



SAFER RECRUITMENT AND SELECTION POLICY

Approved by:	GFM Board	Reviewed:	April 2023
Maintained by:	Human Resources	Next review due:	April 2025

Introduction

The Gosport and Fareham Multi-Academy Trust (the 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 in every aspect of their work.

The aim of this policy is to:

- Attract the best possible applicants on the basis of their merits, abilities and suitability;
- Adopt a safer recruitment and selection process that helps to promote a safe culture;
- Deter prospective applicants who are unsuitable to work with children or young people;
- Ensure that staff involved within the recruitment process follow a professional approach by dealing efficiently and fairly with applicants;
- Ensure compliance with the keeping Children Safe in Education DfE guidance and the Code of Practice published by the Disclosure and Barring Service; and
- Promote the welfare of children and young people through necessary pre-employment checks being undertaken.

Scope of this policy

This policy is in line with the Department for Education's statutory guidance, Keeping Children Safe in Education and Working Together to Safeguard Children. The Trust complies with this guidance and the procedures required under it. This policy is also based on the following legislation: Part 3 of the schedule to the Education (Independent School Standards) Regulations 2014, Children Act 1989 (and 2004 amendment), the Safeguarding Vulnerable Groups Act 2006, the Protection of Freedoms Act 2012 to safeguard children, the Childcare (Disqualification) Regulations 2009 (and 2018 amendment) and Childcare Act 2006 and the Rehabilitation of Offenders Act 1974. This policy also complies with the Trust's funding agreement and articles of association.

During the recruitment process, the Trust is required to carry out a number of checks on all staff, whether they are permanent, temporary, casual, voluntary, supply or from an agency.

The measures described in this policy will be applied to all who are employed to work at the Trust and incorporated within the scope of this policy are staff employed by contractors, supply staff, volunteers and the like who work at with the Trust.

Individuals who are involved in the recruitment and selection of staff are responsible for familiarising themselves, and complying with, the provisions of this policy.

This policy does not form part of any employee's terms and conditions of employment and is not intended to have contractual effect. The Trust reserves the right to amend its content at any time.

Roles and Responsibilities

The Board of Trustees will:

- Ensure the Trust has effective policies and procedures in place for the safe and fair recruitment and selection of staff and volunteers in accordance with DfE guidance and legal requirements;
- Monitor the Trust's compliance with them; and
- Ensure that appropriate staff and governors have completed safer recruitment training.

Headteachers will:

- Monitor staff involved in the recruitment process within their school, ensuring that a fair and safe recruitment and selection process is undertaken;
- Monitor the training needs of staff within the school ensuring that they are up-to-date with any changes to legislation and statutory guidance.
- Ensure that all appropriate pre-employment checks are carried out on staff at the school including contractors, supply staff and volunteers.
- Promote the safety and well-being of children and young people at every stage of the recruitment and selection process.

Delegation of Appointments and Constitution of Selection Panel

The Board of Trustees delegates the power to offer employment for all posts to the CEO and GFM Executives and Finance Director. The Board of Trustees may be involved in the appointment of senior staff. Selection panels will comprise a minimum of two people, but a panel of three should be convened whenever possible. In accordance with the statutory requirement, at least one member of the selection panel will have undertaken training in Safer Recruitment.

Personal Data – Single Central Record (SCR)

The Trust holds a central record incorporating all employed staff (and others) that have contact with children. The SCR is maintained centrally by the HR function. The Designated Safeguarding Lead in each school may request access to limited, specific information held on the record for legitimate purposes in a non-edit and read only version.

The record details a range of checks as set out by the DfE, and the responsibility for the maintenance of this record is with the Designated Executive Head at each school, but this function can be delegated to a specific member of the Senior Leadership Team, an HR Officer or a suitable member of a school's administrative team employed by the Trust.

The Recruitment and Selection Procedure

Prior to the Recruitment Process:

1. Documents confirming Identification

The Trust carries out a number of pre-employment checks in respect of all its prospective employees to ensure effective safeguarding.

