



**KALEIDOSCOPE**  
Multi Academy Trust

# **Recruitment and Selection Procedures**

## **December 2022**

**(Reviewed Annually in line with National and Local Safeguarding Updates)**

**Approved by:** Kaleidoscope Trust Board

**Date:** December 2022

**Next Review:** December 2023

## **Contents**

<b>Recruitment and selection process</b>	<b>2</b>
<b>Advertising</b>	<b>2</b>
<b>Application forms</b>	<b>3</b>
<b>Shortlisting</b>	<b>3</b>
<b>Seeking references and checking employment history</b>	<b>3</b>
<b>Interview and selection</b>	<b>4</b>
<b>Pre-appointment vetting checks</b>	<b>5</b>
<b>New staff</b>	<b>5</b>
<b>Regulated activity means a person who will be:</b>	<b>6</b>
<b>Existing staff</b>	<b>6</b>
<b>Agency and third-party staff</b>	<b>7</b>
<b>Contractors</b>	<b>7</b>
<b>Trainee/student teachers</b>	<b>7</b>
<b>Volunteers</b>	<b>7</b>
<b>Governors/Trustees/Members</b>	<b>8</b>
<b>Apprentices</b>	<b>8</b>
<b>Staff working in alternative provision settings</b>	<b>8</b>
<b>Adults who supervise pupils on work experience</b>	<b>8</b>
<b>Pupils staying with host families</b>	<b>9</b>

## **Recruitment and selection process**

The recruitment steps outlined below are based on part 3 of Keeping Children Safe in Education (Safer Recruitment).

To make sure we recruit suitable people, we will ensure that those involved in the recruitment and employment of staff to work with children have received appropriate safer recruitment training.

Kaleidoscope have put the following steps in place during our recruitment and selection process to ensure we are committed to safeguarding and promoting the welfare of children.

## **Advertising**

All job applicants are protected against discrimination because of sex, marital or civil partnership status, transgender status, race, disability, age, sexual orientation, religion or belief and pregnancy or maternity throughout every stage of the recruitment process. Any candidate who is treated in a discriminatory way at a selection interview, or who is rejected for employment because of, for example, gender or race, may bring a complaint of discrimination to an employment tribunal, provided that the claim is lodged within three months of the date of the alleged discriminatory act.

It is important that throughout every stage of the recruitment process that the school ensures they are mindful of the relevant legislation:

- Equality Act 2010
- Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 (SI 2017/353)
- Data Protection Act 2018
- General Data Protection Regulation
- Immigration, Asylum and Nationality Act 2006

When advertising roles, we will make clear:

- Our school's commitment to safeguarding and promoting the welfare of children
- That safeguarding checks will be undertaken
- The safeguarding requirements and responsibilities of the role, such as the extent to which the role will involve contact with children
- Whether or not the role is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020. If the role is exempt, certain spent convictions and cautions are 'protected', so they do not need to be disclosed, and if they are disclosed, we cannot take them into account.

The advert should set out clearly the specific details of the vacancy and as a minimum should cover the:

- name of school;
- job title;

- salary of the post (if the post is term time only and/or part-time the pro-rated salary should be published), this should be in-line with decisions made in the school pay policy;
- number of contracted hours;
- type of contract being offered (If fixed term the reason for this should be specified – e.g. maternity cover, sickness absence);
- preferred start date;
- brief description of work and skills/qualifications required;
- closing date and how to apply;
- contact name & number for the applicant to contact should they want to find out more information.

### **Application forms**

Our application forms will:

- Include a statement saying that it is an offence to apply for the role if an applicant is barred from engaging in regulated activity relevant to children (where the role involves this type of regulated activity)
- Include a copy of, or link to, our child protection and safeguarding policy and our policy on the employment of ex-offenders

### **Shortlisting**

Our shortlisting process will involve at least 2 people and will:

- Consider any inconsistencies and look for gaps in employment and reasons given for them
- Explore all potential concerns

Once we have shortlisted candidates, we will ask shortlisted candidates to:

- Complete a self-declaration of their criminal record or any information that would make them unsuitable to work with children, so that they have the opportunity to share relevant information and discuss it at interview stage. The information we will ask for includes:
  - If they have a criminal history
  - Whether they are included on the barred list
  - Whether they are prohibited from teaching
  - Information about any criminal offences committed in any country in line with the law as applicable in England and Wales
  - Any relevant overseas information
- Sign a declaration confirming the information they have provided is true

We will also consider carrying out an online search on shortlisted candidates to help identify any incidents or issues that are publicly available online.

### **Seeking references and checking employment history**

We will obtain references before the interview. Any concerns raised will be explored further with referees and taken up with the candidate at interview.

