



Recruitment and Selection Policy and Procedure

Version 3.6

<p>Important: This document can only be considered valid when viewed on the Trust 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.</p>	
<p>Name and Title of Author:</p>	<p>Lisa Pipes, Director of HR</p>
<p>Name of Responsible Committee/Individual:</p>	<p>Trust Board</p>
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POLICY STATEMENT

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

- Always doing what is right
- Trusting in each other and standing shoulder to shoulder
- Doing what we know makes the difference

Doing what is right means always acting with integrity, in the interests of others and being honest, open and transparent.

The success of the Education Alliance (the 'trust') relies on recruiting and selecting the right people with appropriate skills, knowledge, qualifications, experience, abilities and competencies to meet current and future requirements. The trust endeavours to recruit and select the right people in a fair, consistent, timely and cost-effective manner in line with current legislation and statutory requirements. Safeguarding sits at the heart of the trust's recruitment and selection processes, ensuring our young learners' safety is central to our recruitment and selection processes, decisions and outcomes.

1. PURPOSE AND SCOPE

The trust is committed to equality and fair treatment in recruitment and selection and all appointments will be based on merit. The trust will ensure that recruiting managers follow this procedure, safeguarding those children and young people for whom it has a duty of care. The purpose of the Recruitment and Selection Policy and Procedure is to provide a fair, consistent and transparent framework that adheres to employment legislation and statutory requirements, enabling managers to:

- attract the best possible applicants to vacancies
- ensure that the safeguarding and welfare of children and young people sits at the heart of recruitment and selection and is robust throughout the process
- follow a fair and consistent process in recruiting and selecting employees
- adhere to all relevant legislation and statutory requirements
- ensure the most cost-effective use is made of resources
- give applicants a clear understanding of the post and what is expected of them, measuring candidates against the criteria in a fair, transparent and reasonable way
- minimise the risk of making an unsuitable appointment

The trust recognises the legal obligations it has as an employer under the Equality Act 2010, the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000, Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002, and the Human Rights Act 1998. The trust will comply with the requirements of Data Protection Legislation (being (i) the General Data Protection Regulation ((EU) 2016/679) (unless and until the GDPR is no longer directly applicable in the UK) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then (ii) any successor legislation to the GDPR or the Data Protection Act 1998, including the Data Protection Act 2018). The trust also understands its statutory obligations and the HR Department will ensure policies, procedures, processes, training and associated documentation is regularly reviewed in line with changing legal and statutory requirements. Shortlisting, assessments and selection processes will always be carried out without regard to the nine protected characteristics:

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

The trust also recognises its legal obligations in safeguarding vulnerable groups and this procedure adheres to the requirements of the Police Act 1997, the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020), the Protection of Children Act 1999, the Education Act 2002 and statutory guidance (e.g. Keeping Children Safe in Education and Disqualification under the Childcare Act 2018).

This policy applies to all job applicants and employees of the trust.

2. ROLES AND RESPONSIBILITIES

The **Trust Board** is responsible for ensuring this policy is regularly reviewed. Members and Trustees are also 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 trust.

Headteachers are responsible for ensuring this policy and procedure is implemented fairly and consistently in their schools, and **Local Governing Bodies** are responsible for monitoring the application of this policy within their respective schools. Headteachers and Governors are also responsible for ensuring managers, leaders and supervisors 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 Department** is responsible for overseeing the introduction, implementation, monitoring and review of this policy and will report to the CEO, the Trust Board and Local Governing Bodies as required. The HR Department will provide advice, guidance and support in the implementation of this policy and procedure, acting as a point of contact for managers. The HR Department will ensure that this policy is implemented fairly and consistently, whilst also ensuring that relevant employment legislation and statutory guidance is adhered to.

Managers and staff 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. 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 AND DIVERSITY

The trust is committed to:

- Promoting equality and diversity in its policies, procedures and guidelines, adhering to the Equality Act 2010.
- Delivering high quality teaching and services that meet the diverse needs of its student population and its workforce, ensuring that no individual or group is disadvantaged.