All applicants who are invited to an interview will be required to produce documentation to evidence their right to work in the UK and to confirm their identity, address and qualifications in order for the Trust to satisfy safe recruitment processes.

2. Advertising

Fairness in how the Trust recruits and selects employees is integral to the culture of an equal opportunities environment. The Trust's aim is that every vacant post will be advertised to encourage as wide a field of candidates as possible.

Where there is a reasonable expectation that there are suitably qualified internal candidates, or staff are at risk of redundancy, vacancies may be advertised internally before an external advertisement is placed.

Applicants who apply for a position within the Trust will be considered against criteria linked to the requirements of the role.

Adverts for vacancies will demonstrate the Trust's commitment to safeguarding in recruitment and vetting procedures, protecting every potential applicant from unfair practice and ultimately safeguarding children as much as possible. Thought will be given to wording, pictures and images to ensure that they could not be considered discriminatory.

Advertisements for vacant posts will include the following statement:

GFM Education is committed to safeguarding children and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. We will ensure that all our recruitment and selection practices reflect this commitment.

A 'prohibition from teaching' check will be completed for all shortlisted teaching candidates including those applying for a teaching assistant/Cover Supervisor/Other work deemed directly involved with pupils where it is indicated that they have qualified teacher status or have previously worked as a teacher.

We will also consider carrying out an online search as part of due diligence on shortlisted candidates as recommended by KCSiE.

All successful candidates will be subject to a Disclosure & Barring Service check along with other relevant employment checks.

It is a criminal offence to apply for or accept a position (paid or unpaid) working with children if you are excluded from such work by virtue of a court order or exclusion by the DBS. Although a criminal record involving offences against children is likely to debar you from appointment to this type of post, the existence of other criminal convictions will not necessarily be a bar to employment.

GFM Education pursues a policy of equality of opportunity. We particularly welcome applications from underrepresented groups.

The following information will usually be included within the text of the advert: a description of the school relevant to the post, post title, hours of work, grade/scale, salary, permanent or fixed term, summary of what the job entails and type of skills and/or experience required including responsibility for safeguarding children, requirement that an Enhanced DBS Disclosure will be required, contact details and the closing date for applications.

3. Job Descriptions & Person Specification

The Job Description will outline the duties of the post, as well as providing the qualifications and experience needed to perform the job. The Job Description and Person Specification will make reference to the Trust's commitment to the safeguarding of students.

All posts within the Trust will require an Enhanced DBS Disclosure where an individual is likely to come into direct contact with pupils.

4. Application Pack

The Trust's Application Pack will normally include the following: application form, job description and person specification, description of the school relevant to the vacant post, Fair Workload Charter, the Trust's Safeguarding Statement and information on an Enhanced DBS check.

Prospective applicants must complete and return in full an application form. Incomplete application forms will be returned to the applicant where the deadline for submission has not passed. A CV will not be accepted in place of a completed application form.

All applicants will be made aware that providing false information is an offence and could result in the application being rejected or summary dismissal if the applicant has been appointed, and a possible referral to the police and/or other professional regulatory bodies (e.g. Disclosure and Barring Service).

During the Recruitment Process

The interview will assess the merits of each candidate against the job requirements and will explore their suitability to work with children.

Before interview, the selection panel will agree on the interview format and selection techniques will be determined by the nature and duties of the vacant post. A face-to-face interview will usually be carried out as part of the recruitment process. Telephone interviews or interviews via a visual electronic link may be used, but will be followed by an invitation to come to the school for an immersion programme within a suitable period before the employment start date.

The interview panel will consist of a minimum of two interviewers, one of whom will be the safeguarding representative. The questions asked will be aimed at obtaining evidence of how each candidate meets the requirement of the job description and the person specification and each candidate will be assessed against all of the criteria for the post. The selection process for every post will include exploration of the candidate's understanding of child safeguarding issues.

