Recruitment & Selection Policy

Approved by:	The Pay Committee of the Greensand MAT Trust Board
Date:	3 December 2020
Last reviewed:	October 2026
Next review due by:	October 2027

1. Introduction

This policy has been introduced to provide a framework for the efficient and effective recruitment of all categories of staff within the Greensand Multi Academy Trust ("the Trust").

The Trust values the contribution of all staff and recognises that the recruitment of appropriately skilled staff is key to the provision of a safe and successful teaching and learning environment in which children and young people can thrive.

The Trust is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to demonstrably share this commitment. Accordingly, this policy complies with the current Department for Education (DfE) guidance document 'Keeping Children Safe in Education'.

2. Scope of Policy

This policy applies to all recruitment and selection across the Trust, including:

- Central Team
- Dovers Green School
- Epsom Downs Community Primary School
- Holmesdale Community Infant School
- Horley Infant School
- Kingswood Primary School
- Milton Mount Primary School
- Reigate School
- St John's Primary School
- Wray Common Primary School
- Yattendon School

3. Aim of the Policy

This policy aims to:

- ensure that newly recruited staff possess the most appropriate blend of qualifications, experience, knowledge, skills and abilities to meet the demands of the post and the needs of the school.
- ensure a consistent and equitable approach to the appointment of all staff.
- ensure that all relevant equal opportunities legislation is adhered to and that appointees are recruited without regard to gender, gender reassignment, sexual orientation, marital or civil partnership status, colour, race, nationality, ethnic or national origins, religion or belief, age, pregnancy or maternity leave.
- ensure that the recruitment and selection process is accessible to all by giving appropriate regard to the needs of individuals with a disability, with provision of reasonable adjustments where necessary.
- ensure that all recruitment practices are compliant with DfE safeguarding guidance, with clear links to child protection policies and procedures, thereby ensuring as far as possible that all staff are suitable to work with children and young people.

4. Responsibilities

The Trust's Central HR Team will have responsibility for the administration of all recruitment within the Trust. This includes advertising vacancies, confirming interview arrangements, reference checks, pre-employment checks and drafting offer letters and contracts.

Individual schools within the Trust are responsible for determining their own staffing complement, for creating job descriptions and person specifications clearly setting out roles and responsibilities, and for the selection of all staff.

The Headteacher will have delegated responsibility for the appointment of teachers and other staff outside of the leadership group.

Once the selection panel has been agreed, the lead person, in conjunction with the panel, will be responsible for drawing up the relevant documentation and planning the selection process.

The selection panel for any position will have responsibility for ensuring that a fair, equitable and non-discriminatory process is maintained throughout the recruitment and selection process.

5. Safer Recruitment

Matters relating to child protection, safeguarding and the promotion of the welfare of children will be central to the recruitment process, starting with the planning of recruitment needs through to the selection exercise and appointment itself.

Particular measures to ensure safe recruitment practice, compliant with DfE advice, are identified throughout this policy.

The selection panel have responsibility for ensuring the implementation of these measures. The safeguarding measures noted in this policy are neither exhaustive nor intended to obviate the need to refer to the most recent DfE guidance as necessary.

6. The Planning Process

The Headteacher in conjunction with the Trust Leadership, will review the staffing requirements of the school annually and assess the short and long term recruitment needs so that, as far as possible, a planned approach to resourcing the school can be taken.

Before the start of the recruitment process, there will be a review of the requirements of the specific role. Where a job description or person specification does not exist (e.g. for new posts) then these will be drawn up by School Business Managers in conjunction with the Trust's Central HR Team for agreement by the selection panel.

Consideration should be given to the suitability of apprenticeship roles in accordance with the Trust's Apprenticeship Strategy.

Selection panel members will review job descriptions and person specifications for existing posts to determine whether the roles and responsibilities of the post need to be revised and to update the necessary qualifications, knowledge, experience, skills or abilities required by the post-holder.

As part of the planning process, selection panel members should also consider the suitability of part time and/or flexible working arrangements such as job shares.

The person specification will also be assessed to ensure that it does not unlawfully discriminate on the basis of gender, gender reassignment, sexual orientation, marital or civil partnership status, colour, race, nationality, ethnic or national origins, religion or belief, age, pregnancy or maternity leave.

