



(Safer) Recruitment Policy and Procedure

Version 1.1

Important: This document can only be considered valid when viewed on the TEAL website. If this document has been printed or saved to another location, you must check that the version number on your copy matches that of the document online. Name and Title of Author:	Charlene Hadfield, Acting Director of People
Name of Responsible Committee/Individual:	Resources and Finance Committee
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Related Documents: All TEAL policies and procedures referred to are located on the TEAL website, www.theeducationalliance.org.uk. If English is not your first language, and you require assistance/translation, please contact the HR Department. This policy has been equality impact assessed, as detailed in section 3.	Scheme of Delegation (Governance Framework) DBS Checks: guidance for employers (www.gov.uk) Keeping Children Safe in Education (www.gov.uk) Childcare (Disqualification) Regulations 2018 Equality Act 2010 Ethical Behaviour Charter Equality, Diversity and Inclusion Policy Redeployment Procedure Organisational Change and Redundancy Policy Data Protection Policy Women at Work Guidance Domestic Abuse Guidance Probationary Period Guidance

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POLICY STATEMENT

We are here to make great schools and happier, stronger communities so that people have better lives.

The success of the Education Alliance (TEAL) relies on recruiting and retaining people who share our core values and have the required experience, knowledge, qualifications and skills to undertake their role competently.

TEAL endeavours to recruit in a fair, consistent, timely and cost-effective manner in line with current legislation and statutory requirements.

Safeguarding sits at the heart of TEAL's recruitment and selection processes, ensuring we create a culture that safeguards and promotes the welfare of our pupils. As part of this culture, it is important that we adopt robust recruitment procedures that deter, prevent, and reject people who are unsuitable to work with children from applying for or securing employment or volunteering in our settings.

1. PURPOSE AND SCOPE

This policy seeks to ensure that TEAL demonstrates good practice regarding keeping children safe in education by basing its recruitment and selection procedures on the prevailing statutory guidance and good practice on safer recruitment and reviewing this practice as and when guidelines and practices change.

TEAL recognises the legal obligations it has as an employer and complies with all relevant data protection, employment and equality legislation, regulations and statutory guidance (e.g. Keeping Children Safe in Education (KCSiE)). The HR Team will ensure policies, procedures, processes, training and associated documentation are regularly reviewed in line with changing legal and statutory requirements.

This policy applies to all job applicants and those involved in recruitment (e.g. recruiting managers and panel members, senior leaders, governors and trustees).

2. ROLES AND RESPONSIBILITIES

The **Resources and Finance Committee** is responsible for approving this policy.

Trustees are responsible for the recruitment and selection of the CEO.

The **CEO** is responsible for ensuring candidates and employees are treated fairly and consistently across the TEAL.

Headteachers and senior leaders are responsible for ensuring this policy and procedure is implemented fairly and consistently in their setting. Headteachers/Senior Leaders are also responsible for ensuring recruiting managers have access to appropriate training and development to enable them to apply this policy fairly, consistently and professionally, in line with legal and statutory requirements.

The **HR Team** is responsible for overseeing the introduction, implementation, monitoring and review of this policy and will report to the CEO, the Trust Board and its committees and Local Governing Bodies as required. The HR Team will provide advice, guidance and support in the implementation of this policy and procedure, acting as a point of contact for recruiting managers. The HR team will ensure that this policy is implemented fairly and consistently, ensuring that relevant employment legislation and statutory guidance is adhered to.

Recruiting Managers and Panel Members must ensure they carry out recruitment and selection fairly and consistently in line with this policy and procedure, accessing support, guidance and training as and when required. Recruiting Managers must also provide appropriate, constructive feedback to candidates. Detailed, meaningful feedback should be offered to all unsuccessful candidates following an assessment process, and to candidates who are not shortlisted, should they request feedback.

3. EQUALITY, DIVERSITY AND INCLUSION

TEAL is committed to providing equality of opportunity for all and ensuring that all stages of the recruitment and selection process are free from unlawful discrimination and bias.

Recruitment and selection procedures will be regularly monitored to ensure that applicants are not being discriminated against on the grounds of any protected characteristic; sex, race, disability, age, religion or belief, sexual orientation, gender reassignment, marriage and civil partnership, pregnancy or maternity.

Applicants will be asked what adjustments they might require to participate in the recruitment process. TEAL will make every effort to make reasonable adjustments at each stage of the recruitment process.

The HR Team will review recruitment data to assess the impact on workforce diversity and equality of opportunity across TEAL. This analysis will be used to formally brief the Trust Board on identified disparities or trends, enabling the HR team to identify changes to foster a more equitable and inclusive recruitment process.