Candidates will always be required:

- To explain satisfactorily any gaps in employment;
- To explain satisfactorily any anomalies or discrepancies in the information available to the selection panels; and
- To demonstrate their capacity to safeguard and protect the welfare of children and young people.

Conditional Offer of Employment

The appointment of all new employees is conditional and is subject to the following:

- Receipt of at least two satisfactory references;
- Satisfactory Enhanced DBS Disclosure
- A police check / certificate of good conduct where the appointee has lived or worked outside the United Kingdom within the past 5 years for a period of 3 months or more
- Confirmation of the candidates medical fitness (through a pre-employment health check);
- Verification of qualifications by the individual by providing original certificates;
- Verification of professional status where required;
- Verification that the candidate has not been prohibited from teaching or carrying out teaching work by the DfE Secure Access where relevant;
- Verification that the candidate has not been prohibited from carrying out management work where relevant;
- Verification of the candidates identity; and
- Verification of the candidate's right to work in the UK.

A checklist will be used to track and audit paperwork obtained in accordance with safer recruitment obligations. The checklist will be retained on an employee's personnel file.

The Trust has an obligation to report details of the checks to the police and/or the Disclosure and Barring Service (DBS) if:

- The DBS disclosure shows that an applicant has been disqualified from working with children;
- An applicant has provided false information in, or in support of, his or her application; or
- There are serious concerns about an applicant's suitability to work with children gained from other legitimate information sources.

Pre-employment Checks

References

The selection panel will shortlist applicants against the specifications for the post. The criteria for selection will be consistently applied to all applicants. The selection panel will agree the applicants to be invited to interview.

Where possible two references, one of which must be from the candidate's current/most recent employer, will be taken up ideally before the selection stage so that any discrepancies may be probed during this stage of the selection process. Neither referee should be a relative or someone known to the applicant solely as a friend.

References will be sought directly from the referee, and where necessary, s/he will be contacted to clarify any anomalies or discrepancies. Detailed written records will be kept of such exchanges. 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 will be kept of such exchanges.

If a candidate for a post working with children is not currently employed in a post working with children, a reference will be sought from the most recent employment in which the candidate has worked with children to confirm details of the candidate's employment and his/her reasons for leaving.

Reference requests will ask the referee to confirm, in writing:

- The referee's relationship to the candidate;
- Details of the candidate's current post;
- The candidate's performance history and conduct;
- Any disciplinary action involving the safety and welfare of children, including any in which the sanction has expired;
- Details of any substantiated allegations or concerns relating to the safety and welfare of children;
- Whether the referee has any reservations as to the candidate's suitability to work with children and young people (if so, the Trust will ask for specific details of the concerns and the reasons why the referees believes the candidate may be unsuitable to work with children); and
- The candidate's suitability for the post.

Employer testimonials i.e. those provided by the candidate and/or marked 'to whom it may concern' will not be accepted. References must be in writing and be specific to the job for which the candidate has applied. The selection panel will not accept references from relatives or someone known to the applicant solely as a friend except in the case of those new to employment or retired with a substantial gap between their last employment, in which case discretion by the Trust will be applied in accepting character references in lieu of a professional reference. References will be verified and any discrepancies or areas of potential concern will be discussed with the candidate at interview.

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

Offer of Appointment

The appointment of all new employees is subject to the receipt of a satisfactory DBS Certificate, references, medical checks, copies of qualifications (where applicable) and proof of identity and right to work in the UK.

Criminal Record Check

Due to the nature of the work, the School applies for criminal record certificates from the Disclosure and Barring Service ("DBS") in respect of all prospective staff members and volunteers.

There are two types of check that may be requested from the DBS depending on the nature of the position:

- **Standard Disclosure** - For positions that involve regular contact with those aged under 18 years or people of all ages who may be vulnerable for other reasons and for occupations that involve positions of trust.
- **Enhanced Disclosure with children barred list** - For posts involving greater contact with children or vulnerable adults, including regularly caring for, training, teaching, supervising or being in sole charge of such people.