The planning process must include the following safeguarding measures:

- A statement of the school's commitment to the safeguarding and promotion of the welfare of pupils will be included in both the job description and the person specification;
- The job description will clearly set out the extent of relationships and contact with pupils and the degree of responsibility for children and young people that the post-holder will have;
- All person specifications will give consideration to the need for the post-holder to be suitable to work with children and young people. Qualifications, experience, competencies and qualities needed for the role will be identified, along with an explanation of how they will be assessed during the selection process;
- All shortlisted applicants will be notified that any relevant issues arising from references will be taken up at interview.

7. Advertising

All posts

All teaching and non-teaching posts will be circulated internally across the Trust. Posts will also be advertised on the Trust's webpage and through external recruitment forums, such as eteach, TES and the local press.

In certain circumstances, a post or promotion opportunity will be ring-fenced for current staff in the first instance. Any such ring-fencing will be done in a consistent and transparent manner.

Occasionally, the decision may be taken not to advertise a post. This may occur, for example, when a similar post has recently been advertised and an appointment can be made from the subsequent interviewees, or because a temporary appointment needs to be made as soon as possible to ensure continuity within a post.

All advertisements will include:

- A statement about the school's commitment to safeguarding and promoting the welfare of children and young people, making clear that safeguarding checks will be undertaken;
- Information about the safeguarding responsibilities of the post (as per the job description and person specification);
- Whether the post is exempt from the Rehabilitation of Offenders Act 1974, subject to the filtering rules which 'protect' certain spent convictions and cautions from disclosure;
- A statement that an online check will be carried out on all candidates shortlisted for interview; and
- Reference to the requirement for the successful applicant to undertake an enhanced-level check via the Disclosure & Barring Service (DBS) (including a barred list check if the role is engaged in regulated activity).

Leadership Posts

The Executive Leadership Team will be responsible for the recruitment of Headteachers. Any vacancies at this level will normally be advertised on external recruitment websites and may additionally be advertised in a nationally printed publication.

The Executive Leadership Team will be responsible for the recruitment of Deputy Headteachers.

Individual Headteachers will be responsible for the recruitment of Assistant Headteachers.

The Trust's Finance and Operations Director and individual school Headteachers will be responsible for the appointment of School Business Managers and Operations Managers.

Where a member of the Executive Leadership has determined that there is good reason not to advertise a leadership post, the decision-making process will be clearly documented.

All advertisements will include a statement about the school's commitment to safeguarding and promoting the welfare of children and young people.

Reference will also be made to the requirement for the successful applicant to undertake an enhanced-level check via the Disclosure & Barring Service (DBS) (including a barred list check if the role is engaged in regulated activity).

8. The Application Process

All vacancies will be advertised by the Trust's Central HR Team through My New Term (and other relevant recruitment forums).

The information pack will generally consist of:

- A letter from the CEO and Headteacher;
- A job description and person specification;
- An application form, including an equality monitoring form, with details for completion;
- A copy of the school's equal opportunities policy statement;
- A copy of the school's child protection policy statement;
- A copy of the Trust's privacy statement;
- A statement of terms and conditions relating to the post (hours, salary etc.);
- Information about the recruitment process (interview dates etc.);
- Any other relevant information regarding the post and the school.

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

All applications must be made using the Trust's application form via My New Term to ensure receipt of relevant personal data, education and employment history, declaration of relationships, details of referees and a statement of personal qualities and experience. CV's will not be accepted.

The application form will include a statement that it is an offence to apply for the role if the applicant is barred from engaging in regulated activity relevant to children.

9. The Selection Process

The Selection Panel

A selection panel of at least two people will be set up prior to the shortlisting process.

All panel members will have been trained in and/or have relevant experience of recruitment and selection and interviewing.

Where a candidate is known personally to a member of the selection 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 to ensure equal treatment of candidates.

At least one member of the panel will have completed appropriate safer recruitment training.

Shortlisting

If an applicant has requested reasonable adjustments to a part of the shortlisting process to accommodate a disability, then this will be notified to the chair of the selection panel.

The shortlisting process for interview will determine those applicants who best meet the criteria for the post as outlined in the person specification. Application forms are submitted in two parts: Part 1 includes the employment history, any gaps in employment, education history, including CPD, the supporting statement and details of two referees. Part 2 includes the applicant's personal information and a declaration. Part 1 of the application form is accessible to panel members at the shortlisting stage; Part two will be accessible to panel members at the interview stage only.

As part of the Trust's commitment to create more opportunities for equality, if a disabled applicant meets the minimum criteria for the person specification, then he/she will be shortlisted for interview.

Incomplete applications will be rejected and may, at the discretion of the selection panel, be returned to the candidate for completion.

Notes will be made of any anomalies, discrepancies or gaps in employment so that these can be considered as part of the shortlisting process. Reasons for gaps in employment, repeated career changes, moves from permanent to temporary or supply teaching will also be noted for exploration and verification.

References

The Trust's Central HR team will request references for all shortlisted candidates prior to interview. The Trust will comply with the requirements of the Equality Act 2010 by not asking questions about a candidate's health or disability as part of these references prior to a job offer being made (including information relating to levels of sickness absence). Any applicants currently working in a school setting will be required to give the headteacher/principal of that school/college as one referee. References from family members or friends will not be acceptable.

All references subsequently received will be forwarded to the lead panel member who will explore any areas of concern at interview. Once a preferred candidate has been chosen following the interview process, the rest of the interview panel will be given access to the references of that person only, in order to confirm their decision.

Following a conditional job offer the lead panel member can request a second stage reference as part of the pre-employment checks.

References will be sought and obtained directly from the referee. References or testimonials provided by the applicant will not be accepted.

References will seek relevant and objective information, including information to verify the applicant's suitability to work with children and young people.

Issues of concern will be raised further with the referee and taken up with the candidate during the interview.

Where, in exceptional situations, references are not received prior to the interview, any concerns will be resolved satisfactorily prior to any unconditional offer of employment.

Other Checks Prior to Interview

Where a candidate is claiming specific qualifications or previous experience that is relevant to the job but is not verified by reference checks, these will be verified before interview so that any discrepancy can be explored at interview.

Applicants will be asked to provide details of any cautions, convictions, reprimands and final warnings that are not protected (i.e. that are not filtered out), as well as any other relevant information, prior to interview. Where shortlisted applicants have disclosed a criminal record or have proceedings pending against them, and/or have had any sanctions imposed by the Teaching Regulation Agency or the National College for Teaching and Leadership/GTC, then this will be followed up at interview as necessary. In certain cases, it may be necessary to have a discussion with the applicant prior to the interview.

In addition, as part of the shortlisting process, in line with the statutory guidance document Keeping Children Safe in Education (2022), the Trust will conduct online searches after the shortlisting process for any candidates who accept an invitation to interview.

The purpose of the online search is to uncover any information that may suggest the candidate is:

- a potential safeguarding risk;
- their appointment may damage the reputation of the school; or
- they are unqualified for the role they have applied for.

No recruitment decision will be made solely on the basis of an online search and all relevant information uncovered will be discussed with the applicant at interview.

All online searches will be conducted by individuals who are not involved in any other aspect of the recruitment process.

No irrelevant information uncovered will be provided to the staff interviewing the candidate. All candidates will be treated consistently. The same online search for all shortlisted candidates will be undertaken consisting of (adapt searches suggested below as necessary for your school):

- A Google search of the candidate's name linked to their current employer, previous employer, educational institutions attended, previous job titles and news articles.
- A search of LinkedIn, Twitter, Facebook, Instagram reviewing posts made over the past 10 years.

The Interview and Selection Process

Prior to the interview and selection process candidates will be given any relevant information, e.g. details of any selection methods that will be used. Candidates who have a disability or any other particular needs will be given the opportunity to highlight this prior to any selection activities taking place in order that reasonable adjustments may be made to the recruitment process if required.

Whilst an interview is always likely to be used as the primary feature of the selection process, the selection panel will consider whether any additional selection methods are required to supplement the interview. These may include presentations, teaching observation, interaction with pupils, in-tray exercises, psychometric, verbal or numerical tests, according to the requirements of the role. Any psychometric tests used will have been validated in relation to the job, be free of bias, and be administered and validated only by a suitably trained person.

Whichever methods are chosen, the panel will use these to assess the merits of each candidate against the person specification and explore their suitability to work with children and young people. The selection panel will ensure that all candidates are asked the same core questions at interview based on the list of essential criteria for the post, although supplementary questions may differ according to the candidates' answers and backgrounds.

Particular care will be taken to ensure that no questions or selection methods could be viewed as discriminatory.

Invitations for interview will be issued by the Trust's Central HR Team and will require candidates to bring with them documentation to verify their ID, i.e. passport, driving licence, birth certificate, etc. These must be checked by the school at interview. A copy of the successful candidate's ID should be scanned to the Trust's Central HR Team.

Candidates will be instructed to bring with them to interview any relevant documentation that will confirm education and professional qualifications. Copies of all documents will be kept on file for successful candidates.

In addition to assessing the candidate's suitability for the post, the panel will assess the candidate's attitude toward children and young people and his/her ability to support the school's safeguarding agenda and promote the welfare of children. Gaps in employment history and concerns or discrepancies in the application form and references will also be explored.

10. Job Offers to Successful Candidates

Job Offers

The successful candidate(s) will normally be offered the post verbally by the lead panel member. The Trust's Central HR Team will be responsible for drafting the successful candidates offer letter(s). A written offer of appointment will include any terms upon which the offer is made conditionally, e.g. satisfactory completion of an occupational health questionnaire, provision of appropriate documentation to verify entitlement to work in the UK and other relevant details.

Conditions of Appointment

Any offer of employment at the school will be conditional upon:

- The receipt of at least two satisfactory references, if not already received;
- Verification of the appointee's identity, if not verified following interview;
- A satisfactory Enhanced DBS Check (including a check of the Children's Barred List if applicable);
- A criminal records check for overseas applicants;
- Verification of the appointee's right to work in the UK (including a photocopy of the original evidence provided);
- Verification of the appointee's medical fitness to undertake the role;
- Verification of the appointee's qualifications, if not verified following interview.

Where it is a requirement of the post, the offer will also be conditional upon:

- Verification of professional status, e.g. QTS/QTLS status, successful completion of statutory induction etc.;
- A completed declaration form to confirm the appointee is not restricted in the work they may perform under childcare disqualification regulations;
- Verification that the appointee is not subject to a section 128 direction by the Secretary of State;
- Obtaining a letter of professional standing from the professional regulating authority in the country in which the applicant has worked;
- Satisfactory completion of a probationary period.

If the successful candidate has lived or worked outside the UK, the offer of employment will also be conditional on such additional checks in accordance with the Trust's DBS Policy and Procedure.

If any of the following circumstances come to light during the vetting process, the facts will be reported to the Disclosure and Barring Service (DBS) and/or the police, as appropriate:

- Candidates are found to be on the Children's Barred List, or the DBS check shows that the candidate has been disqualified from working with children;
- An applicant has provided false information in, or in support of, his/her application;
- There are serious concerns about an applicant's suitability to work with children.

11. Appointment and Promotion of Existing Staff

The Trust values the contribution of all staff within the Trust community and seeks to retain key skills. The Trust will support, as far as possible, the continued professional development of all staff as they seek promotion to new opportunities both within the Trust and elsewhere. All members of staff are therefore encouraged to consider their suitability for any vacancies that arise in any of the schools within the Trust. Where a member of staff applies for a vacant post, they will be given equal consideration alongside external candidates, based on the essential criteria for the post.

12. Use of Fixed Term and Temporary Contracts

Where it is determined that posts are only of a short-term nature, this will be clearly specified in the job description and on any advertising literature. Posts will only be advertised on a temporary or fixed-term basis for genuine reasons. Most temporary or fixed-term contracts will come to a natural end. Where, however, a fixed duration contract expires and the need for the post remains for a further definite period, then the post-holder will usually be given an extension to their fixed period contract.

Where the need for a temporary or fixed-term post becomes a permanent one, there will be no automatic entitlement for the temporary post-holder to be offered the permanent contract. It will be for the school Headteacher to consider the most appropriate recruitment process in the circumstances. This could include, for example, consideration of the original reason for the post initially being temporary, any subsequent changes to the needs of the school and the original recruitment process that was undertaken. When recruiting workers who operate through their own personal service company, schools will need to give consideration to the off-payroll working rules (formally IR35) to ensure they pay the same amount of tax and national insurance as they would if they were employed. The Trust's Central HR Team should be contacted in these circumstances.

13. Use of Supply Staff, Volunteers and Contractors

The Trust's workforce is made up of a rich variety of professional and highly skilled and committed people, not all of whom are paid employees. The Trust values the diversity that this brings to its community as it strives to provide a safe environment and improve the standards of teaching and learning for all children and young people. To ensure the continued high standards of contributions, we will:

- Use, as our preferred sources of supply staff, agencies that operate to high-quality standards, particularly in terms of recruitment checks and legislative compliance;
- With appropriate adjustment, adopt similar recruitment measures for contractors as for employees, and for volunteers as for paid staff.

Volunteers

Volunteers who are engaged in regulated activity will be required to obtain an Enhanced DBS with Child Barred List check.

Schools will conduct a risk assessment and use their professional judgement and experience when determining the suitability of volunteers and the level of checks required.

The risk assessment will take into account:

- The nature of the volunteer role and the level of contact with children;
- Whether the role meets the definition of regulated activity;
- The frequency and duration of the volunteer's involvement;
- What the school knows about the volunteer, including any formal or informal references from staff, parents, or other volunteers;
- Any other paid or voluntary roles undertaken by the volunteer.

Where the voluntary role does not constitute regulated activity, the school will consider whether a different level of DBS check is appropriate, such as:

- An Enhanced DBS check without Barred List information for volunteers who have regular contact with children but are not undertaking regulated activity;
- A Basic DBS check for volunteers whose access to children is more limited.

Supply Staff

From September 2026, the Trust will have due regard to the Government Commercial Agency (GCA) RM6376 Supply Teachers and Education Recruitment framework to procure temporary supply staff, unless an alternative route is fully compliant with the Procurement Act 2023 and matches or beats framework value. Lot 1 arrangements (direct engagement with individual pre-approved agencies) are coordinated by the Trust's Central Team.

Contractors

A preferred list of suppliers is available from the Trust's Estates and Contracts Manager.

The Trust recognises that contractors may undertake work on Trust premises and may have access to children whilst carrying out their duties. The Trust will take proportionate steps to ensure that such individuals do not pose a safeguarding risk to children.

Prior to engaging a contractor, the Trust will obtain assurance from the contractor's employer that appropriate recruitment and vetting checks have been completed in accordance with statutory guidance and relevant legislation. This may include confirmation of identity, right to work, qualifications where appropriate, and criminal record checks.

The level of safeguarding checks required will be determined by the nature of the work being undertaken and the degree of contact the individual is likely to have with children.

Contractors engaged in regulated activity with children must have an Enhanced DBS with Barred List check prior to commencing work.

Contractors not engaged in regulated activity, but whose work provides an opportunity for regular contact with children, may be required to hold an Enhanced DBS Certificate. The Trust will undertake a risk assessment to determine whether this is necessary.

For contractors carrying out ad hoc, emergency or short-term work, such as maintenance, repair or delivery personnel, who are not expected to have unsupervised access to children, a DBS check will not normally be required. Appropriate safeguards will be implemented, which may include:

- signing in and out of the site;
- wearing a visitor identification badge;
- being accompanied by a member of staff where appropriate;
- restricting access to areas where children are present;
- ensuring works are undertaken outside of school hours where practicable.

Where contractors will work regularly on site, Schools will determine whether supervision alone is sufficient or whether additional safeguarding measures and checks are required following a risk assessment.

Schools will maintain clear records of assurances obtained from contractors and external organisations regarding safeguarding checks. Evidence may include written confirmation from the employer, contractual arrangements, or other appropriate documentation.

All contractors and visitors are expected to comply with the Trust's safeguarding procedures, visitor protocols, codes of conduct and health and safety requirements whilst on Trust premises. Any safeguarding concerns arising during a contractor's engagement must be reported immediately in accordance with the Trust's safeguarding procedures.

14. Employment of Migrant Workers

The Trust will not employ, as a member of staff, any individual who cannot demonstrate that he/she has the right to work in the UK, regardless of the individual’s colour or apparent race, nationality or ethnic origins. Any employee who has restricted right to work in the UK will be required to provide ongoing evidence of that right during employment.

The Trust does not currently hold a sponsorship license.

15. Rehabilitation of Offenders Disclosure

We will not unfairly discriminate against any applicant for employment on the basis of conviction or other details revealed. We make appointment decisions on the basis of merit and ability. If a candidate has a criminal record this will not automatically debar them from employment within the Trust. Instead, each case will be decided on its merits in accordance with the objective assessment criteria.

In view of the fact that all positions within the Trust will amount to "regulated positions", all shortlisted candidates for employment must declare all unspent convictions and cautions and all spent convictions and adult cautions (except those which are “protected” as defined in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013 and amended in 2020). A failure to disclose a conviction or caution which you are required to disclose may lead to an application being rejected or, if the failure is discovered after employment has started, may lead to summary dismissal on the grounds of gross misconduct. A failure to disclose a previous conviction may also amount to a criminal offence.
Under the relevant legislation, it is unlawful for us to employ anyone who is included on the lists, maintained by the DfE and the Department of Health, of individuals who are considered unsuitable to work with children. In addition, it will also be unlawful for us to employ anyone who is the subject of a disqualifying

order made on being convicted or charged with the following offences against children: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence.

It is a criminal offence for any person who is disqualified from working with children to attempt to apply for a position within the Trust, if:

- we receive an application from a disqualified person;
- is provided with false information in, or in support of an applicant's application; or
- we have serious concerns about an applicant's suitability to work with children,

we will report the matter to the Police, DBS and/or the DfE.

Please refer to our Recruitment of Applicants with a Criminal Records Guidance in **Appendix 1** for further details about our obligations regarding the fair evaluation of any information disclosed.

15. Monitoring

The Trust is mindful of its commitment to best practice in recruitment and its obligations under both the Equality Act 2010 and DfE safer recruitment guidance and will ensure regular monitoring of all recruitment activity. This will be undertaken with a view to improving future recruitment practices and thereby achieving the aims of this policy. The results of this monitoring and any recommended actions will be reported to the Trust's governing body on an annual basis.

16. Data Protection

Records relating to recruitment and selection activities will remain confidential and accessible only to those who require information either, as part of the recruitment decision-making process, or for the administration of the process (including monitoring activities for the purposes of this policy or equality policies). Records relating to successful candidates will be placed in personnel files. Records for unsuccessful candidates will be retained in a secure place for a period of six months, after which time they will be securely destroyed. Inappropriate access or disclosure of recruitment data constitutes a data breach and should be reported in accordance with the school's data protection policy. It may also constitute a disciplinary offence, which will be dealt with under the school's disciplinary procedure.

17. Status of Policy and Review

The content and operation of this policy is reviewed as and when deemed necessary by the Trust. The policy is discretionary and does not confer any contractual rights.

Appendix 1. Recruitment of Candidates with a Criminal Record

We welcome applications from a wide range of applicants. Having a criminal record will not necessarily prevent you from working for the Trust. We will take into account the circumstances and background of any offence(s) and whether it or they are relevant to the position in question, balancing the rights and interests of the individual, our employees, pupils/parents, school community, third parties and the public.

We will treat all applicants, employees, staff and volunteers fairly but reserve the right to withdraw an offer of employment if you do not disclose relevant information, or if an Enhanced DBS check reveals information which we reasonably believe would make you unsuitable for the role.

We are committed to providing equality of opportunity to all and aim to select people for employment on the basis of their individual skills, abilities, experience, knowledge and, where appropriate, qualifications and training.

Certain criminal convictions as defined in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, prohibit those individuals from attempting to engage in regulated activity involving children. We therefore ask candidates about whether they have any criminal convictions that would prevent them from fulfilling their role. This is to ensure the candidate is suitable to work for us. We are also required to carry out a DBS check in order to determine your suitability for the role.

The safeguarding of children is of paramount importance to us and consideration of any unspent conviction or caution or spent conviction or adult caution (except those which are “protected” as defined in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013 and amended in 2020) is an essential and non-negotiable part of the pre-employment check process. We will, however, consider any person with a criminal record for employment on a case-by-case basis.

Rehabilitation of Offenders Disclosure

In view of the fact that all positions within the Trust will amount to "regulated positions", all applicants for employment must declare all unspent convictions and cautions and all spent convictions and adult cautions (except those which are “protected” as defined in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013 and amended in 2020).

We therefore ask shortlisted job applicants to disclose all cautions or convictions but will not ask job applicants questions about criminal history that would be filtered or protected, nor expect them to disclose any protected convictions or cautions.

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

A failure to disclose an unspent conviction or caution or a spent conviction or adult caution (that is not “protected”) may lead to an application being rejected, an offer of employment being withdrawn or, if the failure is discovered after employment has started, may lead to summary dismissal on the grounds of gross misconduct. A failure to disclose a previous conviction may also amount to a criminal offence.

Under the relevant legislation, it is unlawful for us to employ anyone who is included on the lists, maintained by the DfE and the Department of Health, of individuals who are considered unsuitable to work with children. In addition, it will also be unlawful for us to employ anyone who is the subject of a disqualifying order made on being convicted or charged with the following offences against: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence.

It is a criminal offence for any person who is disqualified from working with children to attempt to apply for a position within the Trust. If we:

- receive an application from a person who is barred from engaging in regulated activity with children;
- are provided with false information in, or in support of, an applicant’s application; or

- have serious concerns about an applicant's suitability to work with children,

we will report the matter to the Police, DBS and/or the DfE.

Recruitment of Applicants with a Criminal Record

Once we have chosen a successful candidate, we will make a conditional offer of employment; whereby receipt of a satisfactory Enhanced DBS check, (including the Child Barred List where applicable to the role) will be required.

Where the individual is a member of the DBS update service in the relevant workforce and at the required level, we will, with the individual's permission, carry out a status check on any current certificate.

Assessment Criteria

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, we will ensure an open and fair discussion takes place and consider the following factors before reaching a final recruitment decision:

- whether the applicant accepted responsibility for their actions.
- whether the conviction or other matter revealed is relevant to the position in question;
- the seriousness of any offence or other matter revealed;
- the length of time since the offence or other matter occurred;
- whether the applicant has a pattern of offending behaviour or other relevant matters;
- whether the applicant's circumstances have changed since the offending behaviour or other relevant matters; and
- the circumstances surrounding the offence and the explanation(s) offered by the convicted person.
- the incident in the context of the Teachers' standards and Teacher misconduct guidance, if applicable.

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

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

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

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

Assessment Procedure

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, we will carry out a risk assessment by reference to the criteria set out above. The assessment form must be signed by the Headteacher before a position is offered.

In the event the Trust does not appoint an applicant as a result of the relevant information disclosed, this decision will be clearly documented.

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

Retention and Security of Disclosure Information

We are committed to ensuring that all information provided about an individual's criminal record, including any information released in disclosures, is used fairly, and stored and handled appropriately and in accordance with the provisions of relevant data protection legislation. Data held on file about an individual's criminal convictions will be held only as long as it is required for employment and/or safeguarding purposes and will not be disclosed to any unauthorised person.

Our policy is to observe the guidance issued or supported by the DBS on the use of disclosure information.

In particular, we will:

- store disclosure information and other confidential documents issued by the DBS in locked, non-portable storage containers, access to which will be restricted to members of the Senior Leadership Team and the School Business Manager/Operations Manager;
- not retain disclosure information or any associated correspondence for longer than is necessary. In most cases, we will not retain such information for longer than 6 months although we will keep a record of the date of a disclosure, the name of the subject, the type of disclosure, the position in question, the unique number issued by the DBS and the recruitment decision taken;
- ensure that any disclosure information is destroyed by suitably secure means such as shredding; and
- prohibit the photocopying or scanning of any disclosure information.