



Safer Recruitment Policy

CONTENTS

Document control	3
Document title	3
Author	3
Version number	3
Date approved	3
Date of review	3
Revision History	3
1. Introduction	4
2. Purpose, scope and principles	4
2.1. Purpose	4
2.2. Scope	5
2.3. Principles	5
3. Equal opportunities	6
3.1. Discrimination against applicants	6
3.2. Types of discrimination	6
3.3. Liability for discrimination	7
3.4. Dealing with complaints	7
3.5. Burden of proof	7
3.6. Genuine Occupational Requirements (GOR)	8
4. Pre-recruitment process	8
5. Advertising posts	9
6. Application form	9
7. Job description and person specification	10
7.1. Job description	10
7.2. Person specification	11
8. References	11
9. Shortlisting	12
10. Invitation to interview	13
11. The selection process	13

11.1.	Interview panel.....	13
11.2.	Selection process	13
12.	Pre-employment checks	14
12.1.	DBS checks	16
12.1.1.	DBS update service	17
12.2.	Teacher Prohibition Checks	17
12.3.	Section 128 Direction checks	18
12.4.	Overseas checks.....	19
12.5.	Qualifications from overseas.....	20
13.	Skilled worker visa.....	20
14.	Induction.....	21
15.	Agency and third party staff (supply staff)	22
16.	Peripatetic staff	22
17.	Self employed staff	23
18.	Volunteers.....	23
19.	Recruitment of apprentices	24
20.	Redeployment	24
21.	Initial teacher training (ITT, Teach First and SChool Direct).....	25
22.	Single Central Record (SCR)	25
23.	Monitoring and review.....	26
	Appendix 1 – Delta Academies Trust recruitment process	27
	Appendix 2 – Delta Interview template and scoring matrix	32

DOCUMENT CONTROL

Document title

HR04 – Safer Recruitment Policy

Author

Helen Ruddle, Director of HR

Version number

6

Date approved

January 2022

Date of review

Summer 2024

Revision History

REVISION	DATE	AUTHOR	NOTES
1	19/05/2014	Laura Edwards	New policy
2	01/05/2019	Helen Ruddle	Reviewed and consultation with the JNC policy committee
3	26/07/2019	Helen Ruddle	Updated section 5 regarding use of EOI
4	02/12/2020	Helen Ruddle	Updated policy to reflect the UK leaving the EU
5	01/01/2021	Helen Ruddle	Updated policy to reflect changes in criminal checking process and issue of self-declaration form to shortlisted candidates to be completed and returned prior to interview
6	01/12/2021	Helen Ruddle	Updated policy to reflect subtle changes in KCSIE 2021 and consultation with JNC

1. INTRODUCTION

Delta Academies Trust has at its core a commitment to deliver outstanding education across its academies and as such the Trust wants to ensure the best people are recruited. When making recruitment decisions, the Trust ensures the children, young people and any adults at risk across the Trust are safeguarded from harm by:

- Making sure the Trust/Academy's commitment to safeguarding children and vulnerable people is strongly promoted in order to deter unsuitable people.
- Having robust safeguards in place throughout the recruitment process to flag up candidates who may be unsuitable to work with children and vulnerable people and reject them.
- Take up references and complete all relevant pre-employment checks for shortlisted candidates to prevent unsuitable people from being appointed; and
- Monitor new employees during the induction period to observe their behaviours and attitudes and following induction, implement an appropriate system of supervision and appraisal.

Relevant legislation and guidance

- Keeping children safe in education (DfE 2021)
- Safeguarding Vulnerable Groups Act 2006
- Education (Health Standards) (England) Regulations 2003
- Education Act 2002
- Equality Act 2010
- Protection of Freedoms Act 2012
- DBS Code of Practice (amended 2016)
- Rehabilitation of Offenders Act 1974 (exceptions order 1975) (as amended 2013 & 2020)
- UK General Data Protection Regulations (UK GDPR) 2018

2. PURPOSE, SCOPE AND PRINCIPLES

2.1. Purpose

The purpose of this Safer Recruitment Policy is to set out the Delta Academies Trust recruitment process. Delta's recruitment processes aim to:

- Recruit and develop outstanding practitioners.

- Ensure that the recruitment of both permanent and fixed-term staff (including voluntary) is conducted in a fair, effective and efficient manner.
- Ensure that all relevant equalities legislation is adhered to.
- Ensure that staff deal professionally with both external and internal candidates at all stages of the process.

2.2. Scope

This Safer Recruitment Policy applies to all employees and members of the Academy Advisory Bodies (AAB) throughout Delta including the Core Team, who are responsible for and involved in the recruitment and selection of all staff.

All Principal posts must be agreed by the Chief Executive Officer and the Executive Leadership Team (ELT) before any formal recruitment process commences as the ultimate responsibility for the appointment of a Principal lies with the CEO of Delta Academies Trust. When the appointment of Vice Principal and Assistant Principals is required, the CEO must be formally advised of this requirement.

Any recruitment requests for **new posts, additional posts or replacement posts** must be approved by ELT after submission on the relevant approval form (ELT vacancy request spreadsheet) via recruitment@deltatrust.org.uk. Please see **Appendix 1** for the Delta Recruitment Process overview.

2.3. Principles

The following principles are encompassed in this policy:

- All applicants will receive fair treatment and a high quality service.
- The job description and person specification are essential tools and will be used throughout the process.
- Employees will be recruited on the knowledge, experience and skills needed for the job.
- Selection will be carried out by a panel with at least two members. At least one panel member will have received Safer Recruitment training on the recruitment and selection process as recommended by the Department for Education (DfE).
- Appointment will be based on a minimum of a completed application form, short listing and interview, and receipt of at least two suitable references.
- Monitoring and Evaluation are essential for assessing the effectiveness of the process.

- Internal opportunities within the same academy/core department and temp to perm posts will be advertised for a minimum of 48 hours.
- All external opportunities will be advertised for a minimum of 7 calendar days.
- The Equality Act (2010) makes it a requirement to make reasonable adjustments to the recruitment process if an applicant makes the employer aware that they have a disability. This applies to the entire recruitment process, from advertisement to appointment.