A Standard Disclosure will contain details of all convictions, cautions, reprimands or warnings (except those which are "protected" as defined in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013) held on the Police National Computer. If the individual is applying for a position working with children or young adults, the Standard Disclosure will also reveal whether he/she is barred from working with children or vulnerable adults by virtue his/her inclusion on the lists of those considered unsuitable to work with children or vulnerable adults maintained by the DfE and the Department of Health.

An Enhanced Disclosure will contain the same details as a Standard Disclosure. It may also contain non-conviction information from local police records which a chief police officer thinks may be relevant in connection with the matter in question.

Applicants 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.

Should DBS clearance be delayed and employment commence before it is received, the Trust may undertake a Risk Assessment on the prospective member of staff concerned based on recruitment checks already completed in respect to medical clearance and satisfactory references and make arrangements as appropriate for the member of staff to be paired with or supervised by another member staff who has received DBS clearance. Members of staff are aware of their obligation to inform GFM HR of any cautions or convictions that arise between these checks taking place.

Volunteers, Students on Placement, Agencies and Agency Staff

Supply staff, temporary workers, agency workers or contractors that are used by the Trust are expected to register with the Enhanced DBS Disclosure on their own account and to follow this policy or their own comparable policy. Proof of registration will be required by the Trust prior to the commission of any services.

The agency must provide evidence of the checks carried out on their central record. Supply staff must bring in their DBS Certificate and identification documents on the first day of their supply work for the Trust.

The Trust reserves the right to terminate the contract with the agency and send home an agency staff member without notice should these terms of safe recruitment practice be breached by the agency or the member of agency staff. In this instance the Trust will not be liable for any charges connected to the booking.

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, we will require proof of DBS enhanced clearance with barred list check and will carry out identity checks when the student arrives at school.

All Volunteers who have direct contact with children on a regular basis will be required to have a DBS check. GFM HR will assess the need on an individual basis.

Portable DBS Checks

Staff who wish to join the DBS Update Service will require a new DBS check in order to join the service. The annual fee of joining the update service is payable by the applicant.

Suitability Declaration Forms

Any employee employed within a Trust school within the following 'relevant settings' will be required to complete and submit a Suitability Declaration Form upon commencement of employment with the Trust:

- Any employee providing any care for a child from birth until 1 September following a child's fifth birthday. This will include staff who provide education in nursery and reception classes and/or any supervised activity for these children, which occurs during or outside of school hours, such as breakfast clubs, lunchtime supervision and after school care provided by the School.
- For schools who have children aged between 5 and 8 years old, staff who provide childcare **outside of school hours**. This means staff providing breakfast club or after schools provision for children within this age bracket. It does not include staff who teach these children during the school day, nor does it include any extended school hours for co-curricular learning activities such as the School's choir or a sports team.
- Any staff directly concerned with the management of the above childcare. This is likely to include the Headteacher, and may also include other members of the school's leadership team and any manager, supervisor, leader to volunteer responsible for the day to day management of the provision.

Rehabilitation of Offenders Disclosure

The Trust will not unfairly discriminate against any applicant on the basis of conviction or other details revealed. The Trust makes appointment decisions on the basis of merit and ability. If an applicant has a criminal record this will not automatically debar them from employment within the Trust. The Trust will assess each case on its merits and in accordance with objective assessment criteria.

In view of the fact that all positions within the School will amount to "regulated positions", all applicants for employment must declare all previous convictions, cautions, reprimands or warnings (except those which are "protected" as defined in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013). A failure to disclose a previous conviction, caution, reprimand or warning may lead to an application being rejected or, if the failure is discovered after employment has started, may lead to summary dismissal on the grounds of gross misconduct. A failure to disclose a previous conviction may also amount to a criminal offence.

Under the relevant legislation, it is unlawful for the Trust to employ anyone who is included on the lists, maintained by the DfE and the Department of Health, of individuals who are considered unsuitable to work with children.

It is a criminal offence for any person who is barred from working with children to attempt to apply for a position at the Trust. In addition, it will also be unlawful for the Trust to employ anyone who is the subject of a disqualifying order made on being convicted or charged with the following offences against children: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence.