4. SAFER RECRUITMENT PRINCIPALS

Safeguarding and promoting the welfare of children and young people is an integral part of the recruitment and selection process. Through each stage of this process, TEAL will seek to deter, identify, and reject those applicants whom it considers unsuitable to work with children and young people.

The following measures will be taken through the recruitment process:

- Information on TEAL's commitment to safeguarding children will be included in the advert, job description, person specification, and any other relevant documentation.
- At least one member of every interview panel will have successfully completed Safer Recruitment Training prior to the start of the recruitment process.
- Specific questions relating to the applicant's suitability to work with children will be asked of each candidate at interview, and their motivation to work with children will be explored, and a safeguarding question(s) will always be asked.
- A comprehensive application form will be obtained from all applicants, which will be scrutinised, investigating any discrepancies or anomalies, including gaps in employment and education.
- Shortlisted applicants will be asked to make a self-declaration of their criminal record and complete a Childcare Disqualification declaration (where relevant).
- Robust, relevant, and appropriate references that fully cover the candidate's recent work history will be obtained prior to the interview wherever possible. These references will be cross-checked by the Headteacher in an educational setting.
- Online searches will be carried out only on shortlisted applicants; this is part of a robust safer recruitment process. These checks aim to identify and clarify any incidents or issues that may or may not have been declared previously, which are 'open source' and publicly available. These may be relevant in considering whether the candidate is suitable to work in schools. Candidates will not automatically be removed from shortlisting should any online concerns come to light, this will be discussed as appropriate at the interview process. Examples of relevant information may include press articles or specific gaps in employment that are highlighted by the online search. TEAL will not ask candidates to share their social media log in details.
- Any such information that is publicly available will always be discussed with the candidate at an appropriate time before any offer of employment is made.
- All offers of employment will be made subject to satisfactory pre-employment vetting checks (see section 11) being obtained prior to the candidate commencing in post, except in exceptional circumstances and only with an appropriate risk assessment in place.
- All associate staff will undertake a probationary period of up to 6 months.
- All Early Career Teachers (ECTS) are entitled to a statutory induction process.

5. RECRUITMENT AUTHORISATION

Before any decision is made to advertise a vacancy the Headteacher/CEO must be convinced that a vacancy exists that requires filling.

The recruiting manager should discuss their recruitment needs with the HR team and the HR team will assist recruiting managers in completing a recruitment requisition form that will be sent for approval in line with the agreed approval chain for the setting.

6. JOB DESCRIPTION/PERSON SPECIFICATION

Job descriptions and Person specifications are essential tools and will be used throughout the recruitment and selection process.

A job description should be provided for all posts, which sets out the main duties and responsibilities of the post. The person specification will detail the experience, knowledge, qualification, skills, values and behaviours required to do the role. The job description and person specification will include the level of contact which the post has with children, criteria regarding the applicant's suitability to work with children, and information on TEAL's commitment to safeguarding.

Whenever a new post is introduced, or an existing post amended, due consideration will be given to the job evaluation guidance within the NJC or non-teaching posts. If a Job Evaluation is required, this will be completed before the post is advertised.

The job description and person specification must be finalised before the vacancy is advertised and included in the applicant pack.

7. CANDIDATE ATTRACTION

Posts will be advertised as deemed appropriate by the Headteacher/Senior Leader (in consultation with the HR Team) taking due consideration of school/TEAL requirements and TEAL's redeployment register.

TEAL may utilise an internal expression of interest recruitment process, where this is deemed appropriate.

TEAL may choose to revisit a recent recruitment campaign where a similar post has recently been advertised and where more than one candidate was considered appointable (usually within 6 months of the interview).

Where the recruitment request is approved for external advertisement, the HR team will draft an advert and an information pack (where appropriate) that includes:

- The purpose and key responsibilities of the role
- Core details about the post e.g. job title, salary/pay point, hours, contractual status, location etc
- Any additional payments, allowances or benefits as appropriate (e.g. TLRs, SEN Allowances, recruitment and retention premia or relocation assistance on offer)
- An introduction to TEAL and the specific school the role sits within, the ethos, values and benefits of working within the TEAL and the school
- Key essential criteria (as stipulated on the job description/person specification) and any special working arrangements or requirements
- Where possible, the intended date for assessment/interview
- A named contact for informal enquiries
- Details of how to apply and how to obtain an application form in a different format, if required

- The closing date (and time) for applications
- A safeguarding statement, confirmation that in line with Keeping Children Safe in Education (KCSIE) an online check and enhanced disclosure and barring service (DBS) check will be undertaken, and a link to the Safeguarding and Child Protection Policy

It is anticipated that internal candidates and YWTT trainees applying for a vacancy within a TEAL school will be shortlisted for selection wherever possible (where they meet the shortlisting criteria and/or where the redeployment procedure does not afford them additional rights).

