



SAFER RECRUITMENT POLICY

This policy is informed by the Christian values which are the basis for all of CDAT's work and any actions taken will reflect this.

'Blessed are those who act justly, who always do what is right'

Psalm 106:3

This policy was reviewed and agreed by the CDAT Board in April 2023.

It is next scheduled to be reviewed by September 2024, unless an earlier review is required because of legislative changes.

CONTENTS

1. Introduction	page 1
2. Aims and Objectives	page 2
3. Roles and Responsibilities	page 2
4. Definition of Regulated Activity and Frequency	page 3
5. Recruitment and Selection Procedure	page 3
6. Offer of Appointment and New Employee Processes	page 5
7. Single Central Register (SCR)	page 8
8. Record Retention/Data Protection	page 8
9. Contractors and Agency Staff	page 8
10. Volunteers	page 9
11. Appointments to the CDAT Central Team	page 9

1. Introduction

1.1 The safe recruitment of staff in CDAT is the first step to safeguarding and promoting the welfare of children in education. CDAT is committed to safeguarding and promoting the welfare of all pupils in its care. As an employer, CDAT expects all staff and volunteers to share this commitment.

1.2 In order to help safeguard and promote the welfare of pupils in all its schools CDAT is committed to a thorough and consistent Safer Recruitment Policy.

2. Aims and Objectives

2.1 The aims of the Safer Recruitment policy are to help deter, reject or identify people who might abuse pupils, or who are otherwise unsuited to working with them, by having appropriate procedures for appointing staff.

2.2 The aims of CDAT's recruitment policy are as follows:

- to ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position;
- to ensure that all job applicants are considered equally and consistently;
- to ensure that no job applicant is treated unfairly on any grounds including race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age;
- to ensure compliance with all relevant legislation, recommendations and guidance including the statutory guidance published by the Department for Education (DfE), Keeping Children Safe in Education (KCSIE), the Prevent Duty Guidance for England and Wales (the Prevent Duty Guidance) and any guidance or code of practice published by the Disclosure and Barring Service (DBS); and
- to ensure that CDAT meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks.

2.3 Employees involved in the recruitment and selection of staff are responsible for familiarising themselves with and complying with the provisions of this policy.

2.4 CDAT has a principle of open competition in its approach to recruitment and will seek to recruit the best applicant for the job. The recruitment and selection process should ensure the identification of the person best suited to the job based on the applicant's abilities, qualification, experience and merit as measured against the job description and personnel specification.

2.5 The recruitment and selection of staff will be conducted in a professional, timely and responsive manner and in compliance with current employment legislation, and relevant safeguarding legislation and statutory guidance.

2.6 If a member of staff involved in the recruitment process has a close personal or familial relationship with an applicant they must declare it as soon as they are aware of the individual's application and avoid any involvement in the recruitment and selection decision-making process.

2.7 CDAT aims to operate this procedure consistently and thoroughly while obtaining, collating, analysing and evaluating information from and about applicants applying for job vacancies at schools within the Trust.

3. Roles and Responsibilities

3.1 It is the responsibility of the Local Governing Body (LGB) to:

- follow recruitment procedures and responsibilities as laid out in the CDAT Scheme of Delegation;
- ensure that this Safer Recruitment Policy is implemented in accordance with DfE guidance and legal requirements;
- ensure that there are at least 2 members of the LGB who have up-to-date Safer Recruitment Training, and that at least 1 LGB member trained in Safer Recruitment sits on any relevant interview panel.

3.2 It is the responsibility of each Headteacher to:

- ensure that the school operates safe recruitment procedures in accordance with this policy and makes sure all appropriate checks are carried out on all staff and volunteers who work at the school;
- monitor contractors' and agencies' compliance with this document;
- promote welfare of children and young people at every stage of the procedure;
- ensure that their own training in Safer Recruitment is kept up-to-date, so they are able to play a full role in any interview panels.

Throughout this policy, where reference is made to 'Headteacher', this may also refer to the Head of School (in a school where there is an Executive Head in place); where reasonable, the Headteacher may delegate tasks to a Deputy/Assistant Head or to a School Business Manager/Office Manager.

4. Definition of Regulated Activity and Frequency

4.1 Any position undertaken at, or on behalf of any CDAT School will amount to "regulated activity" if it is carried out:

- frequently, meaning once a week or more; or
- overnight, meaning between 2.00 am and 6.00 am; or
- satisfies the "period condition", meaning four times or more in a 30 day period; and
- provides the opportunity for contact with children.

4.2 Roles that are carried out on an unpaid / voluntary basis will only amount to regulated activity if, in addition to the above, they are carried out on an unsupervised basis.

4.3 Schools are not permitted to check the Children's Barred List unless an individual will be engaging in "regulated activity". Each school is required on behalf of CDAT to carry out an enhanced DBS check for all staff, supply staff and governors who will be engaging in regulated activity using CDAT's nominated DBS supplier. A school can also carry out an enhanced DBS check on a person who would be carrying out regulated activity but for the fact that they do not carry out their duties frequently enough i.e. roles that would amount to regulated activity if carried out more frequently

5. Recruitment and Selection Procedure

5.1 Advertising. To ensure equality of opportunity, CDAT schools will advertise all vacant posts to encourage as wide a field of applicants as possible; normally this will entail an external advertisement.

5.2 Any advertisement will make clear CDAT's commitment to safeguarding young people and the requirement to undertake an enhanced DBS check by including the following statement (or similar): "CDAT is committed to safeguarding young people and all staff appointed will be required to undertake an enhanced Disclosure and Barring Service Check."

5.3 All documentation relating to applicants will be treated confidentially in accordance with UK data protection legislation including the UK GDPR and Data Protection Act 2018, and any successor legislation.

5.4 Application Forms. All applicants for employment will be required to complete a CDAT application form containing questions about their academic and full employment history and their suitability for the role. In addition, all applicants are required to account for any gaps or discrepancies in employment history. Incomplete application forms will not be shortlisted.

5.5 The application form will include the applicant's declaration regarding convictions and working with children, and will make it clear that the post is exempt from the provisions of the Rehabilitation of Offenders Act 1974. CVs will not be accepted.

5.6 It is unlawful for CDAT to employ anyone who is barred from working with children. It is a criminal offence for any person who is barred from working with children to apply for a position at a school. All applicants will be made aware that providing false information is an offence and could result in the application being rejected or summary dismissal if the applicant has been selected, and referral to the police and/or the Disclosure and Barring Service.

5.7 Job Descriptions and Person Specifications.

- A job description is a key document in the recruitment process, and must be finalised prior to taking any other steps in the recruitment process. It will clearly and accurately set out the duties and responsibilities of the job role. It is expected that any such job descriptions will be provided by/approved by CDAT's HR provider.
- The person specification is of equal importance and informs the selection decision. It details the skills, experience, abilities and expertise that are required to do the job. The person specification will include a specific reference to suitability to work with children.

5.8 Online Searches. The school will conduct searches of the online presence and publicly available social media content of shortlisted candidates to identify any comment, image or other content that could cause reputational damage to the trust and/or give rise to a safeguarding concern. Management of online searches the collation of information will be carried out independently from those managing the shortlisting process. Only information relevant to potential reputational damage and/or safeguarding concerns obtained from the search will be passed to those managing the shortlisting process.

5.9 References. All offers of employment will be conditional upon receipt of at least two satisfactory written references. References will:

- be requested for all shortlisted applicants, including internal applicants;
- include the applicant's current or most recent employer and where an applicant for a teaching post is not currently employed as a teacher, will include the applicant's most recent employer as a teacher;
- ask the current employer for details of any capability history in the previous two years, and the reasons for this;

- be directly from the referee, who will be a senior person with appropriate authority and confirmed as accurate by the headteacher/principal in respect of any disciplinary investigations;
- not be accepted if they are 'to whom it may concern' letters;
- request information on the applicant's suitability to work with children and young people from the last employer where the applicant worked with children (if not currently working with children);
- be verified with the person who provided the reference and, where the reference is provided electronically, verify that it is from a legitimate source; be clarified with the referee where the information is vague or insufficient;
- establish the reason for the candidate leaving their current or most recent post;
- be compared with the information set out in the application form and any discrepancies discussed with the candidate;

5.10 Interviews. There should be a face-to-face interview wherever possible with a minimum of two interviewers. Where this is not possible an online interview may take place (e.g. via Teams). The interview process will explore the applicant's ability to carry out the job description and meet the person specification. Candidates will always be required to:

- explain satisfactorily any gaps in employment or significant periods of time working or living abroad;
- explain satisfactorily any concerns identified as part of the online and social media checking process;
- explain satisfactorily any anomalies or discrepancies in the information available to the interviewers;
- declare any information that is likely to appear on an enhanced disclosure;
- demonstrate their capacity to safeguard and protect the welfare of children and young people

5.11 Any information regarding past disciplinary action or allegations, cautions or convictions will be discussed and considered in the circumstance of the individual case during the interview process if it has not been disclosed on the application form.

5.12 At least one member of any interviewing panel must have undertaken appropriate safer recruitment training.

6. Offer of Appointment and New Employee Processes

6.1 If it is decided to make an offer of employment following a formal interview, any such offer will be conditional on the following:

- the agreement of a mutually acceptable start date and the signing of the appropriate CDAT contract (as advised by HR);
- verification of the applicant's identity;
- the receipt of two references (one of which must be from the applicant's most recent Headteacher) which the Headteacher considers to be satisfactory;
- for positions which involve "teaching work", the Headteacher being satisfied that the applicant is not, and has never been, the subject of a sanction, restriction or prohibition issued by the National College for Teaching and Leadership, or any predecessor or successor

body, or by a regulator of the teaching profession in any other European Economic Area country which prevents the applicant working for CDAT or which, in the Headteacher's opinion, renders the applicant unsuitable to work for CDAT; and the Headteacher being satisfied that the applicant is not, and has never been, the subject of any proceedings before a professional conduct panel or equivalent body in the UK or any other country for any reason which prevents the applicant working at CDAT or which, in the Headteacher's opinion, renders the applicant unsuitable to work at CDAT;

- where the position amounts to "regulated activity", the receipt of an enhanced disclosure from the DBS which the Headteacher considers to be satisfactory; where disclosures are made on the DBS check, the Headteacher is expected to discuss whether they make the disclosure 'unsatisfactory' with the trust central team and/or HR team;
- where the position amounts to "regulated activity" confirmation that the applicant is not named on the Children's Barred List*;
- confirmation that the applicant is not subject to a direction under section 142 of the Education Act 2002 which prohibits, disqualifies or restricts them from providing education at a School, taking part in the management of a School or working in a position which involves regular contact with children;
- verification of the applicant's medical fitness for the role;
- verification of the applicant's right to work in the UK;
- any further checks which are necessary as a result of the applicant having lived or worked outside of the UK; and
- verification of qualifications which CDAT School deems a requirement for the post, or which the applicant otherwise cites in support of their application

6.2 The Headteacher is required to send a provisional offer letter to the successful candidate.

6.3 The Headteacher or their designate is required to carry out an enhanced DBS check for all staff, supply staff and governors who will be engaging in regulated activity. However, the Headteacher or their designate can also carry out an enhanced DBS check on a person who would be carrying out regulated activity but for the fact that they do not carry out their duties frequently enough i.e. roles which would amount to regulated activity if carried out more frequently.

6.4 Whether a position amounts to "regulated activity" must therefore be considered by the Headteacher or their designate in order to decide which checks are appropriate. It is however likely that in nearly all cases the school will be able to carry out an enhanced DBS check and a Prohibited List check.

6.5 A personnel file checklist will be used to track and audit paperwork obtained in accordance with Safer Recruitment. The checklist will be retained on personnel files together with copies of required documents.

6.6 The Rehabilitation of Offenders Act 1974. The Rehabilitation of Offenders Act 1974 does not apply to positions which involve working with, or having access to pupils. Therefore, any convictions and cautions that would normally be considered 'SPENT' must be declared when applying for any position at CDAT.

6.7 DBS (Disclosure and Barring Service) Certificate. The Headteacher must apply for an enhanced disclosure from the DBS and check against the Prohibited List in respect of all positions at the School which amount to "regulated activity" as defined in the Safeguarding Vulnerable Groups Act 2006 (as amended). The purpose of carrying out an Enhanced Check for Regulated Activity is to identify

whether an applicant is barred from working with children by inclusion on the Children's Barred List and to obtain other relevant suitability information.

6.8 It is CDATs' policy that the DBS disclosure must be obtained before the commencement of employment of any new employee.

6.9 Members of staff should be made aware by the Headteacher or their designate of their obligation to inform the Headteacher of any cautions or convictions that arise after any check has taken place.

6.10 DBS checks must still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence.

6.11 Copies of DBS Checks. Schools will confirm they have viewed an original copy of a new member of staff/volunteer/governor's DBS certificate but a copy will not be held in an individual's personnel file.

6.12 Dealing with Convictions. CDAT operates a formal procedure if a DBS Certificate is returned with details of convictions. Consideration will be given to the Rehabilitation of Offenders Act 1974 and also:

- the nature, seriousness and relevance of the offence;
- how long ago the offence occurred;
- whether the offence was a one-off or if there is a history of offences;
- changes in circumstances;
- decriminalisation and remorse.

6.13 A formal meeting will take place face-to-face to establish the facts with the applicant/employee and Headteacher. 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, the Headteacher (with advice from HR) will evaluate all of the risk factors above and complete a risk assessment form before a position is offered or confirmed.

6.14 If an applicant wishes to dispute any information contained in a disclosure, they may do so by contacting the DBS. In cases where the applicant would otherwise be offered a position were it not for the disputed information, the Headteacher may, where practicable and at their discretion, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

6.15 Proof of identity, Right to Work in the UK & Verification of Qualifications and/or Professional Status. All applicants to whom an offer of employment is made at a CDAT School will be required to bring their identification documentation such as passport, birth certificate, driving licence etc. with them as proof of identity/eligibility to work in UK in accordance with those set out in the Immigration, Asylum and Nationality Act 2006.

6.16 Medical Fitness. Schools in CDAT are required to verify the medical fitness of anyone to be appointed to a post, after an offer of employment has been made but before the appointment can be confirmed. This process will be carried out by CDAT's Occupational Health provider, working with the school and HR

6.17 CDAT is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, obtaining medical evidence and considering reasonable adjustments.

6.18 Overseas Checks. CDAT, in accordance with the UK Visas and Immigration (UKVI) will, if applicable, sponsor new foreign nationals.

6.19 In addition, applicants who have lived/travelled abroad for more than three months will need to obtain a criminal record check from the relevant country. The applicant will not be permitted to commence work until the overseas information has been received and is considered satisfactory by the Headteacher.

6.20 Induction Programme. All new employees will be given an induction programme which will clearly identify CDAT and School policies and procedures, including the Child Protection and Safeguarding Policy, and make clear the expectations that will govern how staff carry out their roles and responsibilities.

7. Single Central Register (SCR)

7.1 A single central record of recruitment and vetting checks must be kept up to date and retained by each CDAT School. All CDAT schools will use the trust's designated SCR tracking software (SCR Tracker).

7.3 A designated LGB member will be responsible for checking the Single Centralised Register and reporting his/her findings to the Local Governing Body at least twice a year.

8. Record Retention/Data Protection

8.1 Schools must retain on an employee's personnel file any relevant information provided as part of the application process. This will include:

- the application forms,
- a copy of the DBS check number
- copies of relevant qualifications
- copies of documents used to verify identity and right to work in the UK,
- confirmation of medical fitness
- two references.

8.2 This documentation will be retained by the school for the duration of the successful applicant's employment with the school. All information retained on employees must be kept in a locked and secure cabinet. Should records be stored electronically, this must be done securely in line with the trust's Data Protection Policy.

8.3 The same policy applies to any suitability information obtained about volunteers involved with School activities.

8.4 Interview notes on all unsuccessful applicants should be retained for a period of six months, after which time the notes should be confidentially destroyed.

9. Contractors and Agency Staff

9.1 Contractors engaged by schools are expected to complete the same checks for their employees that CDAT is required to complete for its staff. The Headteacher or their designate must obtain

confirmation that these checks have been completed before employees of the Contractor can commence work at CDAT. Confirmation must be in writing, but can take the form of a letter or e-mail.

9.2 Agencies who supply staff to CDAT schools must also complete the pre-employment checks which the school would otherwise complete for its staff. Again, the Headteacher or their designate should require confirmation (in writing, in the form of a letter or e-mail) that these checks have been completed before an individual can commence work at the school.

9.3 The Headteacher is required to independently verify the identity of staff supplied by contractors or an agency and will require confirmation from the contractor/agency that the staff member has a current, acceptable DBS certificate before contractors or agency staff can commence work at a CDAT school.

10. Volunteers

10.1 The Headteacher is required to request an enhanced DBS disclosure and check the Prohibited List for all volunteers undertaking regulated activity with pupils at or on behalf of a School (the definition of regulated activity set out above will be applied to all volunteers). Under no circumstances will the Headteacher permit an unchecked volunteer to have unsupervised contact with pupils.

11. Appointments to the CDAT Central Team

11.1 The same principles and processes outlined above will be followed when making appointments to the CDAT Central Team, with the following adjustments:

- Roles and Responsibilities: the roles and responsibilities assigned to the LGB (3.1) and Headteacher (3.2) will instead be assigned to the Trust Board and CEO/CFO respectively;
- Therefore, references to 'Headteacher' and 'LGB Member' throughout the document may be taken as referring to the 'CEO/CFO' and 'trustee' respectively; similarly, where the place of employment is referred to as 'the school', this may be taken as 'the central team';
- As CDAT Central Team employees will have opportunity to work in schools and may not be supervised at all times, all will be required to successfully pass an enhanced DBS check;
- Details of the CDAT Central Team will be recorded on SCR Tracker, in line with the policy for schools