

Safer Recruitment Policy

Introduction

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

Aims and Objectives

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

The aims of the academy'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 deter, identify and reject prospective applicants who are unsuitable for work with children or young people.
- 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 2020 (KCSIE), the Prevent Duty Guidance for England and Wales 2019 (the Prevent Duty Guidance) and any guidance or code of practice

published by the Disclosure and Barring Service (DBS),

- and to ensure that the academy meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks, including cross checking on LinkedIn and social media that nothing is inconsistent with the application received, and will not bring the academy into disrepute

1

Scope of this policy

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

The academy 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 at the academy based on the applicant's abilities, qualification, experience and merit as measured against the job description and person specification.

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 (including KCSIE 2020 and Prevent Duty Guidance 2019).

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.

The academy aims to operate this procedure consistently and thoroughly while obtaining,

collating, analysing and evaluating information from and about applicants applying for job vacancies at Eton Academy.

Roles and Responsibilities

It is the responsibility of the Principal and Chief Operating Officer to:

- Ensure the academy has effective policies and procedures in place for recruitment of all staff and volunteers in accordance with DfE guidance and legal requirements.
- Monitor the academy's compliance with them.

It is the responsibility of the Principal, Head of Secondary, Head of Junior and Chief Operating Officer in recruitment to:

- Ensure that the academy operates safe recruitment procedures and makes sure all appropriate checks are carried out on all staff and volunteers who work at the school, prior to starting work within the school
- To monitor contractors' and agencies' compliance with this document.
- Promote welfare of children and young people at every stage of the procedure.

It is the responsibility of the Principal and Operations Manager to lead in all appointments of education staff. It is the responsibility of the Chief Operating Officer to be involved in the recruitment process for all appointments of office staff.

The Chief Operating Officer may be involved in education staff appointments but the final decision will rest with the Principal, Head of Secondary and Head of Juniors to make the final decision for educational roles and department heads for office staff.

2

Definition of Regulated Activity and Frequency

Any position undertaken at, or on behalf of Eton Academy 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.

This definition will cover nearly all posts at the academy. Roles which 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.

The academy is not permitted to check the Children's Barred List unless an individual will be engaging in "regulated activity" (UK only).

The academy is required to carry out an enhanced DBS check or obtain police clearance from a last country of domicile, for all staff, supply staff and Members of the Board who will be engaging in regulated activity. However, the School can also carry out an enhanced DBS check on a person who would be carrying out academy related 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

RECRUITMENT AND SELECTION PROCEDURE

Advertising

The aim of advertising is to attract a wide range of high-quality candidates from diverse

backgrounds. All advertisements for posts, whether in newspapers, journals or online should include a statement confirming that the academy is committed to safeguarding and the welfare of children and that all candidates who may come into contact with Eton Academy pupils or prospective pupils, either online or in person, will be required to undergo an enhanced DBS check.

The wording of job adverts will clearly highlight the school's commitment to safeguarding and will help deter, reject or identify people who might abuse pupils or are otherwise unsuited to working with them by stating the appropriate procedures for appointing staff.

All documentation relating to applicants will be treated confidentially in accordance with the Data Protection Act (DPA) or Data Privacy Regulations.

It is unlawful for the academy 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 the academy. 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 DBS.

3 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.

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.

References

References for short listed applicants will be requested immediately after short listing. The only exception is where an applicant has indicated on their application form that they do not wish their current employer to be contacted at that stage. In such cases, this reference will be taken up immediately after the interview. All Education hires require a Eton Academy Application form to ensure

the prior employer indicates there is no reason for the candidate to not work with children.

All offers of employment will be subject to the receipt of a minimum of two previous employment references which are considered satisfactory by the academy. One of the references must normally be from the applicant's current or most recent employer. If the current / most recent employment does / did not involve work with children, then the second reference should be from the employer with whom the applicant most recently worked with children. Neither referee should be a relative or someone known to the applicant solely as a friend. (Applicable for Education only).