The trust is committed to providing equality of opportunity for all and ensuring that all stages of recruitment and selection are fair. Job descriptions, person specifications, advertisements and other recruitment and selection documentation must only contain objective, justifiable, non-discriminatory information. Managers should take care not to include:

- Explicit references to age or age ranges
- Language that could be perceived as age bias (such as young, mature, energetic)
- Specifications for a particular gender, race, religion or age unless it is defined as a Genuine Occupational Qualification
- Language that could be perceived as discriminatory (e.g. 'must be fit', 'able bodied', 'generally healthy', or 'able to drive')
- Qualifications that could be age bias (e.g. GCSEs) without adding 'or equivalent'

The Equality Act 2010 allows for specifications to include a requirement for a particular gender, race, sexual orientation, religion or age as long as it is defined as a Genuine Occupational Qualification. Managers must seek advice from the HR Department if they believe that a vacancy they have approval to recruit to has a genuine occupational qualification.

4. PRINCIPLES

The trust adheres to the following principles in recruitment and selection:

- All applicants will receive fair and reasonable treatment.
- The job description/person specification is an essential tool, which is used throughout the process and applied equally to all applicants.
- Recruitment decisions will be based on the assessment of how candidates match the criteria detailed in the job description/person specification (e.g. knowledge, skills, qualifications, experience, abilities and competencies).
- Selection should be carried out by a panel of at least two people, preferably three people where possible. At least one panel member must have received recruitment and selection and safer recruitment training.
- Selection should be based on a minimum of a completed application form, shortlisting and interview.
- CEO recruitment and selection will be carried out by Members and Trustees.
- All posts will normally be advertised, unless there are specific circumstances (e.g. situations requiring ring-fencing or slotting, such as people at risk and seeking suitable alternative employment via the trust's Redeployment Procedure).

- The Equality Act 2010 requires the trust to make reasonable adjustments to the recruitment process if an applicant makes us aware that they have a disability. This applies to the entire recruitment process, from advertisement to appointment and the trust is committed to meeting this requirement.

5. DOCUMENTATION

The recruitment process will be documented at each stage, resulting in a clear audit trail and transparency of decisions. All documentation relating to the recruitment process should be retained for 6 months from the date of the appointment decision by the HR Department. Documentation relating to the successful candidate will be transferred to their personal file. By keeping appropriate records, the trust can demonstrate in the event of an enquiry or complaint that appropriate procedures have been followed. Information on candidates must be treated in the strictest confidence and restricted to those directly involved in the recruitment process.

The HR Department will use appropriate ICT to manage the recruitment process and therefore vacancy and applicant data will be stored electronically and all recruitment documentation will adhere to the requirements of the Data Protection Act 2018 and the General Data Protection Regulations 2016.

6. RECRUITMENT AUTHORISATION

All recruitment requests must be approved by the Director of HR and Governance prior to a vacancy being advertised. Before any decision is made to advertise a vacancy the Headteacher must be convinced that a vacancy exists that requires filling (via the recruitment authorisation process). The recruiting manager must consider fully the need to recruit and detail their requirements in their request. The HR team will reflect this information in the Recruitment Request Form. Schools that are experiencing financial difficulties must seek approval to recruit from the Director of HR and Governance.

The recruiting manager must consider:

- Whether the post needs to be filled and how best to fill it
- Any required changes to the role and responsibilities
- Any changes to the qualifications, knowledge, skills, experience and competencies required for the role alongside the potential re-evaluation requirements
- Any foreseen/expected future changes to the job or department
- Organisation changes elsewhere in the trust alongside potential redeployees
- The need to minimise redundancy situations in line with the trust's Redundancy Policy, Organisational Change Policy and Redeployment Procedure

The recruiting manager should seek advice and support from the HR Department prior to completing the Recruitment Request Form and throughout the ensuing recruitment and selection process.

7. JOB DESCRIPTION/PERSON SPECIFICATION

The recruiting manager is responsible for describing the role and responsibilities clearly, concisely and accurately within the job description/person specification. The recruiting manager must also ensure that for associate roles the job description has been evaluated and is positioned at the correct pay point by checking with the HR Department. The HR Department will check that the job description has been evaluated, therefore if the recruiting manager has or intends to revise the job description

and/or person specification they must notify the HR Department, as revisions may impact on the job evaluation score.

The recruiting manager is responsible for ensuring the job description/person specification includes all the essential and desirable qualifications, knowledge, skills, experience and competencies required for the role, ensuring that the stipulated criteria is measurable and non-discriminatory. The manager must also propose the hours, employment status (e.g. full-time, part-time, term-time, permanent, and fixed-term) and working pattern.

When completing or checking the job description/person specification, the recruiting manager should consider how each aspect will be measured. It is vital that care is taken when writing/reviewing the job description/person specification as this is used as a baseline for the recruitment and selection process (i.e. applicant's suitability for the post is measured against this throughout the process). Care must also be taken to avoid the inclusion of unnecessary, marginal or blanket requirements as this could lead to allegations of discrimination (e.g. ability to drive may be viewed as discriminating against disabled applicants unless justifiable).

Competencies should align to the competency framework the trust uses, the trust's purpose, values, ethos and ethical leadership framework. The HR Department can provide advice and support in reviewing, applying or developing competencies.

The person specification details the knowledge, skills, expertise and competencies required for the successful delivery of the key responsibilities detailed in the job description. The recruiting panel and/or the HR Department must not shortlist a candidate that does not meet the essential criteria for the post as essential means the role cannot be delivered without that key knowledge, skill, expertise or competency. Desirable criteria help the recruiting managers differentiate between satisfactory and outstanding candidates.

The job description/person specification must be finalised before the vacancy is advertised as prospective candidates often use the advert, job description and person specification as a means of selecting or de-selecting themselves.

8. ADVERTISING

If the recruitment request is approved, the HR Department will draft an advert that includes:

- an introduction to trust and the specific school the role sits within, the ethos, values and benefits of working within the trust and the school
- the role's purpose and key responsibilities
- basic details about the post e.g. job title, salary/pay point, hours, contractual status
- the essential criteria (as stipulated on the job description/person specification) and any special working arrangements or requirements
- any additional payments, allowances or benefits as appropriate (e.g. any recruitment and retention premia or relocation assistance on offer)
- where possible, the intended date for assessment/interview (if applicable)
- a named contact for informal enquiries where possible
- details of how to apply

- the closing date for applications
- a safeguarding statement

The trust is committed to encouraging flexible working, and vacancies will contain flexibility statements wherever possible (e.g. 'up to full-time'). Vacancies will be advertised on the trust website. Vacancies will also be shared with staff via regular bulletins. The trust is committed to providing enjoyable and satisfying careers for its workforce, therefore vacancies will be advertised internally and external advertising may not always be required.

The HR Department will review recruitment requests against the redeployment register and the Yorkshire Wolds Teacher Training (YWTT) student list. Teaching vacancies will be advertised internally, providing opportunity for teaching staff to apply for other roles within the trust, and for temporary teaching staff to apply for permanent roles. Where there are vacancies which are potentially suitable for (YWTT) students, the vacancy will be advertised internally, allowing temporary staff the opportunity to apply for a permanent post, and the post will be ring-fenced, with internal temporary staff viewed as the first priority, and YWTT staff as the second priority. It is anticipated that YWTT will be shortlisted for teaching vacancies within the trust wherever possible, and assessment programmes will include an interview, student panel and lesson observation.

Internal candidates wishing to apply for a post advertised within the trust will normally be offered a preferential interview, prior to external candidates, maximising opportunities for employees who wish to widen their experience and work at other schools in the trust.

The HR Department will provide recruiting managers with advice and costs in relation to the most appropriate media for external advertising to ensure that adverts are within budget whilst ensuring that they reach the target audience. The HR Department will also check that the advert is free from discrimination in terms of its content, design and language.

9. REDEPLOYMENT

The trust is committed to retaining its workforce wherever possible. There may be occasions where staff meet the criteria for redeployment. Redeployees are encouraged to apply for suitable alternative positions and they must meet the essential criteria for the role in order to be shortlisted. The recruiting manager will be advised of any redeployees applying for their vacancies and may be required to interview a redeployee prior to other candidates. Managers should refer to the Redeployment Procedure and seek advice from the HR Department when considering a redeployee for a vacancy.

10. SECONDMENTS AND EXPRESSIONS OF INTEREST

Secondments must be authorised by the CEO/Executive Principal before such opportunities are advertised and recruited to. Adverts for secondment opportunities must explicitly state that the role is a secondment opportunity and the intended duration of the secondment. Applicants must seek approval from their line manager prior to applying for a secondment opportunity as there may be occasions where the manager is unable to support the release of one of their team members for a secondment (e.g. if their substantive role is a difficult to recruit to role).

The trust may, in exceptional circumstances, utilise an internal expression of interest recruitment process. This may be justifiable for a temporary appointment, for example, where the role is of a specialist nature or where a developmental opportunity is available internally and can be ring-fenced

for a particular group of staff. Organisational changes may also result in ring-fenced opportunities for affected staff. Managers must read the Redundancy Policy, Organisational Change Policy and Redeployment Procedure and seek advice from the HR Department.

Expressions of interest allow for a quick turnaround and remove the external element of recruitment. However, this is the only difference to the normal recruitment process as once application forms are received the normal recruitment and selection processes follow (e.g. shortlisting, interviews, assessments etc.).

11. APPLICATION & SHORTLISTING

Once a vacancy has been advertised, applicants will be able to access the relevant information and application form online. The application pack will include as a minimum:

- Application form
- Welcome letter
- Equal opportunities monitoring form
- Job description/person specification
- Summary of basic conditions of service (e.g. salary, annual leave, allowances, benefits, term-time only)
- Additional information specific to the post (e.g. organisational structure, departmental information)
- Details of the DBS processes where appropriate

All applicants must complete an application form; however, disabled applicants may submit their application in an alternative format, in liaison and agreement with the HR Department. Recruiting managers can shortlist online and shortlisted candidates can be notified online. Applications submitted online will require signing by the applicant if they are invited to an assessment process.

The HR Department may develop a long list for high volume recruitment, based on the essential criteria from the person specification. The HR Department will ensure shortlisting panel members are able to shortlist online and that they have the information, advice and support they require. All applications must be treated in the strictest confidence and restricted to those directly involved in the recruitment process.

The HR Department will ensure that the shortlisting process and outcomes align to the legal and statutory requirements. Shortlisting must be conducted initially against the essential criteria detailed in the job description/person specification that can be evidenced on the application form (e.g. qualifications/professional membership/work experience), ensuring that the information on the application form is used to assess each applicant. This must be fairly and consistently applied to all applicants. If there are too many applicants shortlisted against the essential criteria, the panel may then use the desirable criteria. If there remain too many applicants to interview, the panel should seek further advice and guidance from the HR Department. The panel must not shortlist any applicant that does not meet the essential criteria of the post.

Once shortlisting is completed, the HR Department will notify shortlisted applicants of the next steps, ensuring shortlisted candidates are aware of the need for them to bring appropriate identity evidence with them to their assessment day. The HR Department will therefore require details of the assessment process and are able to assist recruiting managers in designing an appropriate assessment process. The HR Department will discuss with disabled applicants any special requirements they may have for the interview and arrange appropriate support, advising the recruiting manager as appropriate.

The trust will normally contact candidates to thank them for their interest and confirm when they have not been shortlisted. Candidates that are not shortlisted are not normally provided with feedback; however, recruiting managers must provide candidates with opportunities to seek constructive feedback in support of their continual learning and development.

12. ASSESSMENTS

The HR Department will advise managers on the suitability and options regarding the assessment process, ensuring that it does not breach legislation, good practice or safer recruitment guidelines. As a minimum, the assessment process will include shortlisting and an interview and candidates invited to interview will be advised of the assessment process. Alongside an interview, additional assessment tools may include:

- Student or stakeholder panel
- Lesson delivery/observations
- Seen/unseen presentations
- Typing tests
- In-tray exercises
- Knowledge or technical tests
- Group work
- Ability tests (e.g. numeracy/literacy)
- Data analysis

This list should be used as a guide as it is not an exhaustive list.

The HR Department will advise 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. The HR Department will ensure that appropriately qualified, trained, experienced and knowledgeable staff will assess candidates. Students or stakeholders involved in the recruitment process will have access to training, advice and guidance and they will have clear parameters for their involvement. They will provide feedback to the recruiting panel.

The recruiting panel must prepare questions and assessments with the HR Department, advising the HR Department of the preferred schedule for the assessments. Templates for competency-based interview questions, presentation briefs, scoring sheets and assessment templates are available from the HR Department, alongside advice and guidance. A set of common questions relating to the requirements of the post will be asked of each applicant. Their response will determine whether that is followed up through further questioning. Any gaps in employment history must be explored during

the interview process. Candidates shortlisted for interview will be asked about their suitability to work with children. They will also be required to disclose and then discuss criminal convictions and/or cautions which are not protected under the amendments to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020) that may deem them unsuitable.

The HR Department will normally support the recruitment process through booking rooms, refreshments, facilities and student/stakeholder panels as required. They can also conduct a variety of assessments to enable a thorough assessment of candidates against the criteria detailed in the job description/person specification. The HR Department will send the recruitment pack to panel members, which will include:

- Job description/person specification
- Application forms
- Interview questions
- Other assessment documentation as appropriate
- Scoring sheets
- A terms and conditions sheet which details the basic employment details
- Schedule for the assessment process
- Advice regarding safeguarding, legal and statutory requirements

On the interview day, the HR Department will check the candidate's identity (including the candidate's eligibility to work in the UK), qualifications and membership of a professional body (where appropriate). The HR Department will notify the panel of any issues arising from these checks.

The interview panel must consist of at least two people, preferably three. One of them should have been involved in the shortlisting process and one of the panel members should be the person whom the post reports to. At least **one of the interviewers must have completed safer recruitment training within the last three years**. The HR Department will ensure that where required, reasonable adjustments are made for disabled candidates. If the recruiting panel has any concerns regarding a disabled candidate's ability to perform the role for which they have applied, they should seek advice from the HR Department.

All questions must relate to the job as detailed in the job description and person specification, measuring the candidate's suitability against the criteria in a fair, transparent and consistent way. The panel should remind each candidate that if they are selected as a preferred candidate, a DBS clearance will be necessary. The HR Department will send a declaration form to the preferred candidate following the assessment day, for them to complete as part of the clearance process. The declaration form covers the following considerations:

- Do you have any adult cautions (simple or conditional)?
- Do you have any unspent conditional cautions?
- Do you have any unspent convictions in a Court of Law?
- Do you have any spent convictions that are not protected as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2020?

HR Departments should remind candidates of the Ministry of Justice guidance which will assist them in answering those questions <https://www.gov.uk/government/publications/new-guidance-on-the->

[rehabilitation-of-offenders-act-1974](#). Where the candidate does have conviction information but is unclear whether they are required to disclose it to you, HR Departments should advise the candidate to complete the declarations form (Appendix 1). If the candidate is not successful, their conviction information should be destroyed in accordance with the trust's records and retention procedures.

Candidates should be advised that any offer is subject to the trust receiving satisfactory clearances, including references, identity check, qualification checks, Disclosure and Barring Check (DBS) and a pre-employment medical clearance. The interviewers must make notes throughout the interview, recording the key candidate responses. Time should be allocated at the end of each interview for scoring to take place. Each interviewer must score each question and their comments on the form should ensure that each score is justifiable and that constructive feedback can be given. The panel should complete the scoring sheet and return all documentation to the HR Department upon completion of the assessment process as it will be retained on the job file for 6 months.

13. DECISION TO APPOINT & CLEARANCES

Once all assessments have been completed, each individual panel member will total their scores and usually the candidate with the highest scores in rank order will be the preferred candidate. The Chair of the panel must discuss their preferred candidate choice with their Headteacher prior to offering a position and only when the Headteacher has agreed with their preferred choice can an offer (subject to satisfactory clearances) be made. Ultimately, the decision to appoint will be made by the Headteacher, having due regard to the views, opinions and preferences of the panel members. The Chair of the panel should discuss the offer with the preferred candidate, explaining that it is subject to satisfactory clearances. The Chair must complete the Recruitment Request Form and forward it to the HR Department at their earliest opportunity to enable clearances to be undertaken. The Chair should also discuss salary with the HR Department where there is a range or allowances on offer, prior to an offer being made. The HR Department will advise on the appropriate salary offer, and they may contact the preferred candidate to seek current salary information, to ensure their advice to the recruiting manager is sound.

The recruiting panel must also contact the unsuccessful candidates and provide them with access to constructive feedback that is honest and balanced, giving them examples of where they could develop and improve in the future. The conditional offer will be confirmed, subject to satisfactory clearances, and the HR Department will notify the recruiting manager of the progress of satisfactory clearances. Recruiting managers must not arrange for a new starter to commence until they have received confirmation from the HR Department that all clearances have been received and all are satisfactory.

The HR Department will not contact unsuccessful candidates unless the recruiting manager specifically requests this.

All offers of employment (verbal and written) are subject to satisfactory clearances:

- Receipt of at least two satisfactory written references (one of which must be their current or most recent employer)
- Verification of the applicant's identity, preferably from current photographic ID and proof of address
- Verification of the applicant's medical fitness
- Verification of qualifications where relevant

- Verification of professional status where applicable. For teachers, this will include checking that the individual has the required teaching qualification and has successfully completed any statutory induction, if required, through the Teacher Services System.
- Satisfactory enhanced DBS check
- For management positions (applicable to governors/trustees, Headteachers, members of the Senior Leadership Team and departmental heads only), verification that they are not subject to a section 128 direction by checking the Teacher Services System
- For teachers and other employees who hold QTS who are working in non-teaching roles, verification that they are not subject to a prohibition order by checking the Teacher Services System
- For teachers, satisfactory check to determine any restrictions/sanctions that have been imposed in other EEA member states, through the provision of a letter of professional standing from the professional regulating authority in the country that they qualified
- A clear children's barred list check (except supervised volunteers)
- Verification of right to work in the United Kingdom
- Any further checks where the applicant has lived or work outside of the UK including
- Childcare Disqualification Declaration (if relevant to setting)

References are normally requested prior to interview, in order to speed up the process of recruitment and selection and in line with statutory guidance. However, some candidates request that their referees are not contacted unless an offer is made. Therefore, any verbal offer must be subject to satisfactory clearances being received. There must be a minimum of two references, one of which should be the candidate's current or most recent line manager. For teaching posts this would normally be the Headteacher. References will not form part of the assessment scoring, but any concerns raised within a reference should be discussed with the HR Department and the Headteacher. Open references will not normally be accepted, therefore the reference template should be used.

The HR Department will contact the preferred candidate to arrange for them to complete the online DBS application form (unless the preferred candidate has used the update service), providing the candidate with advice and guidance in line with DBS guidance and the trust's DBS Policy.

The preferred candidate will complete their medical questionnaire and once assessed, the Occupational Health provider will contact the HR Department to confirm the outcome.

It is a criminal offence to employ someone who is subject to immigration control and who does not have current and valid permission to be in the UK. The identity check, normally undertaken on the assessment day, will include a check of the candidates' eligibility to work in the UK.

Qualifications and membership of professional bodies (where appropriate) will normally be checked on the assessment day. The HR Department will notify the panel of the outcome of these checks.

The Childcare (Disqualification) Regulations 2018 are made under section 75 of the Childcare Act 2006, and set out the circumstances in which an individual will be disqualified for the purposes of section 75 of the Act. Section 76 (2) of the 2006 Act provides that a person who is disqualified under the 2018 Regulations may not provide relevant childcare provision or be directly concerned in the management of such provision. Schools are prohibited from employing a disqualified person in connection with relevant childcare provision. The criteria for disqualification relevant to a school setting include the following:

- Inclusion on the DBS Children’s Barred List
- Being found to have committed certain violent and sexual criminal offences against children and adults, which are referred to in regulation 4 and Schedules 2 and 3 of the 2018 Regulations
- Certain orders made in relation to the care of children, which are referred to in regulation 4 and listed at Schedule 1 of the 2018 Regulations
- Refusal or cancellation of registration relating to childcare, or children’s homes, or being prohibited from private fostering, as specified in Schedule 1 of the 2018 Regulations
- Being found to have committed an offence overseas, which would constitute an offence regarding disqualification under the 2018 Regulations if it had been done in any part of the UK

Staff covered by this legislation include the following:

- Early year’s provision – staff providing care for a child up to and including reception age (including education in nursery and reception classes and/or any supervised activity such as breakfast clubs, lunchtime supervision and after school care)
- Later years provision – staff employed to work in childcare provided by the school outside school hours for children above reception age, but younger than 8 (this doesn’t include education or supervised activity above reception age during school hours, but it does include before school settings (e.g. breakfast clubs) and after school provision)
- Staff employed by childcare providers (not employed by the school) who hire or rent school facilities or premises (the trust will ensure the provider has appropriate policies and procedures in place regarding safeguarding children and the 2018 Regulations)
- The trust will ensure agencies and other providers undertake appropriate checks for staff deployed to work at the trust, including the requirement for staff to inform their employer they would be committing an offence if they are deployed to work in relevant childcare, or are directly concerned in the management of such provision, if they are disqualified under the 2018 Regulations
- The trust will ensure that self-employed contractors working in relevant childcare provision comply with the requirements of the legislation
- The trust must ensure that initial teacher training providers adhere to the legislation
- Staff directly concerned with the management of early or later year’s provision are covered by the legislation
- Volunteers and casual workers directly concerned with the management of childcare provision or who work in relevant childcare on a regular basis (supervised or unsupervised) are covered by this legislation

Staff not covered by this legislation include the following:

- Caretakers, cleaners, drivers, transport escorts, catering and office staff who are not employed to directly provide childcare, However the trust has opted to ensure **ALL** staff working within a relevant setting are subjected to the same clearance process.
- Most staff who are only occasionally deployed, and are not regularly required to work in relevant childcare are not automatically covered, therefore Headteachers will work with the Director of HR and Governance to assess the risk and thus exercise their judgement
- School governors are not covered by this legislation unless they volunteer to work in relevant childcare on a regular basis, or they are directly concerned with the day-to-day management of such provision

The trust requires preferred candidates and staff to complete a self-declaration form to capture information relation to the 2018 Regulations. Questions are relevant and limited to the requirements of the legislation (e.g. cautions or convictions for a relevant offence; where a care order is issued with respect to a child who has been in the person's care; or whether they are named on the DBS Children's Barred List). The HR Department retains a record of all staff employed to work in or manage relevant childcare, including the date on which the disqualification checks were completed, ensuring OFSTED and independent inspectorates can readily access this information.

14. CONFIRMATION OF AN OFFER OF EMPLOYMENT

When all satisfactory clearances have been received, the HR Department will notify the recruiting manager and the successful candidate to advise that clearance has been received and to discuss a start date and time. The HR Department will send the preferred candidate a contract of employment and an email will be sent to all relevant departments to ensure appropriate arrangements are in place prior to the start date (e.g. IT and induction). The HR Department will close the job file and initiate an electronic personal file. The successful candidate's recruitment, selection and clearance information will be retained in the secure HR electronic system, and successful candidates will be provided with a link to the trust's onboarding platform, which will provide candidates with information regarding the trust, its schools, benefits, policies and procedures. The onboarding platform includes practical information for new staff, including:

- CEO's welcome to the trust
- Access to the corporate induction
- Induction details
- Dress code information
- Dates for the diary (the academic school calendar)
- School site
- Trust information regarding the various schools, the vision and ethos
- Job description to be signed and returned
- Pay and benefit details
- Information about the area for new starters relocating (alongside information regarding relocation expenses or recruitment and retention premia where is it being accessed)
- Links to policies and procedures and other relevant trust and school information
- Links to statutory and mandatory training that new starters may wish to access prior to their commencement with the Trust

Managers are also encouraged to maintain contact with successful candidates, ensuring they feel welcome and a part of the team, the school and the trust, even before they start. Regular communication can dispel any worries new starters may have and it provides the manager and their new member of staff with opportunities for role clarity prior to formal commencement. It also allows the manager time before the new starter commences to begin to discuss key objectives and initial training and development needs and plans.

On the successful candidate's first day, their manager should welcome them and ensure they are fully supported in their first few days and weeks. Managers must complete the departmental induction with their new starter and associate staff will also require probationary meetings to be held, ensuring any challenges and learning and development needs are addressed in a supportive, swift and effective way (managers of associate staff must read this policy in conjunction with the trust's Induction Policy).

15. AGENCY WORKERS

Where a manager wishes to use an agency worker they must refer to the preferred supplier list of approved agencies (which the HR Department has assessed against legal and statutory requirements to ensure agencies the trust works with recruit, appoint, employ and deploy safely, appropriately and in line with legal and statutory guidelines). Managers must not approach agencies directly, but must contact either the Cover Officer or the HR Department, who will explore the manager's requirements and the options available to them prior to contacting an appropriate agency. Managers must be aware that under the Agency Workers Regulations 2010 and the Temporary Agency Work Directive 2008, agency workers have the right to equal treatment in relation to collective facilities and amenities and the same information about relevant vacancies as comparable workers from day one of their assignment. Following a 12-week qualifying period, agency workers are entitled to equal treatment in relation to basic working and employment conditions (including pay, working time and holiday). This means they are entitled to equal treatment (e.g. pay and conditions) to that of employees. This right doesn't include occupational sick pay, pension, family leave pay or redundancy pay.

16. MONITORING COMPLIANCE WITH AND EFFECTIVENESS OF THE POLICY

Effectiveness and compliance of this Policy will be monitored on an annual basis.

17. REVIEW

This Policy and Procedure will be reviewed within two years of the date of implementation with recognised trade unions via the Trade Union Forum.

Criminal record declaration form for jobs exempt from the Rehabilitation of Offenders Act

You have been asked to complete this form because the role you have applied for is exempt from the Rehabilitation of Offenders Act 1974. The information disclosed on this form will not be kept with your application form during the application process.

Policy statement on recruiting applicants with criminal records

This post is exempt from the Rehabilitation of Offenders Act 1974 and therefore applicants are required to declare:

- All unspent convictions and conditional cautions
- All spent convictions and adult cautions that are not protected (i.e. that are not filtered out) as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2020).

For further information on filtering please refer to the Ministry of Justice guidance: <https://www.gov.uk/government/publications/new-guidance-on-the-rehabilitation-of-offenders-act-1974>.

We recognise the contribution that people with criminal records can make as employees and volunteers and welcome applications from them. A person's criminal record will not, in itself, debar that person from being appointed to this post. Any information given will be treated in the strictest confidence. Suitable applicants will not be refused posts because of offences which are not relevant to, and do not place them at or make them a risk in, the role for which they are applying.

All cases will be examined on an individual basis and will take the following into consideration:

- How long ago did the conviction/caution/warning/issue occur?
- Is there a pattern of behaviour?
- What were the circumstances at the time?
- Has the subject been open and honest?
- Does the disclosure relate to the work they would be/are employed to undertake?
- What are the risks?

It is important that applicants understand that deliberate attempts to conceal the information requested in this form could result in the withdrawal of an offer of employment, disciplinary proceedings or dismissal.