When marketing vacancies, TEAL will consider value for money prior to utilising any external job boards, media channels and/or recruitment agencies.

8. APPLICATION

In line with KCSIE, all external applicants must complete an application form, preferably via the online platform, however applications are available in alternative formats where required. Where an application is submitted electronically, it will be taken that submission of the form is a declaration that the information is true and accurate.

CVs will not be accepted as an alternative to an application form and will not be used for short-listing when submitted with an application form.

Applications received after the closing date will not normally be considered, unless the applicant has given prior notice of late application and this has been agreed by the recruiting manager, or there has been a particularly low response to the advertisement.

At all times, TEAL will adhere to the legislative data protection requirements. All information gathered during the recruitment and selection process will be treated confidentially and handled and stored securely. Application and assessment data for unsuccessful applicants will be held for 12 months, or until any complaints arising from the process have been dealt with, and then destroyed. Information collected in relation to successful applicants will be retained in their confidential employee files.

9. SELECTION PANELS AND SHORTLISTING

A selection panel of at least two people will be appointed before the shortlisting process, with at least one panel member having completed safer recruitment training.

Where a candidate is known personally to a member of the shortlisting panel, this fact should be declared before shortlisting takes place. It may then be necessary to change the selection panel to ensure that there is no conflict of interest and that equal opportunity principles are adhered to.

Equal opportunity information will be removed from application forms prior to sharing with shortlisting panels.

Applications will be scrutinised carefully by the HR team to ensure they are fully and properly completed. Particular attention will be paid to the reasons for leaving any previous childcare setting

or employment where the applicant worked with children. Incomplete applications may not be accepted and may be disregarded or returned to the candidate for completion.

Any gaps in employment and education will be identified and a written explanation obtained from the applicant, usually during the selection process in the application form, and explored further at the interview.

Candidates will be assessed equally against the job description and person specification according to the agreed criteria. Candidates who do not meet the essential requirements should not be shortlisted. Where it is not possible to determine, from the application form, whether a candidate fully meets a criteria, they may be progressed to the shortlist and further evidence will be sought through the selection process.

A written record will be kept of the shortlisting process. All applications must be treated in the strictest confidence and restricted to those directly involved in the recruitment process.

Shortlisted candidates will be invited to attend the selection process. The interview notification should detail the relevant arrangements, the selection activities, the makeup of the selection panel and how the candidate can request reasonable adjustments, with examples of the types of adjustments that can be made.

Shortlisted candidates will be asked to complete a self-declaration of their criminal record (where a form is submitted electronically, it will be taken that submission of the form is a declaration that the information is true and accurate). 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 the interview before the DBS is received.

TEAL will undertake online searches for all shortlisted candidates. Only information pertaining to the candidate's suitability to work with children should be passed to the Selection Panel. The information that is obtained should be discussed with the candidate at an appropriate time - either in advance of or during the selection process, yet before any employment offer is made. The person carrying out the online search should have an understanding of KCSiE and the ability to recognise issues/ incidents that could relate to a candidate's suitability to work with children. Where possible, this person should not otherwise be involved in the recruitment process to prevent bias; however, it is recognised that this may not be possible in some settings.

Information disclosed during the self-declaration and online search processes may be discussed at the interview. Where a shortlisted applicant discloses information that would make it unlawful for the school to employ that individual, the offer of an interview may be withdrawn.

Where candidates are unsuccessful at the shortlisting stage, candidates will normally be notified via email. Recruiting Managers will provide appropriate, constructive feedback to candidates should they request feedback.

10. ASSESSMENT

As a minimum, the selection process will be based on completion of an application form/expression of interest (for internal candidates), shortlisting, and an assessment of each candidate against the agreed criteria based on the job description and person specification, and exploration of their suitability to work with children and young people.

Other selection methods may be used depending on the role that is being recruited. Any methods used must be relevant to the post being appointed to and free from unlawful discrimination. All interview and assessment events are a two-way process: they are an opportunity for the panel to select the best candidate for the role, and also an opportunity for a candidate to determine whether the job and the school and TEAL are right for them.