For Eton Academy roles who do not face directly into education/children, (ie back office roles), references

from the two most recent employers must be provided.

The academy may, at its discretion, require further references, as appropriate, in order to satisfy itself that the preferred candidate is both suitable and appointable. All referees will be asked whether they believe the applicant is suitable for the job for which they have applied and whether they have any reason to believe that the applicant is unsuitable to work with children. All referees will normally be sent a copy of the job description and person specification for the role for which the applicant has applied. If the referee is a current or previous employer, he/she will also be asked to confirm the following:

- the applicant's dates of employment, salary, job title / duties, reason for leaving, performance, and disciplinary record;
- whether the applicant has ever been the subject of disciplinary procedures involving issues related to the safety and welfare of children (including any in which the disciplinary sanction has expired), except where the issues were deemed to have resulted from allegations which were found to be false, unsubstantiated, unfounded or malicious; and
- whether any allegations or concerns have been raised about the applicant that relate to the safety and welfare of children or young people or behaviour towards children or young people, except where the allegation or concerns were found to be false, unsubstantiated, unfounded or malicious.

The academy will only accept references obtained directly from the referee and from a company email address. It will not rely on references or testimonials provided by the applicant or on open references or testimonials.

4

The academy will compare all references with information given on the application form. Any discrepancies or inconsistencies in the information will be taken up with the applicant and the relevant referee before any appointment is confirmed. The academy will contact referees upon receipt of references to confirm that they have indeed supplied the reference.

Interviews

Eton Academy will conduct face-to-face or Zoom interviews, and a minimum of two interviewers will see

the applicants for the vacant position. The interview process will explore the applicant's ability to

carry out the job description and meet the person specification. It will enable the panel to explore any anomalies or gaps that have been identified in order to satisfy themselves that the chosen applicant can meet the safeguarding criteria (in line with Safer Recruitment Training). Any information in regard to 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 been disclosed.

At least one member of any interviewing panel will have undertaken safer recruitment training or refresher training as applicable.

Unsuccessful applicant documents will be destroyed.

Conditional Offer of Employment

In accordance with the recommendations set out in KCSIE and the requirements of the Education (Independent School Standards) Regulations 2019 the academy carries out a number of pre-employment checks in respect of all prospective employees.

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

- the agreement of a mutually acceptable start date and the signing of a contract incorporating the academy's standard terms and conditions of employment.
- verification of the applicant's identity (where that has not previously been verified);
- the receipt of two employment references (one of which normally must be from the applicant's most recent employer) which the academy considers to be satisfactory.
- for positions which involve "teaching work":

1. the academy 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 (England & Wales), or any predecessor or successor body, or by a regulator of the teaching profession in any country outside the UK. other which prevents the applicant working at the academy or which, in the academy's opinion, renders the applicant unsuitable to work at the academy. EEA teachers must provide a Letter of Professional Standing; and

2. the academy 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 the academy or which, in the academy's opinion, renders the applicant unsuitable to work at the School

5

- where the position amounts to "regulated activity" the receipt of an enhanced disclosure from the DBS, or police clearance from country of residence, which the academy considers to be satisfactory.
- 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 an independent school or working in a position which involves regular contact with children.
- confirmation that the applicant is not subject to a direction under section 128 of the Education and Skills Act 2008 which prohibits, disqualifies or restricts them from being involved in the management of an independent school (where applicable);

- verification of the applicant's medical fitness for the role;
- any further checks which are necessary as a result of the applicant having lived or worked outside of UK; and
- verification of professional qualifications which the academy deems a requirement for the post, or which the applicant otherwise cites in support of their application (where they have not been previously verified).

*The academy is not permitted to check the Children's Barred List unless an individual will be engaging in "regulated activity". The academy is required to carry out an enhanced DBS check for all staff, supply staff and Members of the Board, who will be engaging in regulated activity.

However, the academy 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.

Whether a position amounts to "regulated activity" must therefore be considered by the academy 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 Children's Barred List check.