The Trust will make a report to the Police and/or the DBS if:

- It receives an application from a barred person;
- It is provided with false information in, or in support of, an applicant's application; or
- It has serious concerns about an applicant's suitability to work with children.

Assessment Criteria

In the event that relevant information is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the Trust will consider the following before reaching a recruitment decision:

- whether the conviction or other matter revealed is relevant to the position in question;
- the seriousness of any offence or other matter revealed;
- the length of time since the offence or other matter occurred;
- whether the applicant has a pattern of offending behaviour or other relevant matters;
- whether the applicant's circumstances have changed since the offending behaviour or other relevant matters; and
- the circumstances surrounding the offence and the explanation(s) offered by the convicted person.

If the post involves regular contact with children, it is the Trust's normal policy to consider it high risk to employ anyone who has been convicted at any time of any the following offences:

- against adults: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence;
- against children or adults: serious class A drug related offences, robbery, burglary, theft, deception or fraud.

If the post involves access to money or budget responsibility, it is the Trust's normal policy to consider it a high risk to employ anyone who has been convicted at any time of robbery, burglary, theft, deception or fraud.

If the post involves some driving responsibilities, it is the school's normal policy to consider it a high risk to employ anyone who has been convicted of drink driving within the last 10 years.

Assessment Procedure

In the event that relevant information is volunteered by an applicant during the recruitment process or obtained through a disclosure check, a Safe Recruitment Note of Investigation proforma will be completed where:

- A. An applicant has, at application stage, provided details of previous convictions, cautions, bind-overs or disciplinary processes that have safeguarding concerns (whether in relation to previous convictions or otherwise)
- B. A referee provides information of this nature that was not disclosed by the applicant as part of the application process
- C. A successful applicant (whether or not they have provided complete information at application stage) does not receive a clear disclosure

The Trust will carry out a risk assessment by reference to the criteria set out above. The assessment form must be signed by the Director/Head of HR or an Executive who has successfully completed the Safe Recruitment training before a position is offered.

If an applicant wishes to dispute any information contained in a Disclosure, he/she can do so by contacting the DBS directly. In cases where the applicant would otherwise be offered a position were it not for the disputed information, the Trust will, where practicable, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the Disclosure information.

Retention and Security of DBS Disclosure Information

The Trust's policy is to observe the guidance issued or supported by the DBS on the use of Disclosure information.

In particular, the Trust will:

- store Disclosure information and other confidential documents issued by the DBS, access to which will be restricted to members of the Trust's senior leadership team and HR officers;
- not retain Disclosure information or any associated correspondence for longer than is necessary, but with due regard for safeguarding requirements to evidence the security of the Trust's procedures.

In most cases, the Trust will not retain such information for longer than 6 months although the Trust will keep a record of the date of a Disclosure, the name of the subject, the type of Disclosure, the position in question, the unique number issued by the DBS and the recruitment decision taken;

- ensure that any Disclosure information is destroyed by suitably secure means such as shredding; and
- prohibit the photocopying or scanning of any Disclosure information.

Record Retention / Data Protection

If an applicant is appointed, the Trust will retain any relevant information provided on their application form, together with any attachments and evidence of pre-employment checks completed on their personnel file. The file will be live and updated as required. If the application is unsuccessful, all documentation relating to the application will normally be confidentially destroyed after 6 months, unless the applicant specifically requests the Trust to keep their details on file.

Single Central Register of Recruitment Vetting Checks (SCR)

In line with DfE requirements, GFM Education will keep and maintain a SCR. The SCR will list all staff who are employed at the Trust, including casual staff, supply agency staff whether employed directly or through an agency, volunteers and those who provide additional teaching or instruction for pupils, but who are not employed by the Trust e.g. specialist sports coach.

The SCR will indicate whether the required pre-employment checks have been completed, what documents have been checked, when and by whom.

Any queries relating to this policy should be directed to the GFM HR office (hr@gfmat.org).