The HR team can provide advice on the best approach when measuring candidates against the set criteria, ensuring that the assessment tools are appropriate, justifiable and in line with legislation, best practice and statutory guidelines. A recruiting manager's toolkit is available via the HR team, which includes templates for job descriptions, person specifications, shortlisting matrices, interview questions, presentation briefs, scoring sheets and any other relevant assessment materials, alongside advice and guidance on reasonable adjustments for disabled and/or neurodiverse candidates.

TEAL will make reasonable adjustments for candidates, should they be required, in order to enable them to attend and participate fully in the selection and assessment process.

The recruiting panel must consist of at least two people who should have also, normally, been involved in the shortlisting process. At least one of the interviewers must have completed safer recruitment training within the last three years.

Once the formal assessment process is completed, all members of the selection panel will reach a final decision. The selection will be made on the basis of which individual best fits the criteria set at the start of the recruitment process, using the scores and results of any assessments. A written record of the selection decision will be made. The decision to appoint will be made in line with the Scheme of Delegation (for most appointments in schools it will be the Headteacher or the CEO for shared services roles).

Successful candidates should be advised that any offer is subject to TEAL receiving satisfactory pre-employment vetting checks. **Recruiting managers must not arrange for a new starter to commence until they have received confirmation from the HR team that all vetting checks have been received and all are satisfactory.**

All candidates who have attended the assessment process should be notified of the outcome of the process via the telephone with the offer of feedback should they wish to receive this.

The panel may choose not to appoint should none of the candidates meet the required standard.

11. PRE-EMPLOYMENT VETTING CHECKS

All offers of appointment will be conditional until satisfactory completion of the necessary pre-employment vetting checks.

We will record all information on the checks carried out in the school's or setting's single central record (SCR). Copies of these checks, where appropriate, will be held in individuals' personnel files. We follow all legal and statutory requirements, codes of conduct and best practice in obtaining and retaining copies of these checks, as set out below.

New staff

When appointing new staff, we will:

- Verify their identity and their right to work in the UK. We will keep a copy of these documents for the duration of the member of staff's employment and for 6 years afterwards
- Obtain (via the applicant) an enhanced DBS certificate, including barred list information for those who will be engaging in regulated activity (see definition below). We will obtain the certificate before, or as soon as practicable after, appointment, including when using the DBS update service. The original DBS certificate should be viewed but no copies of the document should be made, we will keep a record of the fact that vetting took place, the result of the check and the recruitment decision taken (Staff are expected to maintain registration on the update service as a condition of their employment with TEAL, as per their contract of employment).
- Obtain a separate barred list check if they will start work in regulated activity before the DBS certificate is available
- Obtain at least two satisfactory written references (one of which must be their current or most recent employer). Where a candidate has worked in education, at least one of the references should be from the Headteacher of this setting.
- Verify their mental and physical fitness to carry out their work responsibilities
- Verify their professional qualifications, as appropriate
- Ensure they are not subject to a prohibition order if they are employed to be a teacher
- Carry out further additional checks, as appropriate, on candidates who have lived or worked outside of the UK for more than 6 months in the last 5 years or for more than 12 months in the last 10 years, These could include, where available:
 - For all staff, including teaching positions: criminal records checks for overseas applicants or a reference from an employer that can testify to the person's suitability to work with children.
 - For teaching positions: obtaining a letter from the professional regulating authority in the country where the applicant has worked, confirming that they have not imposed any sanctions or restrictions on that person, and/or are aware of any reason why that person may be unsuitable to teach
- Check that candidates taking up a management position are not subject to a prohibition from management (section 128) direction made by the secretary of state (all appointments to the school or setting's official SLT)

- We will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we take a decision that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment on the individual's personnel file. This will include our evaluation of any risks and control measures put in place, and any advice sought.

Regulated activity means a person who will be:

- Responsible, on a regular basis in a school or college, for teaching, training, instructing, caring for or supervising children; or
- Carrying out paid, or unpaid, work regularly in a school or college where that work provides an opportunity for contact with children; or
- Engaging in intimate or personal care or overnight activity, even if this happens only once and regardless of whether they are supervised or not

Existing staff

Where a staff member applies for a vacancy in a TEAL setting which is not their current base, the recruiting manager will usually request a reference from the staff member's current line manager.

We will conduct annual DBS update service checks for all staff

In certain circumstances we will also carry out all the relevant checks on existing staff as if the individual was a new member of staff.