3. EQUAL OPPORTUNITIES

Delta is committed to providing equality of opportunity for all applicants, ensuring that at all stages of recruitment and selection are fair. Recruitment and Selection procedures will be reviewed on a regular basis to ensure that applicants are not discriminated against on the grounds of any protected characteristic (Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex, Sexual Orientation). Delta acknowledges that unfair discrimination can arise on occasion and therefore will ensure that the equalities legislation is the foundation for all its activities.

There is a significant body of employment legislation which impacts on the Delta Recruitment and Selection process. This includes The Equality Act 2010.

3.1. Discrimination against applicants

An applicant can allege discrimination against an employer even though there is no direct employment relationship. This is particularly pertinent in the recruitment process whereby a potential applicant, applicant, or selected candidate may claim discrimination on the grounds of a protected characteristic (Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex, Sexual Orientation). All actions and documents involved in the process must be free of any criteria that could be interpreted as being discriminatory within the terms of legislation.

For more information, please refer to the Delta Equality and Diversity Policy which is available via the online Every system.

3.2. Types of discrimination

Direct Discrimination occurs when someone is treated less favourably than others would be treated in the same, or similar, circumstances on the grounds of a protected

characteristic as outlined in The Equality Act 2010 (Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex, Sexual Orientation).

Indirect Discrimination occurs when a requirement or condition is applied which has a disproportionately adverse effect on a group of people on the grounds of a protected characteristic as outlined in The Equality Act 2010 (Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex, Sexual Orientation). Examples include:

- Insistence on British qualifications without consideration of equivalents may disadvantage those born in another country.
- A requirement that candidates must have 10 years continuous employment/service would exclude more women than men due to the likelihood of women taking time away from work to raise a family.

3.3. Liability for discrimination

Liability for unlawful discrimination rests with the employer and/or any workers who are found to have discriminated. For example, anyone participating in the recruitment process, including panel members, could be liable if an allegation of discrimination is proven.

NB: Applicants have up to 3 months, following the recruitment process, to make a complaint.

The fact that a person may not have intended to discriminate against someone is irrelevant and would not constitute a defence.

3.4. Dealing with complaints

If a complaint is received by the Trust it should be dealt with in line with the Trust's Complaints Procedure (available on the Academy website). Advice can be sought by Academies from the relevant HR Adviser. It is important to bear in mind that a complaint of discrimination may lead to a claim against an individual, the process or a claim to an employment tribunal and should the employment tribunal decide that the complaint is well founded, damages may be awarded against the employer.

In cases of discrimination the amount awarded is unlimited.

3.5. Burden of proof

It is important to note that if a complainant establishes facts that they were treated less favourably on the grounds of Age, Disability, Gender Reassignment, Marriage and

Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex, Sexual Orientation, the employer will have to prove that the difference in treatment was not due in any way to unlawful discrimination. If the employer cannot do this, the employment tribunal will uphold the claim.

3.6. Genuine Occupational Requirements (GOR)

As a general rule it is unlawful to specify that you require somebody of a particular sex or race, however, in exceptional circumstances there may be a genuine occupational requirement (GOR) for the position. Such requirements are acceptable in instances, for example:

- Where the job needs to be held by a man or woman to preserve privacy and decency.
- Where the essential nature of the job calls for a man or woman by reason of his or her physiology.
- Where being of a particular racial group is a genuine occupational qualification e.g., providing care/welfare services to a racial group and those services can be best provided by a member of that racial group.
- The religious character of the school.

In the event of the GOR rule applying, this must be stated on the advertisement and job details.

GORs are always open to challenge and if an employer is challenged, the burden of proof lies with the employer to show that a GOR applies to the job at issue. But it is only an Employment Tribunal who can give an authoritative ruling as to whether or not a GOR is valid.

Advice should be sought from the Delta Recruitment Team before proceeding with any plans to advertise a post using the GOR provisions and must have prior approval from ELT.

4. PRE-RECRUITMENT PROCESS

The objective of the recruitment process is to attract, select and retain staff who will successfully and positively contribute to the future development of the academy. The first experience an individual has is important, therefore all those responsible for recruiting will endeavour to:

- Engage professionally and positively with all applicants.
- Ensure applicants are provided with a clear outline of the post and what is expected of them.
- Ensure the process provides a high quality of candidates.

5. ADVERTISING POSTS

Advertisements for posts whether in newspapers, journals or online will include information on DBS requirements based around the following statement:

“The Trust is committed to safeguarding the welfare of its students and the successful applicant will be subject to an enhanced Disclosure and Barring Service certificate and checks of the relevant barred list / prohibition lists”.

6. APPLICATION FORM

All applications should be completed electronically through the Trust's recruitment website where possible. Information for those who cannot complete an application through the recruitment website can be found on the website. A standard Delta application submission will be used to obtain a common set of core data for all applicants.

All prospective applicants must complete, in full, an application and submit it electronically through the Trust recruitment website. CVs alone will not be accepted either electronically or by post as they present only the information the candidate wants to be seen and can omit important details. CVs also make it difficult to compare candidates because they are all individual in both content and layout.

The application contains the following:

- A section to fully identify the individual concerned.
- A full employment history plus qualifications obtained with dates and awarding bodies.
- A section asking applicants to state how they meet the criteria from your person specification (with examples);
- The names and contact details of at least two referees (and a statement to the effect that referees will be asked about whether the applicant has been the subject of any safeguarding concerns).

Where posts are advertised for internal applicant's only, existing employees will still need to submit their application for the post via the Trust recruitment website to ensure that all required information is completed and in the standard format and all appropriate pre-employment checks can be completed as normal.

Where agency staff wish to apply for roles within the Trust, they must follow the standard process outlined above and submit an application via the Trust's recruitment website, ensuring all pre-employment checks are completed prior to appointment with the Trust.

7. JOB DESCRIPTION AND PERSON SPECIFICATION

7.1. Job description

An accurate job description is required for all posts. Before any post is advertised, an up-to-date job description should be prepared. It should describe fully and in plain, non-discriminatory language, the responsibilities and duties of the post.

A job description should include:

- The job title.
- The title of the person they will report to.
- The titles of staff who will report to the post-holder.
- The purpose of the job.
- The main duties and responsibilities.
- The salary grade/range.
- The postholder's individual responsibility to safeguard and promote the well-being of children and young people in their care.
- Where a post is in regulated activity, this must be stated in the job description.
- If the post falls within the Childcare Regulations, this will be stated in the job description.

This will be based on the needs of the Academy and include a review of any previous job description in place for the post. This process will then be validated by the following people:

- The HR Manager / Director of HR.
- The relevant member of the Executive Leadership Team.

A range of Job descriptions for support staff, which meet thorough Equal Pay criteria, are available from the Recruitment Team.

7.2. Person specification

A person specification is required for all posts and should be prepared alongside the job description.

A Person Specification should include:

- The knowledge, skills, experience and qualifications, and any other requirements needed to perform the role in relation to working with children and young people and whether they are essential or desirable specifications.
- The competences and qualities that the successful candidate should be able to demonstrate.
- Detail the method of assessment, for example, application form, test, or interview.

Care should be taken to ensure that the person specification is free of any criteria that could be interpreted as being discriminatory such as age limits, physical requirements etc.

An up-to-date person specification is an essential feature of the recruitment process and should be produced for all vacancies. It is essential in enabling a shortlist of applicants to be drawn up and a final selection to be made, based on fair, equitable and consistently applied criteria. It will ensure, as far as possible, that the right person is appointed to the position.

8. REFERENCES

The purpose of seeking references is to obtain objective and factual information to support appointment decisions. They will always be sought and obtained directly from the referee and preferably from a senior person with appropriate authority, not just a colleague.

References will be requested via the Trust's recruitment website following the applicant being shortlisted and providing the applicant has given permission to do so prior to an offer of employment being made. Where the applicant has not given consent, reference requests will be automatically triggered following an offer of employment being made and accepted.

Open references will not be relied upon. References will only be accepted from legitimate email addresses.

References will be scrutinised, and any concerns will be resolved satisfactorily before the appointment is confirmed. This applies equally to internal appointments as it does to external appointments.

References will be sought on all short listed candidates, including internal ones, and will be obtained before interview, where possible, so that any issues of concern they raise can be explored further with the referee, and taken up with the candidate at interview.

Where it is not possible to obtain two employment references, the recruitment team will seek to obtain one employment reference and one personal reference. Referees will always ask specific questions about:

- The candidate's suitability for working with children and young people.
- Any disciplinary action, including time-expired warnings that relate to the safeguarding of children and young people.
- Any proceedings under the capability procedure.
- The candidate's suitability for the post.

References will be checked to ensure all specific questions have been answered satisfactorily and where required, the referee will be contacted to obtain clarification in order to ensure sufficient information is obtained. References will also be compared to information provided by the applicant in their application and during the interview and selection process. Any discrepancies will be discussed with the individual.

All appointments must be made subject to appropriate references and DBS checks.

9. SHORTLISTING

Short-listing of candidates will be against the job description and person specification for the post. There must be consistency between members of the interview panel and those involved in the shortlisting process. All materials for shortlisting exercises for both successful and non-successful shortlisted candidates must be completed and stored securely in the event of successful and non-successful candidates requesting feedback.

A separate self-declaration of convictions and cautions which are not 'protected' as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as

amended in 2013 & 2020), and therefore should be disclosed to the Trust, including information to confirm that they are not barred from working with any vulnerable groups will be issued to all shortlisted candidates to be completed and returned to the Trust prior to interview.

Unsuccessful candidates' feedback must be stored securely within the Academy, or Head Office for central roles, for six months before being securely destroyed in line with the Trust's Data Retention Policy which is available via the online Every system.

10. INVITATION TO INTERVIEW

Candidates called to interview will receive:

- Written correspondence confirming details of the interview/assessment and any other selection techniques as well as asking whether the Trust needs to make any reasonable adjustments in order to facilitate the candidate attending and participating in the interview and selection process.
- An opportunity for candidates to ask any questions prior to the interview.

11. THE SELECTION PROCESS

11.1. Interview panel

At least one person on any interview panel must have completed safer recruitment training. The details of this person must be noted on the interview template (Appendix 2).

Safer recruitment training must be refreshed every three years. Delta recruitment should be contacted in order to arrange for any employees to be trained.

11.2. Selection process

Selection techniques will be determined by the nature and duties of the post, but all vacancies will require a minimum of an interview of short-listed candidates.

All interview questions asked by the academy or Trust will be recorded on a Delta Interview question and scoring matrix template (Appendix 2).

Scoring will be carried out objectively, with the highest scoring candidate being offered the position in the first instance (Appendix 2).

Interviews will always be face-to-face. This can include the use of technologies to facilitate this process when candidates are currently living and/or working abroad or at large distances away from the interview location within the UK and unable to travel (e.g. Skype).

During the interview, the panel will ask candidates to:

- Explain satisfactorily any anomalies or discrepancies in the information available to the panel which has not been explained already on their application form.
- Declare any information that is likely to appear on the DBS disclosure, which has not been disclosed already on their application form.
- Discuss any information they have provided to the Chair of panel in relation to relevant cautions / convictions.
- Declare any potential conflicts within the recruitment process such as relationships to panel members / Trustees of the Board.
- Demonstrate their ability to safeguard and protect the welfare of children and young people. This will include safeguarding and PREVENT questions asked by the interview panel.
- All candidates will be subject to the same interview questions and assessment tasks specific to the role. Candidates may also be asked individual questions relating to gaps in their employment history, relevant criminal history or information in their references that require clarification.
- Confirm whether they are content with the selection process followed.

12. PRE-EMPLOYMENT CHECKS

An offer of appointment will be conditional, and all successful candidates will be required to:

- Verify their identity (this includes being aware of the potential for individuals changing their name and best practice is checking their name on their birth certificate where this is available).
- Obtain an enhanced DBS certificate (including children's barred list information for those engaged in regulated activity) and receive satisfactory clearance (even when using the DBS update service, the original physical certificate should still be provided – see section 12.1.1).

- Present the original DBS certificate within 28 days of issue for review before they commence their post or as soon as practicable afterwards.
- Provide proof of professional status.
- Provide original certificates of relevant and required professional qualifications.
- Complete a confidential health questionnaire (in accordance with KCSIE) to verify their mental and physical fitness to carry out their work responsibilities and submit this directly to the Occupational Health provider.
- Provide proof of right to work in the UK, including EU nationals.
- If successful candidates have worked/lived abroad they must provide a certificate of good conduct from the foreign country they worked. For more information on this, please refer to <https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants> (Note it is the individuals responsibility to provide this information).
- All Teachers and any support staff whose posts fall within the remit of the Teacher Prohibition Order will be checked against the relevant restricted list.
- Persons appointed to a post involved in the management of a school (management position as an employee, trustee of the Trust or governor with delegated management responsibilities) will have a section 128 direction check completed.
- Teachers that have worked abroad may be able to provide proof of their past conduct as a teacher issued by the professional regulating authority in the country in which they worked. Where available, this evidence should be considered alongside other information obtained through other pre-employment checks to help assess their suitability.
- If the post falls within the Childcare Regulations, confirm that they are not disqualified from early- or later-years childcare under the Child Care Act.

All checks will be:

- Confirmed in writing.
- Documented and retained on the personnel file in line with the Trust's data retention requirements.
- Recorded on the Academy's Single Central Record.
- Core Team staff will be recorded on the Core Team Single Central Record.

- Followed up if they are unsatisfactory or if there are any discrepancies in the information received.

Employment will not commence until all checks and procedures have been satisfactorily completed.

12.1. DBS checks

Individuals appointed by the Trust will be required to have an Enhanced DBS with barred list check carried out as part of the pre-employment checks. This process provides information about convictions, cautions, reprimands and warnings held on the Police National Computer (PNC) regardless or not of whether they are spent under the Rehabilitation of Offenders Act 1974. In addition, an enhanced check will also include any approved information held by the police which a chief officer reasonably believes to be relevant and considers ought to be disclosed to the employer. The barred list check also enables the Trust to see whether the individual appears on the children's barred list and is therefore unsuitable to work with children.

The original DBS certificate must be seen by the Trust and the certificate number recorded on the SCR prior to the individual commencing employment.

Where the individual has not received their DBS certificate prior to their start date, the Trust must complete a risk assessment with the individual and ensure they are appropriately supervised in their role and all other pre-employment checks have been completed, including a separate children's barred list check. This must remain in place until the DBS certificate has been received and the Trust has seen the original certificate.

Where information is contained within the DBS, this will be discussed with the individual in order to carry out an assessment of any risk this poses. Information contained within the DBS certificate does not automatically mean that an individual is unsuitable for employment. A decision on suitability will be made following a risk assessment being completed with the individual in order to record the discussion and the outcome reached. It is important to consider what information was disclosed by the individual at each stage of the recruitment process (application, interview) as part of this process as well as the role that the individual has applied for.

The Trust does not require DBS certificates to be renewed at a set interval. However, if an employee changes their role within the Trust to have more contact with children (e.g. a cleaner moves into a Teaching Assistant post) the Trust does require a new enhanced DBS certificate to be provided prior to that change taking effect. If the individual is also moving into regulated activity, the enhanced DBS must also include a barred list check.

N.B. The Trust will be committing an offence if it allows an individual to carry out any form of regulated activity if they know or have reason to believe that the individual is barred (Safeguarding Vulnerable Groups Act 2006).

12.1.1. DBS update service

Individuals can register for the DBS Update Service at the point they are issued with their DBS certificate. This enables future status checks to be carried out to confirm that no new information has been added to the certificate since its issue and provides portability across employers. There is an annual fee for this service which is the responsibility of the individual to pay.

Before checking the DBS update service, the Trust must obtain consent from the individual, confirm the certificate matches the individual's identity and see the original certificate to ensure it is at the appropriate level of check.

Following this, the Trust is able to complete a free online check which would identify whether there has been any change to the information recorded since the initial certificate was issued. Individuals will be notified each time an organisation accesses their records.

Where applicants are already signed up to the DBS Update service, and providing the individual consents, the Trust can access the update service in order to check the individual is suitable for employment with children. The date this check was completed should be recorded on the SCR.

A new enhanced DBS certificate would only be required if the original DBS was not at the required level previously.

12.2. Teacher Prohibition Checks

Teacher prohibition orders prevent a person from carrying out teaching work in schools and other specified settings. A person who is prohibited must not be appointed to a role that involves teaching work in such establishments.

The Teachers' Disciplinary (England) Regulations 2012 define each of the following activities as teaching work:

- Planning and preparing lessons and courses for pupils.
- Delivering lessons to pupils.
- Assessing the development, progress and attainment of pupils.
- Reporting on the development, progress and attainment of pupils.

The regulations provide that these activities do not constitute teaching work if they are carried out under the direction or supervision of a qualified teacher or other person nominated by the Principal/Head of Academy to provide such direction and supervision.

When appointing to a Teaching Assistant post or if an existing employee's role changes, this check will not normally be required unless they are undertaking unsupervised and undirected teaching work (e.g., HLTA). Should they be doing so, this check will be required to be completed.

In addition, the Trust chooses to undertake additional checks to those required by legislation to ensure an individual's suitability. This applies when an individual indicates they have qualified teacher status and/or have worked as a teacher previously but are applying for a support staff post such as a Teaching Assistant. In such circumstances, a teacher prohibition order check will be completed.

N.B. A prohibition order would not necessarily prevent someone from being considered for a Teaching Assistant role. This would be discussed with the individual as part of the risk assessment process.

Teacher prohibition orders are made by the Secretary of State following consideration by a professional conduct panel convened by the Teaching Regulation Agency (TRA). The Secretary of State is able to issue an interim prohibition order if it is considered to be in the public interest to do so.

To complete this check, the authorised person in the academy will log into Teacher Services on the Secure Access Portal and conduct a 'teacher status check'. This process will also verify the teacher's Qualified Teacher Status (QTS) and the completion of the teacher induction.

Providing this check is satisfactory, the person responsible in the academy will record the date this check was completed on the SCR. Where issues are raised, this will be brought to the attention of the Principal at the earliest opportunity. The Principal will arrange to discuss the concerns with the individual and will make a record of this discussion and the outcome reached.

12.3. Section 128 Direction checks

A section 128 direction prohibits or restricts an unsuitable individual from taking part in the management of an independent school, including academies and free schools.

An individual who is subject to a section 128 direction is unable to:

- Take up a management position in an academy or free school as an employee.

- Be a trustee of an academy or free school trust.
- Be a governor on any governing body in an academy or free school that retains or has been delegated any management responsibilities.

Individuals involved with management as part of their duties include Executive Principals, Principals/Heads of Academy, any teaching positions on the senior leadership team (SLT) and any teaching positions which carry a department headship.

When recruiting for other posts such as teachers with additional responsibilities, these may fall under the requirements of section 128, but it depends on the facts of each case. In such cases, advice should be taken from the Recruitment team to ensure appropriate pre-employment checks are completed in advance of employment commencing.

A section 128 direction will show on an enhanced DBS check with barred list information, provided that 'children's workforce independent schools' is specified in the parameters for the barred list check. However, the Teacher Services' system via the Secure Access Portal should also be checked as the DBS route cannot be used for individuals not involved in regulated activity (e.g., governor on a governing body in an academy/free school or trustee of an academy or free school trust).

Providing this check is satisfactory, the person responsible in the academy will record the date this check was completed on the SCR. Where issues are raised, this will be brought to the attention of the Principal/Head of Academy at the earliest opportunity. The Principal/Head of Academy will arrange to discuss the concerns with the individual and will make a record of this discussion and the outcome reached. The individual can be accompanied at this meeting by their trade union representative, if they wish to do so.

12.4. Overseas checks

Where an individual has worked or lived outside of the UK for extended periods of time (usually for 12 months or more in the last 10 years), the Trust must complete the standard pre-employment checks as outlined above, but in addition must also make further checks so that any relevant events that have occurred outside of the UK can be considered when making a recruitment decision. Consideration must also be given to what the individual has been doing during the period of time outside of the UK and what they have been doing since their return to the UK.

If a restriction has been imposed by another EEA regulating authority, it does not prevent an individual from taking up a teaching post in England, but the Trust must

consider the circumstances that led to the restriction/sanction being imposed when considering the individual's suitability for employment.

Since 1 January 2021, following the UK's exit from the EU, professional regulators in the EEA (EU, Iceland, Liechtenstein and Norway) no longer share information about sanctions imposed on EEA teachers with the Teaching Regulation Agency (TRA). The TRA therefore no longer maintain a list of EEA teachers with sanctions.

The Trust is required to seek information from an individual's criminal history from their country of origin or in which they have been working and/or travelling. The individual must provide a certificate of good conduct (or similar) form the relevant authorities. It is often sensible and most time effective for the individual to apply for/obtain this from the country prior to returning to the UK as it sometimes needs to be requested in person.

N.B. Overseas checks must be completed prior to an individual commencing employment.

The Home Office has published guidance on criminal checks for overseas applicants and guidance on employing overseas trained teachers. This can be accessed via the www.gov.uk website.

12.5. Qualifications from overseas

Where an individual has obtained qualifications from outside of the UK, it is important to ensure that they meet the required standards within the UK. This is not always a straightforward process and relevant checks must be made prior to the confirmation of any appointment being made.

Useful sources of information are www.gov.uk and www.naric.org.uk (early years). Advice from Delta Recruitment should be sought if there is any doubt over whether a qualification is officially recognised within the UK especially where this is an essential criterion for the post.

13. SKILLED WORKER VISA

Since 1 January 2021, as a result of leaving the European Union (EU), free movement with the EEA is no longer possible and a new immigration system applies equally to both EU/EEA and non-EU/EEA citizens who wish to work, live or study in the UK. This means that EU/EEA nationals arriving in the UK since 1 January 2021 need a visa to live and work in the UK.

Irish citizens continue to be able to enter and live in the UK as they did previously.

Since 1 January 2021, the visa type required is called a 'Skilled Worker visa' and it requires the employer to sponsor the individual for a specific role and visa. The system is genuinely a points-based system, and an applicant has to receive a minimum of 70 points which they get through:

- Being sponsored
- The role being at the appropriate skill level
- Meeting the English Language requirement
- Meeting the required salary level

If an applicant indicates that they think they are eligible as a Skilled Worker and are seeking sponsorship from Delta to work in one of our academies, please contact the Recruitment Team for further information.

14. INDUCTION

All staff and volunteers who are new to the academy or core team will receive information on the relevant child protection policy and procedures, safeguarding policies, whistleblowing policy, data protection and guidance on safe working practices as part of their induction training. All policies are available via the online Every system.

All new staff will complete mandatory training in relation to:

- Keeping Children Safe in Education (KCSIE).
- Child Protection in Education / Safeguarding Young People.
- The PREVENT duty.
- Data Protection Act 2018 and the UK General Data Protection Regulations (UK GDPR).
- Equality and Diversity.

All successful candidates will undergo a period of monitoring and will:

- Meet regularly with their induction manager.
- Meet regularly with their line manager.
- Attend any appropriate training.

15. AGENCY AND THIRD PARTY STAFF (SUPPLY STAFF)

The Trust will only use those agencies which operate Safer Recruitment procedures. The Trust must obtain written confirmation from any agency, third party organisation or contractor that all relevant safeguarding and pre-employment checks have been satisfactorily completed. Any information disclosed as part of the DBS checks will be treated confidentially.

In relation to an enhanced DBS certificate, the written confirmation must confirm a certificate has been obtained by the employer (e.g., the agency, the contractor firm). Where a position requires a barred list check (where an individual will be engaged in regulated activity), this must also be included in the confirmation from the agency, third party organisation or contractor.

All of the above checks must be confirmed in writing to the Trust prior to the individual arriving at the relevant site for work.

The Trust will carry out identity checks when the individual arrives at the academy/school in order to ensure the person presenting to them is the same person that they checks have been confirmed for. This will involve checking the individual's identification by seeing a driving licence (photo card) or passport or company photo ID card.

Academies must notify their HR Adviser immediately if there are any safeguarding issues with supply staff.

16. PERIPATETIC STAFF

The Trust requires written confirmation from the relevant employer that all necessary employment checks and suitable DBS requirements have been satisfactorily completed for peripatetic staff prior to them working in the academy/school. Any information disclosed will be treated confidentially.

All of the above checks must be confirmed in writing to the Trust prior to the individual arriving at the relevant site for work.

The Trust will carry out identity checks when the individual arrives at the academy/school in order to ensure the person presenting to them is the same person that they checks have been confirmed for. This will involve checking the individual's

identification by seeing a driving licence (photo card) or passport or company photo ID card.

Academies must notify their HR Adviser immediately if there are any safeguarding issues with supply staff.

17. SELF EMPLOYED STAFF

Where an individual is required to work in the Trust and has self-employed status, it will be necessary for relevant checks to be completed prior to them providing their services to the Trust. This includes identity checks and ensuring they have the right to work in the UK.

If they are going to be engaged in regulated activity, working unsupervised or could fall within the categories of frequent or intensive, consideration should be given to obtaining a DBS certificate for the individual as self-employed individuals are not able to make an application directly to DBS.

However, the Trust recognises that this process will provide an individual with a DBS certificate in the name of the Trust which potentially could be taken elsewhere.

18. VOLUNTEERS

All voluntary recruited staff must complete a Volunteer Application form explaining the reasons behind why they would like to complete voluntary work and why they feel they would be suitable to do so. In addition, Academies in the Trust will require that all necessary checks and DBS requirements have been satisfactorily completed for voluntary staff.

A volunteer is usually eligible for a DBS certificate where the fee is waived. In order for this to be possible, the volunteer must not benefit from the position, receive any payment for the role (except for approved expenses), be on a work placement, be on a course requiring the role to be fulfilled or be in a trainee position that will lead to a full time role/qualification.

A volunteer must still provide the standard identity documents as per other employees.

A volunteer who teaches unsupervised or looks after children without supervision on a regular basis (e.g., a reader) or provides personal care on a one-off basis in an

academy will be in regulated activity. They must therefore have an enhanced DBS certificate with barred list information completed prior to commencing this role.

Where volunteers are not engaged in regulated activity, risk assessments should be completed to decide whether to obtain an enhanced DBS certificate or a standard DBS certificate. Advice should be obtained from the Recruitment team.

A volunteer who is not engaging in regulated activity but has the opportunity to come into contact with children on a regular basis (e.g., a supervised volunteer) must have an enhanced DBS certificate but there is no requirement for this to include barred list information. The Trust is not legally permitted to request barred list information on a volunteer who, because they are supervised, is not in regulated activity.

Volunteers that have not been checked against the relevant DBS barred list will not be permitted to undertake regulated activity. More information on volunteer DBS checks can be found on the Gov.uk website.

Any volunteers whose role would fall within the Childcare Regulations will be asked to confirm that they are not disqualified from early- or later-years childcare under the Child Care Act.

19. RECRUITMENT OF APPRENTICES

If there is a requirement for an apprentice within Delta, the usual internal recruitment process must be followed before contacting apprenticeship firms or agencies. Once approval has been given, the appropriate manager in the Academy must liaise with the Delta Recruitment Team.

20. REDEPLOYMENT

In the event of any restructuring exercise in Delta, redeployment of redundant staff should always be considered before looking at other options for filling the vacancy. This is in line with the employer's obligation to support members of staff who are displaced from their substantive posts and in line with the Trust's Managing Change Policy. The process that must be followed to ensure that redeployed staff are made aware of vacancies within Delta is:

- Following discussions with Delta HR, Academies must inform the Recruitment Team via email, of staff who are eligible for redeployment within the Trust.

- If the member of staff applies for a relevant alternative job within Delta, the recruitment team will liaise with the Academy and ensure that the member of staff who has applied is given an interview (if they meet the essential requirements of the job) before external candidates are considered for interview.
- If the candidate is judged to be suitable for the role, then they should be appointed to that position.

21. INITIAL TEACHER TRAINING (ITT, TEACH FIRST AND SCHOOL DIRECT)

The recruitment process for initial teacher training through Teach First and School Direct are completely separate to the internal Delta recruitment process.

Where applicants for initial teacher training are salaried by the Trust, all necessary checks must be carried out as per normal recruitment procedures. As trainee teachers are likely to be engaged in regulated activity, an enhanced DBS certificate including barred list information must be obtained. These individuals must be recorded on the SCR in the same way as other teaching staff.

Where trainee teachers are fee-funded, it is the responsibility of the initial teacher training provider to carry out the necessary checks. They should then provide written confirmation to the Trust that the pre-employment checks have been completed satisfactorily and the trainee is considered suitable to work with children. These individuals should be recorded on the SCR in the same way as supply staff.

For more information on the recruitment process for Teach First trainees and School Direct trainees please contact Delta Head Office on 0345 196 0033.

22. SINGLE CENTRAL RECORD (SCR)

The Trust has a standard template which all academies should use to record details of people working in their academy/school.

Each academy will have a SCR maintained by an authorised person in the academy who is responsible for ensuring the appropriate checks are completed for all staff working in the academy/school.

Delta recruitment are responsible for maintaining a SCR for centrally appointed staff.

23. MONITORING AND REVIEW

Through monitoring and review, the Trust will ensure that

- Individual records will be treated as confidential.
- Consistency of application and adherence to Equality legislation.
- An Equality Impact Assessment is completed.

This policy will be reviewed every three years, or when there are changes to relevant legislation by the Trust in conjunction with recognised Trade Unions.

APPENDIX 1 – DELTA ACADEMIES TRUST RECRUITMENT PROCESS

Delta operates a Safer Recruitment Policy, this should be reflected in all job adverts, person specifications and job descriptions.

Process	Notes	Responsibility
Vacancy arises	<p>Following staffing analysis identify the need for the appointment. Review job description and person specification.</p> <p>Any recruitment requests for new posts, additional posts or replacement posts must be approved by ELT after submission on the relevant approval form (ELT vacancy request spreadsheet) via recruitment@deltatrust.org.uk.</p> <p>The vacancy request sheet must be completed by the academy and reviewed by the academy finance person to ensure a budget review is included. The completed request sheet must be submitted to Delta Recruitment by 4pm on a Thursday. This will then be reviewed by Delta HR and Delta Finance on Friday and considered for authorisation by ELT the following Monday.</p> <p>For core vacancies, the same information will be added by Delta Recruitment prior to sending the full vacancy request sheet to ELT for consideration.</p>	Academy / Delta

<p>Vacancy information</p>	<p>Details discussed and agreed between Delta Recruitment Team following consultation with the Academy including the job description, person specification and salary information which are finalised based on ELT approvals.</p> <p>Academy will add the agreed vacancy onto the Trust recruitment website.</p> <p>Delta recruitment will add agreed vacancies for core posts onto the Trust recruitment website.</p>	<p>Delta/Academy</p>
<p>Advertisement</p>	<p>Advert placed in consultation with Recruitment Team and input from Academy on draft wording for advert.</p> <p>All vacancies will be advertised on the Delta recruitment website following Delta recruitment approving the vacancy (or declining if there are discrepancies).</p> <p>The cost of all other advertisements will be at an additional cost to the academy. Delta recruitment will liaise with the academy regarding additional costs prior to placing adverts.</p> <p>Delta recruitment will liaise with all external advertisers and place appropriate adverts on behalf of academies and core team.</p>	<p>Delta/Academy</p>

	<p>Calls relating to the academy based vacancies will be managed directly by the academy.</p> <p>Core team related vacancies will be managed by Delta recruitment.</p>	
Applications Submission	All applications are submitted via the Trust recruitment website	Delta/Academy
Shortlisting	<p>Senior member of academy staff/AAB Members undertake shortlisting in line with person specification/job description criteria. Delta recruitment will support shortlisting with core department heads for core vacancies.</p> <p>If needed, with large volume submissions, Recruitment Team can undertake a first sift for academy based vacancies on request.</p>	Delta/Academy
	<p>Academy confirm shortlisted candidates directly on recruitment website and issue invites to interview by providing details of the day/time and recruitment activities involved in writing via email. Delta recruitment to confirm shortlisted candidates for core vacancies on the recruitment website and issue invites to interview as above.</p> <p>A self-declaration form regarding criminal history to be issued to all shortlisted candidates with all invites to interview.</p>	Delta/Academy
References	References will be automatically requested from the named referees via the recruitment website once the applicant has been shortlisted, unless they have chosen not to consent to this prior to being given an offer of	Delta/Academy

	<p>employment. Where this is the case, the reference will be automatically requested once an offer has been made and accepted.</p> <p>References will be submitted directly into the recruitment website and can be viewed by the authorised person in the academy and Delta recruitment.</p>	
Interview	<p>One member of interview panel must be Safer Recruitment trained – record on interview notes who this is.</p> <p>Development of interview questions by the academy (Delta recruitment for core vacancies).</p> <p>Model questions can be provided by the Delta Recruitment Team if required.</p>	Academy /Delta
	<p>References checked once panel decision has been finalised. Any queries should be discussed with Delta Recruitment.</p> <p>Delta Recruitment to liaise with interview panel for core vacancies.</p>	Academy / Delta
	<p>Successful candidate informed in person if possible or by telephone, verbal conditional offer of employment including pay scale, hours, and other details of offer. Be clear that offer is subject to satisfactory DBS, references and other pre-employment checks.</p>	Academy
	<p>Unsuccessful candidates informed by telephone. Advise feedback available from Recruitment Team.</p> <p>Academy to liaise with recruitment team to provide information regarding unsuccessful candidates should they request feedback.</p>	Academy

Post Interview Administration	<p>Academy to complete new starter form and send to the Recruitment Team to generate the conditional offer letter with the following:</p> <ul style="list-style-type: none"> • Health questionnaire (link to Occupational Health online portal) • DBS Application Form (link to online portal) • New Starter Form • Request to contact academy to check documentation of DBS application <p>If current employer reference was not sought prior to interview, the recruitment website will now automatically request this providing the academy has confirmed in the website that the individual has been offered the post. The references must be received and checked prior to confirming offer of employment.</p>	Academy/Delta
	<p>Document checks, completion of DBS application online by the individual. Academy then completes the employer section to complete the application process. Delta recruitment to complete the employer section for core posts.</p> <p>Completed health questionnaires will be reviewed by the Occupational Health provider through the online portal</p>	Academy / Delta
Contract of Employment	<p>Copy of offer letter and New Starter Form should be forwarded to Delta Payroll (Delta recruitment to complete this for core posts).</p>	Academy
	<p>Employment contract issued by Delta HR on or before the individuals first day of employment.</p>	Delta

APPENDIX 2 – DELTA INTERVIEW TEMPLATE AND SCORING MATRIX

Academy:	Panel Members:		
Post interviewing for:	Chair of Panel:		
Interview panel member:	Are you Safer Recruitment trained in the last 3 years? Yes / No		
	Is at least one member of the panel Safer Recruitment trained in the last 3 years? Yes / No		
Candidate Name:	Enter name of the SR trained interview panel member(s):		
Interview Question Section 1 must be completed for all applicants (chose 4 questions). Section 2 should be specific to the role being interviewed for. Section 3 must be specific to the individual's application.	Indicators	Evidence	Rating 1 = satisfactory 2 = unsatisfactory 3 = no evidence
Section 1 (mandatory for all posts)			
Are you related to a person: <ul style="list-style-type: none"> - on this panel - currently employed within Delta Are you aware of any other conflict of position or interest that should be considered as part of this recruitment process?			
Safeguarding 1. What does a safe and caring school mean to you? OR (<i>cross out the question not asked</i>) 1. How do you ensure safeguarding is more than just a policy?	Positive <ul style="list-style-type: none"> - puts the child first - personally committed to making improvements, sees it as part of their job - prepared to challenge others to make tangible improvements to safeguarding Negative <ul style="list-style-type: none"> - passive approach to safeguarding - reluctance to challenge people/ systems / processes to make things better - intolerant of the bureaucracy around safeguarding 		

Interview Question Section 1 must be completed for all applicants (chose 4). Section 2 should be specific to the role being interviewed for. Section 3 must be specific to the individual's application.	Indicators	Evidence	Rating 1 = satisfactory 2 = unsatisfactory 3 = no evidence
Fundamental British Values / Prevent 2. How do you demonstrate British Values in your working life? OR <i>(cross out the question not asked)</i> 2. How do you promote British Values in your classroom? OR <i>(cross out the question not asked)</i> 2. How does the Prevent Duty impact on your role in school?	Positive - shows respect for others feelings, views and circumstances - demonstrates a commitment to FBV and able to relate to informal and formal curriculum Negative - extreme opinions that don't account for the views/feelings of others - dismissive of FBV or expresses views that undermine these		
Values and ethics 3. How do you feel about children who make allegations against members of staff? OR <i>(cross out the question not asked)</i> 3. Have you ever had concerns about a colleague's ability to deal with children? How did you deal with this?	Positive - puts the child first - appreciation of safeguarding issues and ability to contribute to a protective environment - understands how and why children may be vulnerable Negative - not balanced in opinion - dismissive of, or underplays, the risks - puts the blame and responsibility for child protection elsewhere		
Emotional maturity and resilience 4. Have you ever felt uncomfortable about a colleague's behaviour towards children in a previous job? What did you do? How was this resolved? OR <i>(cross out the question not asked)</i> 4. Can you tell us about a person you have had some difficulty dealing with? What made it difficult? How did you manage the situation?	Positive - demonstrates good understanding of boundaries between children & adults - understands position of power & how to seek help in different circumstances - behaves consistently & appropriately under pressure/in position of authority Negative - handles conflict badly - implies children & adults are equal - doesn't seek help when needed/fails to go to others for advice		

Interview Question Section 1 must be completed for all applicants (chose 4). Section 2 should be specific to the role being interviewed for. Section 3 must be specific to the individual's application.	Indicators	Evidence	Rating 1 = satisfactory 2 = unsatisfactory 3 = no evidence
Understanding of Child Protection principles 5. What do you think are some of the challenges facing school staff today? Have you experienced any of these? How did you deal with them? What did you do to avoid them? OR <i>(cross out the question not asked)</i> 5. What would you do if you were concerned about a child's behaviour?	Positive - shows good understanding of issues - up to date with events and legislation - proactive in taking actions to improve practice Negative - not well versed or clear in understanding of issues/sensitivities - shows tendency to take inappropriate changes/risks in area of safeguarding		
Motivation to work with children (for those working with children) 6. What has working with children taught you about yourself? OR <i>(cross out the question not asked)</i> 6. When working with children, what do you consider to be your biggest strengths and areas to improve?	Positive - realistic knowledge about personal strengths and weaknesses - realistic appreciation of challenges involved in working with children -convincing responses based on balanced understanding of self and circumstances Negative - not self-aware - driven by personal needs, not needs of others - pushed by others or forced by circumstances to do something they've not personally thought through		
Boundaries and inappropriate behaviour 7. When do you think it's appropriate to physically intervene in a situation involving children and young people? OR <i>(cross out the question not asked)</i> 7. Can you give an example of where you've had to deal with bullying behaviour? What was the result of this? Who else was involved? What was the impact on others?	Positive - control over emotions with adults & children - demonstrates good understanding of boundaries between children and adults - understands position of power and how to seek help in difficult circumstances Negative - fails to control temper/emotions with children and/or adults - inconsistent responses - doesn't seek help when needed		

Interview Question Section 1 must be completed for all applicants (choose 4). Section 2 should be specific to the role being interviewed for. Section 3 must be specific to the individual's application.	Indicators	Evidence	Rating 1 = satisfactory 2 = unsatisfactory 3 = no evidence
Section 2 (specific to post being interviewed)			
8.	Positive - - - Negative - - -		
9.	Positive - - - Negative - - -		
10.	Positive - - - Negative - - -		

Interview Question Section 1 must be completed for all applicants (choose 4). Section 2 should be specific to the role being interviewed for. Section 3 must be specific to the individual's application.	Indicators	Evidence	Rating 1 = satisfactory 2 = unsatisfactory 3 = no evidence
11.	Positive - - - Negative - - -		
12.	Positive - - - Negative - - -		
13.	Positive - - - Negative - - -		

Interview Question Section 1 must be completed for all applicants (choose 4). Section 2 should be specific to the role being interviewed for. Section 3 must be specific to the individual's application.	Indicators	Evidence	Rating 1 = satisfactory 2 = unsatisfactory 3 = no evidence
Section 3 (specific to candidate's application)			
14.	Positive - - - Negative - - -		
15.	Positive - - - Negative - - -		
Select outcome of interview: 1. Appointable 2. Reserve (ok to have more than one appointable) 3. Not Appointable			
Any additional comments:			

Are there any gaps in the candidate's employment history? Y/N

If yes, detail explanation from candidate:

Any questions raised by candidate:

Have two references been received for the candidate at this point? Y/N

If no, detail reasons:

Do the references cover at least the past three years? Y/N

If no, detail reasons and any actions required:

Is the candidate still interested in the post and wish to remain in the selection pool? Y/N

What notice period does the candidate have?

What are the preferred contact details for the candidate regarding the outcome of this process?

Confirm to the candidate that as part of the recruitment process, if they are successful, the interview process will be followed up with an enhanced Disclosure & Barring Service (DBS) check (with barred list check for posts in regulated activity).

Does the candidate wish to disclose anything that hasn't been disclosed already to the panel? Y/N

If yes, provide details:

Has the candidate signed a copy of their application form to confirm its accuracy?

Guidance Notes

- Use one Matrix per candidate.
- Circle the interview question asked or write the interview question in the left-hand column
- Fully complete the form for each candidate
- Circle the 'outcome of interview' for each candidate

Where unsuccessful, store and file interview evidence for 6 months in a confidential, safe and secure place before destroying in accordance with the Trust's Data Protection and Data Retention policies.