A personal file checklist will be used to track and audit paperwork obtained in accordance with Safer Recruitment Training. The checklist will be retained on personal files.

All employee documentation will be held securely on the academy data management system (iSAMS).

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 Eton Academy.

DBS (Disclosure and Barring Service) Check (or equivalent)

The academy applies (personally or through an agency) for an enhanced disclosure from the DBS (or equivalent) and a check of the Children's Barred List (now known as an Enhanced Check for Regulated Activity) in respect of all positions at the academy 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

6

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

It is the academy's policy that the Enhanced DBS disclosure (or equivalent) must be obtained before the commencement of employment of any new employee. If a candidate has obtained an Enhanced DBS check (or equivalent) within the last 3 years, this will be accepted by the academy. Where the certificate is more than 3 years old, or the candidate does not have a DBS (or equivalent) a new check will be required before taking up post.

Non-teaching staff in the UK will be required to obtain a PVG or equivalent.

It is the academy's policy to re-check employee's DBS Certificates every three years and in addition any employee that takes leave for more than three months (ie: maternity leave, career break etc) must be re-checked before they return back to work.

Members of staff at Eton Academy are aware of their obligation to inform the principal, Chief Operating Officer, of any cautions or convictions that arise between these checks taking place.

Disclosure Update Service (UK only)

The disclosure update service allows individuals to register their details online with the DBS (as part of their enhanced disclosure application) and pay an annual fee to keep their DBS certificate details updated. This means that any future employers can quickly check the certificate online which will avoid many unnecessary repeat applications. Further information on the service is available from the Eon Academy leadership team or online at <https://www.gov.uk/dbs-update-service>.

To use this service an employee must subscribe within 30 days of their enhanced DBS certificate being issued. Any gaps in employment/engagement longer than three months will normally require a new enhanced disclosure check to be undertaken. The Academy has therefore made signing up to the update service a requirement for all casual workers who return to the academy on a regular basis but may have 3+ months gaps before they return. The academy will fund an enhanced DBS check or equivalent once and will then reimburse the worker for the cost of signing up to the update service each year. If a returning worker has failed to keep their enrolment with the update service current, the academy may refuse to fund the cost of a further DBS check.

Dealing with Convictions

The academy 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;
- one-off or history of offences;

- changes in circumstances,
- decriminalisation and remorse

7

A formal meeting will take place face-to-face to establish the facts with the Chief Operating Officer and Principal. A decision will be made following this meeting. 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 Chief Operating Officer and Principal will evaluate all of the risk factors above before a position is offered or confirmed.

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 academy may, where practicable and at its discretion, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

Proof of identity, Right to Work & Verification of Qualifications and/or Professional Status

All applicants invited to attend an interview at the academy will be required to provide their identification documentation such as passport, birth certificate, driving licence etc. as proof of identity/eligibility to work. The academy does not discriminate on the grounds of age.

Where an applicant claims to have changed their name by deed poll or any other means (e.g. marriage, adoption, statutory declaration) they will be required to provide documentary evidence of the change.

In addition, applicants must be able to demonstrate that they have actually obtained any

academic or vocational qualification legally required for the position and claimed in their application form. The academy retains the right to establish the authenticity of these documents, where required.

Overseas Checks

If the academy does not consider the DBS certificate (or equivalent) alone as sufficient (because it would not cover offences committed abroad), the academy will require whatever evidence of checking is available from the person's country of origin (or any other countries in which they lived) before the appointment is confirmed.

An overseas check will be required where the applicant has lived and/or worked abroad for three months or more in the last five years (in accordance with ISI requirements). The Home Office has published updated guides on what checks are available from different countries. A UK national returning after working in a foreign country is required to obtain a certificate of good conduct or equivalent from the country/countries in question. The academy will request extra references from countries that do not provide criminal record checks or should the overseas criminal record check be delayed. If an employee needs to start prior to receipt of the overseas police check, the School will confirm a start date provided that a risk assessment and all other pre-employment checks, including DBS and reference checks, are in place.

8

Record Retention / Data Protection

The academy is legally required to undertake the above pre-employment checks. Therefore, if an applicant is successful in their application, the academy will retain on their personnel file any relevant information provided as part of the application process. This will include copies of documents used to verify identity, right to work and qualifications. Medical information may be

used to help the academy to discharge its obligations as an employer e.g. so that the School may consider reasonable adjustments if an employee suffers from a disability or to assist with any other workplace issue.

This documentation will be retained by the academy for the duration of the successful applicant's employment with the academy. All information retained on employees is held securely and electronically.

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

Induction Programme

All new employees will be given an induction programme which will clearly identify the academy policies and procedures, including the Safeguarding and Child Protection Policy, the Code of Conduct in the Staff Handbook, and make clear the expectations which will govern how staff carry out their roles and responsibilities.

Ongoing Employment

Eton Academy recognises that safer recruitment and selection is not just about the start of employment but should be part of a larger policy framework for all staff. The school will therefore, provide ongoing training and support for all staff, as identified through the appraisal procedure.

Leaving Employment at Eton Academy

Despite the best efforts to recruit safely there will be occasions when allegations of serious misconduct or abuse against children and young people are raised. This policy is primarily

concerned with the promotion of safer recruitment and details the pre-employment checks that will be undertaken prior to employment being confirmed. Whilst these are pre-employment checks the academy also has a legal duty to make a referral to the DBS in circumstances where an individual:

- has applied for a position at the academy despite being barred from working with children;
- or
- has been removed by the academy from working in regulated activity (whether paid or unpaid), or has resigned prior to being removed, because they have harmed, or pose a risk of harm to, a child.

9

Contractors and Agency Staff

Contractors engaged by the academy must complete the same checks for their employees that the academy is required to complete for its staff. The academy requires confirmation that these checks have been completed before employees of the Contractor can commence work at the academy.

Agencies who supply staff to the academy must also complete the pre-employment checks which the academy would otherwise complete for its staff. Again, the academy requires confirmation that these checks have been completed before an individual can commence work at the academy.

Visiting Speakers (and Prevent Duty)

The Prevent Duty Guidance requires the academy to have clear protocols for ensuring that all back office staff and any visiting speakers, whether invited by staff or by pupils, are suitable and appropriately supervised.

The academy is not permitted to obtain a DBS disclosure or Children's Barred List information on any visiting speaker who does not engage in regulated activity at the academy or perform any other regular duties for or on behalf of the academy.

The academy will keep a record of all visiting speakers detailing the dates and year groups they engaged with. All visiting speakers will be supervised by a permanent member of Eton Academy.

The academy will also obtain such formal or informal background information about a visiting speaker as is reasonable in the circumstances to decide whether to invite and/or permit a speaker to attend the academy. In doing so the academy will always have regard to the Prevent Duty Guidance and the definition of "extremism" set out in KCSIE which states:

""Extremism" is vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas. Terrorist groups very often draw on extremist ideas developed by extremist organisations."

In fulfilling its Prevent Duty obligations the School does not discriminate on the grounds of race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age.

Volunteers

The academy will request a UK Police Check on all volunteers undertaking regulated activity, without a police checked member of staff present, with pupils at or on behalf of the academy (the definition of regulated activity set out above will be applied to all volunteers).

Under no circumstances will the academy permit an unchecked volunteer to have unsupervised

contact with pupils.

10

In addition the academy will seek to obtain such further suitability information about a volunteer as it considers appropriate in the circumstances. This may include (but is not limited to the following):

- formal or informal information provided by staff, parents and other volunteers;
- character references from the volunteer's place of work or any other relevant source; and
- an informal safer recruitment interview.

Monitoring and Evaluation

The Chief Operating Officer will be responsible for ensuring that this policy is monitored and evaluated

throughout the academy. This will be undertaken through formal audits of job vacancies and a yearly Safer Recruitment Evaluation audit which will be presented to members of the board.