 2007 for, any offences set out in regulation 4 and schedules 2 and 3 of the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018?</p> <p>This includes, but is not limited to:</p> <ul style="list-style-type: none"> <li>➤ Any offence against or involving a child</li> <li>➤ Any sexual offence</li> <li>➤ Any violent offence, i.e. murder, manslaughter, kidnapping, false imprisonment, actual bodily harm (ABH), or grievous bodily harm (GBH)</li> </ul>	
	YES/NO
<p>Do the police or children's social care have your name and/or information on file for any reason?</p>	
<p>If you answered 'yes' to any of the questions above, please provide further information.</p>	

I confirm that the information above is accurate to the best of my knowledge, and that I will make the school aware of any changes in my circumstances that may affect the answers I've provided above, or my suitability for the post.

Signed:

Date: