



# Safer Recruitment Policy

Approval Body:	Standards Committee
Approval Date:	June 2019
Implementation Date:	September 2019
Review Date:	September 2021
Policy Version:	3

### Version control

Version	Reviewed	Changes since last version
1	Existing	
2	May 2019	<ul style="list-style-type: none"> <li>Sections on responsibilities, dissemination, monitoring and review added</li> <li>Amendments made in response to the internal safeguarding review (June 2017), detailing the scope and recording of checks and how these are done for people other than employees</li> <li>Text updated to be consistent with new Trust-wide application form</li> <li>References to related policies added</li> </ul>
3	January 2021	<ul style="list-style-type: none"> <li>Reference to EEA member state checks has been removed - section 18 updated</li> </ul>
4	October 2021	<p>Changes have been made throughout to update the policy with all relevant changes from KCSiE (2021).</p> <ul style="list-style-type: none"> <li>There has been additional clarity added to the section about overseas checks, and the removal of the reference to a 6 months period in the past 5 years. The process will now include any relevant periods of time lived or worked outside of the UK with a risk assessment process.</li> <li>Removal of the criminal records declaration at application stage checking in line with KCSiE 2021 changes. This has been replaced with a new declaration form process which is completed at invite to interview stage.</li> <li>Added a new sentence in about the potential need to use video call technology for interviews related to COVID.</li> </ul>

*This policy has been adopted by Mulberry Schools Trust and will be applied to all schools that belong to Mulberry Schools Trust.*

## **Introduction**

1. This policy is adapted from the London Borough of Tower Hamlets model policy. It takes account of Keeping Children Safe in Education (2021). It is the recommended framework for recruitment of staff in schools, including teaching staff and support staff. It sets out the minimum standards for recruitment and selection of staff at Trust schools and it takes into account relevant legislation, including equalities legislation.
2. The policy underpins the commitment by the Trust and its schools to safeguard young people and promote their welfare. The recruitment and selection of staff is an important part of this process. All staff are expected to share in this commitment and to make every reasonable endeavour to ensure that such recruitment and selection standards are met.
3. The standards in this policy should be adhered to by Trust schools at all times when recruiting and selecting staff. They are also adhered to by a school when using external agencies / contracting workers who will have access to the school's premises as part of their role. As required by the LA's policy, they are also strongly recommended to Parkwood Leisure and Accent Catering who are also responsible for employing contractors to work on site at any of the schools.
4. This policy should be read in conjunction with:
  - each school's Child Protection and Safeguarding Policy;
  - each school's Site Security and CCTV Policy;
  - each school's Equality Policy;
  - DfE Statutory Guidance 'Keeping Children Safe in Education', September 2021;

## **Aims**

5. The aims of this policy are:
  - 1) To ensure that schools belonging to the Mulberry Schools Trust meets their statutory obligations.
  - 2) To help promote equality of opportunity and to attract and retain a workforce that reflects the community that a school serves.
  - 3) To ensure that Mulberry Schools Trust employs the best candidate for the job, regardless of race, gender, marital status, disability, religion / belief, sexual orientation, age etc.
  - 4) To ensure that Mulberry Schools Trust, when recruiting and selecting staff, deters, rejects or identifies people who might abuse children or who are unsuitable to work with young people.

### **Specific Equalities Considerations**

6. Equalities implications will inevitably be involved whenever an employment procedure is applied. Application of these recruitment and selection standards will have particular implications for the workforce and the community we serve. In order to monitor the impact of these standards on minority groups' recruitment and selection, Mulberry Schools Trust will monitor its processes and analyse recruitment by ethnicity, gender, disability, age, sexual orientation and religion/belief.
7. The Trust commits to offering appropriate training to headteachers, governors and trustees on an on-going basis, in order to avoid any disproportionate impact as a result of implementation of these standards.
8. At least one member of any recruitment panel will have received 'Safer Recruitment' training. All members of the panel will be aware of their responsibilities relating to safeguarding.

### **General Principles**

9. When recruiting and selecting employees and workers, Mulberry Schools Trust will:
  - ensure its practices and systems are transparent, objective, consistent and thorough;
  - ensure those involved in the recruitment and selection process have received appropriate training;
  - include safeguarding children issues at every stage of the procedure;
  - avoid over-reliance on DBS checks as a means of 'sifting' out candidates unsuited to working with children. (Note: only a small proportion of individuals unsuited to working with children actually have a criminal conviction);
  - constantly endeavour to raise awareness of child protection issues, and create an open and supportive climate in which such issues and concerns can be appropriately discussed and acted upon;
  - Ensure staff are aware of their responsibilities in line with 'Keeping Children Safe in Education', September 2021, DfE, and the Prevent Duty Guidance for England and Wales 2021, DfE.

### **Recruitment and selection standards**

10. The headteacher/principal in each school has responsibility for ensuring that the following standards are applied in the recruitment and selection of staff on behalf of the Trustees of the Mulberry Schools Trust. As many aspects of the process involve confidential information, the HR department in each school will oversee the administrative processes.
11. All recruitment of staff employed by a Trust school should be undertaken by the Headteacher/principal of the school, on behalf of the Trust, involving governors in interviewing as described below. For senior leadership appointments, a senior appointments panel of governors and trustees will be convened by the CEO, chaired by a trustee.

*Stage One: Recruitment Planning*

12. As soon as a vacancy arises, the following will be reviewed by the headteacher/principal:
- whether the post needs to be filled and/or whether the nature of the job has changed significantly;
  - the job description. This should clearly state the post title, grade, school, reporting lines, resources (including staff) for which the postholder is responsible. It should also include the purpose of the post, main duties and activities, as well as making it clear that the postholder will have responsibility for promoting and safeguarding the welfare of children within the school.
  - the grade/salary. A review will need to be carried out if the job description has been revised (other than in the case of minor amendments)
  - the person specification. This should set out the essential requirements for the post in terms of qualifications, skills, knowledge, experience, aptitudes, and other competences or qualities that candidates will need to demonstrate. These are the criteria against which applicants will be short-listed for the post. Applicants will be advised to address these criteria in their supporting statement. The person specification should include suitability to work with children and should make clear that candidates will be expected to demonstrate a commitment to safeguarding the welfare of children at interview.
  - the information pack for applicants. This should include the application form; job description; person specification; other essential information about the school/Trust.

*Stage Two: Recruitment*

13. Particular care needs to be taken when drawing up the recruitment advert to ensure it is attractive, clear, and communicates the right messages. Specifically, the advert will include:
- post title, and a brief description of the associated duties – including the extent of contact with, and degree of responsibility for children;
  - remuneration;
  - hours/times of work, and other key working conditions;
  - a description of the key characteristics/qualifications/skills/ experience necessary for the job;
  - details of the school and the Trust, and who to contact for further information;
  - a statement illustrating the school's and the Trust's commitment to safeguarding and the welfare of children:  
*Mulberry Schools Trust is an equal opportunities employer and we are committed to safeguarding and promoting the welfare of children. All staff require an enhanced Disclosure and Barring Service (DBS) Certificate, with a Barred List Check, before employment commences.*
14. The Trust uses a standard, trust-wide job application form which is held online in the TES recruitment management system for all its schools and will ensure that the following minimum information is obtained from candidates prior to the short-listing stage:

- full identifying details of the applicant including current and former names, current address and contact details and National Insurance number;
- details of academic/professional qualifications the applicant has obtained that are relevant to the post applied for, with details of the awarding body together with dates;
- teachers are required to provide their DfE reference number, evidence of QTS status;
- confirmation that the applicant is free to take up employment within the UK with no immigration restrictions;
- a full chronological history since leaving secondary education, including periods of training, working (including voluntary work), together with dates and an explanation for any periods not in employment, education or training, and reasons for leaving employment. Start and end dates should be provided in all instances;
- contact details for two referees (the applicant's two most recent employers). Where the applicant's current job does not involve working with children, a reference should be sought from their most recent employer where it did;
- a statement of the knowledge/skills/experience/personal qualities that the applicant is able to bring to the job, and how they feel they meet the person specification;
- A signed, dated statement from the applicant that they are not barred from teaching (if a teacher), disqualified from working with children, or subject to sanctions imposed by a regulatory body e.g. Teaching Regulation Authority.

15. Additionally:

- as curriculum vitae are not acceptable, applicants must always complete our standard application form. This will have been clearly stated in the application pack;
- applicants must be provided with an explanation that the post is exempt from the Rehabilitation of Offenders Act 1974, which means that all convictions, cautions and bind-overs (including those regarded as 'spent' for other purposes) must be declared. All shortlisted applicants who are invited to attend an interview must provide a signed statement declaring that they either have no convictions, cautions or bind-overs, or attaching details of their record (in an enclosed sealed envelope, marked confidential);
- references will not be accepted from relatives or from people writing solely in the capacity of friends. The application form informs applicants of this.
- where applicants' current or former employment involves working with children, their referees will be asked about any disciplinary offences relating to children (including those that are 'time expired'), and whether the applicant has been the subject of any child protection concerns. Where the current employment does not involve working with children, but a previous position has, then that employer will be approached for such information. The application form informs applicants of this.
- The school will seek references on short-listed candidates and may approach previous employers for information to verify particular experience or qualifications before interview. Information about formal capability proceedings which have occurred within the last two years will be requested.

- applicants must also be informed that providing false information is an offence, which could result in their application being rejected, or summary dismissal from employment with a possible referral to the police.

*Stage Three: Selection*

16. Short-listing is the first stage of the selection process. The headteacher/principal will ensure that the following standards are met.

- The short-listing panel will include a minimum of two employees, usually one at senior level and/or the headteacher/principal, governors or trustees as appropriate. Those responsible for short-listing will (except in the rarest of circumstances) also take part in the interview process. Where it is not possible for the short-listing panel to meet together, the short-listing will be conducted by one member of the panel and checked by the absent member prior to inviting candidates for interview. Where the appointment is for a senior leadership post, the short-listing will be carried out by the chair of the Trust's senior appointments panel and the headteacher / principal, as a minimum, with other governors / trustees from the panel involved where possible and appropriate.
- A standard short-listing matrix will be used for recording whether applicants met the short-listing criteria
- All applications will be scrutinised as part of the short-listing process for consistency of information, gaps in employment and any anomalies and discrepancies. Incomplete applications and curriculum vitae will not be accepted. The HR department will use a checklist to alert the people shortlisting of any concerns or queries. Any discrepancies or anomalies should be taken up and satisfactorily resolved at the shortlisting or interview stage;
- Applicants must declare if they have lived or worked outside of the UK so that the HR team can conduct a risk assessment to determine any additional checks that may be required.
- *The HR team will carry out further additional checks, as appropriate, on candidates who have lived or worked outside of the UK. Where available, these will include:*
  - *For all staff, including teaching positions: criminal records checks for overseas applicants where possible*
  - *For teaching positions: obtaining a letter of professional standing from the professional regulating authority in the country where the applicant has worked*
  - *Any additional references that may be required*
- All candidates will be assessed equally against the criteria contained in the person specification without exception or variation.
- Prior to inviting short-listed candidates for interview/testing, the headteacher/principal will ensure that DfE numbers and evidence of QTS are sought for candidates applying for teaching jobs.

17. The next stage of the selection process will normally be to conduct interviews. In this respect the headteacher/principal or her/his delegated representative will ensure that:

- no offer of appointment is made without the candidate having attended a face-to-face interview (please note that changes were made to this process due to COVID-19, it may be determined that a video call interview is appropriate due to COVID-19 requirements);
- candidates being invited for interview will be reminded of the school's commitment to safeguarding and that they will be subject to an enhanced DBS check, and they are asked to bring photo-ID to their interview;
- interviews are conducted by a minimum of two interviewers at all times, including governors/trustees as appropriate. For senior leadership appointments, a senior appointments panel will be convened by the Trust and chaired by one of the trustees;
- references have been obtained before interview (as far as possible);
- interviewers have received appropriate training;
- a core set of questions to be asked of all candidates is drawn up prior to interview, based on the person specification (these will normally be competence based);
- the interview panel agrees beforehand what additional issues specific to each candidate need to be explored at interview (these will be based on the candidate's application and references);
- candidates' attitude towards children is explored at interview, as well as whether they are able to support the school's commitment to safeguarding the welfare of children including:
  - resilience in working with challenging behaviours;
  - attitudes to use of authority and maintaining discipline;
  - motivation to work with children and young people;
  - ability to form and maintain appropriate relationships and personal boundaries with children and young people;
  - whether they wish to declare anything in light of the fact that they will be subject to an Enhanced DBS check and have applied for a post that involves working with children.
- where possible hypothetical questions are avoided and competence-based questions that ask a candidate to relate how s/he has responded to, or dealt with, an actual situation are asked.

#### *Stage Four: Pre-Appointment Checks*

18. The headteacher/principal or her/his delegated representative will ensure that all appointments are offered on a conditional basis and that (other than in the most exceptional of circumstances) new recruits do not commence work without the following checks having been satisfied:
- references obtained, scrutinised and any concerns resolved satisfactorily, including internal candidates;
  - verification of the candidate's medical fitness;
  - verification of successful completion of statutory induction period, if applicable;



and, to be recorded on the School's Central Record:

- an identity check; a barred list check;
  - an enhanced DBS check and certificate obtained;
  - a prohibition from teaching check;
  - further checks on people who have lived or worked outside the UK. This includes criminal records checks for overseas applicants and where appropriate for teaching staff obtaining a letter of professional standing from the professional regulating authority in the country in which the applicant has worked.
  - a check of professional qualifications, where required; and
  - a check to establish the person's right to work in the United Kingdom.
  - a section 128 check (for any management position)
19. The HR Department in each school will be responsible for ensuring that all of the above checks are confirmed in writing and that the checks are followed up, with reference to the HR Director if appropriate, if they are unsatisfactory or where there are discrepancies.
20. The HR Department in each school records all the required checks on the school's Single Central Record and retains the remaining checks in the individual's personnel file<sup>1</sup>. A checklist in each file confirms the completion of all checks.

*Stage Five: Post Appointment: Induction*

21. There should be an induction programme for all staff and volunteers newly appointed in the Trust, including teaching staff, regardless of previous experience. The purpose of induction is to:
- provide training and information about the Trust's policies and procedures;
  - support individuals in a way that is appropriate for the role for which they have been engaged;
  - confirm the conduct expected of teachers and support staff within the school;
  - provide opportunities for a new staff member to discuss any issues or concerns about their role or responsibilities; and
  - enable the headteacher / principal or mentor to recognise any concerns or issues about the person's ability or suitability at the outset and address them immediately.
22. The content and nature of the induction process will vary according to the role and previous experience of the new staff member but, as far as safeguarding and promoting the welfare of children is concerned, the induction programme should include information about, and written statements of:
- policies and procedures in relation to safeguarding and promoting welfare e.g. child protection and safeguarding, anti-bullying, equality, behaviour, intimate care, e-safety and any local child protection and safeguarding procedures;

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<sup>1</sup> Subject to certain restrictions in relation to DBS checks

- safe practice and the standards of conduct and behaviour expected of staff and pupils in the school;
  - the school's code of conduct;
  - how and with whom any concerns about those issues should be raised; and
  - other relevant personnel procedures e.g. disciplinary, capability, grievance and whistle blowing.
23. The programme should also include child protection training appropriate to the person's role.

#### **Trustees, governors, agency staff, volunteers, visitors, contractors and other non-employees**

24. The default position for any visitors to Trust schools is that they will be accompanied at all times. This includes contractors. Their status is indicated clearly by a red lanyard, which shows that they have not undergone the safeguarding checks required for employees. Security procedures for visitors are detailed in each school's Site Security and CCTV Policy.
25. Regular visitors to Trust schools such as trustees, governors, Local Authority Service providers and volunteers are subject to the checks required by KCSiE (2021). The HR department conducts these checks and adds them to the Single Central Record. Their status is then indicated by a green lanyard, which confirms that safeguarding checks have been completed and they may move around the school unaccompanied.
26. Agency staff, including supply teachers, and contractors who may be working in the school for longer periods are subject to a check on the vetting forms provided by their agency/ employer, DBS verification and appropriate photo ID. Procedures are detailed in each school's Site Security and CCTV Policy. Once their details have been entered on the Single Central Record, they can be issued with a green lanyard.
27. Staff employed by Parkwood Leisure Ltd to work on Mulberry School Trust sites are subject to the same pre-employment checks as Mulberry School Trusts employees. The results of these checks are recorded on a Single Central Record held at their Head Office. There is a tab on the SCR for Parkwood staff detailing ID and DBS checks. Parkwood Leisure Ltd adopt the above procedures in respect of vetting forms, photo ID and green/red lanyards for their contractors and other visitors. There is an agreed operating procedures document in place held between

#### **Responsibilities**

28. **Trustees** are responsible for safeguarding young people and promoting their welfare. They are therefore responsible for ensuring that the standards set out in statutory and non-statutory guidance on recruitment and selection of staff are set out in a policy that is upheld by all Trust staff.
29. The **Trust's Director of Human Resources** is responsible for:
- monitoring the effectiveness and impact of this policy and reporting this to Trustees;
  - in liaison with schools' Designated Safeguarding Leads, reviewing and updating this policy annually;

- ensuring members of school's HR departments are kept up to date and access training appropriate to their role;
- building consistency of recruitment and selection practice across the Trust.

30. The **Headteacher/Principal** of each school is responsible for ensuring that:

- all staff are aware of their responsibilities in line with 'Keeping Children Safe in Education', September 2021, DfE, and the Prevent Duty Guidance for England and Wales 2021, DfE;
- the standards in this policy are fully, consistently and effectively applied in the recruitment and selection of staff on behalf of the Trustees of the Mulberry Schools Trust;
- new recruits do not commence work before all the checks in this policy have been made, scrutinised and deemed satisfactory;
- Staff are appropriately trained in regard to Child Protection and Safeguarding, the Prevent Duty and Safer Recruitment.

31. The **HR department in each school** is responsible for:

- ensuring the school's safeguarding commitment is included in all advertisements, on the school's website and in other recruitment documentation;
- ensuring the job description makes reference to the responsibility for safeguarding and promoting the welfare of children;
- ensuring that the person specification includes specific reference to suitability to work with children;
- ensuring that the MST application form, the MST shortlisting grid and the MST interview schedule are used consistently;
- obtaining independent professional and character references that answer specific questions to help assess an applicant's suitability to work with children;
- verifying the successful applicant's identity;
- verifying that the successful applicant has any academic or vocational qualifications claimed;
- verifying that the successful applicant has the health and physical capacity for the job;
- the mandatory check of the Children's Barred List, an Enhanced Disclosure and Barring Service Check (DBS), a Prohibition Check for teachers and other pre-employment checks (para 18);
- ensuring that all of the above checks are confirmed in writing; that the checks are followed up if they are unsatisfactory or where there are discrepancies;
- raising any concerns with the Director of HR and/or senior leader responsible for the appointment;
- recording all new staff, and all checks, on the school's Single Central Record;

- retaining all documentation in the applicant's personnel file.

**32. Those shortlisting** are responsible for:

- setting aside sufficient time for this process so that safeguards are not skimmed or overlooked;
- scrutinising comprehensive information from applicants, and taking up and satisfactorily resolving any discrepancies or anomalies;
- checking applicants' previous employment history and experience, and satisfactorily resolving any anomalies, discrepancies or gaps;
- following up any concerns from references;
- assessing applicants equally against the criteria contained in the person specification without exception or variation.

**33. Those interviewing** are responsible for:

- ensuring one of them has completed accredited Safer Recruitment training;
- setting aside sufficient time for this process so that safeguards are not skimmed or overlooked;
- planning and conducting a face-to-face interview that explores the candidate's suitability to work with children and ability to support the school's commitment to safeguarding the welfare of children, as well as his or her suitability for the post;
- taking up and resolving any concerns or anomalies;
- assessing candidates equally against the criteria contained in the person specification without exception or variation;
- scrutinising the references to help assess the applicant's suitability to work with children

**34. The Designated Safeguarding Lead** in each school is responsible for:

- ensuring that all new members of staff have induction in the school's Child Protection and Safeguarding Policy and procedure;
- ensuring all staff are regularly updated on the school's Child Protection and Safeguarding Policy and procedure;
- maintaining records of this training;
- Contributing to the annual review and updating of this policy.
- Ensuring all references meet the safeguarding requirements

**Disseminating this policy**

35. This policy is available on Mulberry Schools Trust's website and in the policy section of the staff shared drive on each school's network.

36. The HR department in each school gives it to senior staff leading recruitment processes for the first time.

37. The Director of Human Resources ensures that all HR staff and all Senior Leaders are made aware of any updates/revisions to the policy.

**Monitoring this policy**

38. The Trust's Director of Human Resources monitors the implementation and effectiveness of this policy by:

- sampling recruitment and selection processes and documentation, including observing the processes in action;
- talking with staff involved in the processes
- reviewing records of pre-employment checks through regular audits
- monitoring each school's Single Central Record.

39. S/he takes action to improve processes as required.

**Policy review**

40. The Trust's Director of Human Resources reviews this Policy annually in the light of updated local or national guidance and his/her own monitoring evidence and in liaison with schools' Designated Safeguarding Leads.

41. S/he presents the revised Policy to the Trust's Standards Committee for approval.