These circumstances are when:

- There are concerns about an existing member of staff's suitability to work with children; or
- An individual moves from a post that is not regulated activity to one that is; or
- There has been a break in service of 12 weeks or more

We will refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult where:

- We believe the individual has engaged in relevant conduct; or
- We believe the individual has received a caution or conviction for a relevant (automatic barring either with or without the right to make representations) offence, under the Safeguarding Vulnerable Groups Act 2006 (Prescribed Criteria and Miscellaneous Provisions) Regulations 2009; or
- We believe the 'harm test' is satisfied in respect of the individual (i.e. they may harm a child or vulnerable adult or put them at risk of harm); and
- The individual has been removed from working in regulated activity (paid or unpaid) or would have been removed if they had not left

Agency and third-party staff

Where the use of agency and/or third-party staff is necessary, Schools and Settings should endeavour to use agencies included on TEAL's preferred supplier list (PSL) wherever possible as the HR team have already verified that these agencies carry out all necessary safer recruitment checks that we would otherwise perform and meet the requirements of the STeER Framework Agreement.

Where an alternative agency or third-party organisation is used they must be a member of the STeER Framework Agreement and the school/setting must obtain written notification from that agency or third-party organisation that it has carried out the necessary safer recruitment checks that we would otherwise perform along with confirmation that the parent organisation has completed all necessary vetting checks and are satisfied with their suitability to work with children and young people.

Schools and Settings must always check that the person presenting themselves for work is the same person on whom the checks have been made.

Contractors

We will ensure that any contractor, or any employee of the contractor, who is to work at the school or setting has had the appropriate level of DBS check. This will be:

- An enhanced DBS check with barred list information for contractors engaging in regulated activity
- An enhanced DBS check, not including barred list information, for all other contractors who are not in regulated activity but whose work provides them with an opportunity for regular contact with children

We will ascertain that the parent organisation is satisfied that the DBS check contains no information which gives rise to doubt regarding their suitability to work with children and young people.

We will obtain the DBS check for self-employed contractors. The original DBS certificate should be viewed but no copies of the document should be made, we will keep a record of the fact that vetting took place, the result of the check and the recruitment decision taken.

Contractors who have not had any checks will not be allowed to work unsupervised or engage in regulated activity under any circumstances.

The identity of all contractors and their staff must be verified on arrival at the school or setting.

Trainee/Student Teachers

Where applicants for initial teacher training are salaried by us, we will ensure that all necessary checks are carried out.

Where trainee teachers are fee-funded, we will obtain written confirmation from the training provider that necessary checks have been carried out and that the trainee has been judged by the provider to be suitable to work with children.

In both cases, this includes checks to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006.

Volunteers

We will:

- Never leave an unchecked volunteer unsupervised or allow them to work in regulated activity
- Obtain an enhanced DBS check with barred list information for all volunteers who are new to working in regulated activity
- Carry out a risk assessment when deciding whether to seek an enhanced DBS check without barred list information for any volunteers not engaging in regulated activity. We will retain a record of this risk assessment
- Ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we decide that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought

Governors, Members and Trustees

All trustees, local governors and members will have an enhanced DBS check without barred list information.

They will have an enhanced DBS check with barred list information if working in regulated activity.

The chair of the board will have their DBS check countersigned by the secretary of state.

All proprietors, trustees, local governors and members will also have the following checks:

- A section 128 check (to check prohibition on participation in management under section 128 of the Education and Skills Act 2008). [Section 128 checks are only required for local governors if they have retained or been delegated any management responsibilities.]
- Verification of their Identity and Right to work in the UK
- Other checks deemed necessary if they have lived or worked outside the UK (as outlined in the new employee's section above).

12. CONFIRMATION OF OFFER

When all satisfactory vetting checks have been received, the HR team will notify the recruiting manager.

The recruiting manager should contact the successful candidate to advise that a formal offer of employment can now be made and to discuss a start date and time. The recruiting manager should inform the HR Team of the start date and the HR Team will send the preferred candidate confirmation of the formal offer and their contract of employment.

The successful candidate's recruitment, selection and vetting information will be retained in the secure HR electronic system for the duration of their employment and for 6 years following the termination of their employment

13. PROBATIONARY PERIOD

All new associate employees will be subject to a probationary period during the first four months of their employment (which may be extended up to their sixth month of employment, where appropriate). Full details of the Probationary Process can be found in the Probation Period Guidance document.

14. MONITORING COMPLIANCE WITH AND EFFECTIVENESS OF THE POLICY

Effectiveness and compliance of this policy will be monitored by the HR team, sharing information with the Executive Board and the Resources and Finance Committee.

15. REVIEW

This Policy and Procedure will be reviewed within 3 years of the date of implementation with recognised trade unions via the JCNC.