When seeking references we will:

- Not accept open references

- Liaise directly with referees and verify any information contained within references with the referees
- Ensure any references are from the candidate's current employer and completed by a senior person. Where the referee is school based, we will ask for the reference to be confirmed by the Executive Headteacher/Headteacher/Head of School as accurate in respect to disciplinary investigations
- Obtain verification of the candidate's most recent relevant period of employment if they are not currently employed
- Secure a reference from the relevant employer from the last time the candidate worked with children if they are not currently working with children
- Compare the information on the application form with that in the reference and take up any inconsistencies with the candidate
- Resolve any concerns before any appointment is confirmed
- Digital or scanned signatures only are able to be accepted where not signed by hand
- Verification from the reference source should take place and be sufficiently recorded where required, for example, a follow-up phone call
- References should be initialled by the Executive Head/Headteacher/Head of School to confirm acknowledgement

### **Interview and selection**

In order to apply a consistent approach, it is advised the panel agree, in advance of the interview, a set of questions which they will ask all candidates which are based on the requirements of the post. The questions used should be competency based so they allow the candidate to provide examples of how they meet the requirements for the post. The panel may ask supplementary questions to enable them to explore further the candidate's application and references (if available).

The interview panel should be clear that it is their responsibility to ensure each applicant has the equal opportunity to highlight their suitability for the role, however, this does not mean they need to stick rigidly to a set group of questions and exploring and probing an individual's competencies is one of the best ways to do this.

#### Interview Panel

It is advised interview panels comprise of a minimum of 2 panel members, as this not only allows 1 person to observe and assess the candidate, and make notes, while the candidate responds to the question posed by the other panel member/s but prevents the potential for a 'hung panel' in the decision making process. It also reduces the possibility of any dispute about what was said or asked during the interview.

For some posts it can also be useful for other members of staff and governors to meet the candidates and pupil involvement is recommended. This will ensure that the candidates are able to obtain a full view of the working environment and philosophy of the school while at the same time enables an assessment to be made of how candidates interact with various stakeholders. Only people involved in the selection process should be included in the final decision-making process.

When interviewing candidates, we will:

- Probe any gaps in employment, or where the candidate has changed employment or location frequently, and ask candidates to explain this
- Explore any potential areas of concern to determine the candidate's suitability to work with children
- Record all information considered and decisions made
- Ensure that at least one member of the interviewing panel has completed Safer Recruitment Training either via The National College or via another external accredited provider.

**If at any stage of the recruitment and selection process, any red flags or points of concern become apparent, the relevant 'Areas of Concern' document should be completed and concerns documented with follow-up actions and details of escalation and/or referral. This document must be sealed and marked confidential for the eyes of the Executive Head/Headteacher/Head of School only and kept secure within the personnel/recruitment file.**

### **Pre-appointment vetting checks**

We will record all information on the checks carried out in the school's online single central record (SCR Online). Copies of these checks, where appropriate, will be held in individuals' personnel files. We follow requirements and best practice in retaining copies of these checks, as set out below.

### **New staff**

All offers of appointment will be conditional until satisfactory completion of the necessary pre-employment checks. When appointing new staff, we will:

- Verify their identity
- Obtain (via the applicant) an enhanced DBS certificate, including barred list information for those who will be engaging in regulated activity (see definition below). We will obtain the certificate before, or as soon as practicable after, appointment, including when using the DBS update service. We will not keep a copy of the certificate for longer than 6 months, but when the copy is destroyed we may still keep a record of the fact that vetting took place, the result of the check and recruitment decision taken
- Obtain a separate barred list check if they will start work in regulated activity before the DBS certificate is available
- Verify their mental and physical fitness to carry out their work responsibilities via a pre-employment medical questionnaire
- Verify their right to work in the UK. We will keep a copy of this verification for the duration of the member of staff's employment and for 2 years afterwards
- Verify their professional qualifications, as appropriate
- Ensure they are not subject to a prohibition order if they are employed to be a teacher
- Carry out further additional checks, as appropriate, on candidates who have lived or worked outside of the UK. Where available, these will include:
  - For all staff, including teaching positions: [criminal records checks for overseas applicants](#)
  - For teaching positions: obtaining a letter of professional standing from the professional regulating authority in the country where the applicant has worked

We will check that candidates taking up a management position\* are not subject to a prohibition from management (section 128) direction made by the secretary of state.

*(Management positions are most likely to include, but are not limited to, Executive Headteachers/Headteachers/Heads of School/Deputy/Assistant Headteachers).*

We will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we take a decision that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment on the individual's personnel file. This will include our evaluation of any risks and control measures put in place, and any advice sought.

### **Regulated activity means a person who will be:**

- Responsible, on a regular basis in a school or college, for teaching, training, instructing, caring for or supervising children; or
- Carrying out paid, or unsupervised unpaid, work regularly in a school or college where that work provides an opportunity for contact with children; or
- Engaging in intimate or personal care or overnight activity, even if this happens only once and regardless of whether they are supervised or not

### **Existing staff**

In certain circumstances we will carry out all the relevant checks on existing staff as if the individual was a new member of staff. These circumstances are when:

- There are concerns about an existing member of staff's suitability to work with children; or
- An individual moves from a post that is not regulated activity to one that is; or
- There has been a break in service of 12 weeks or more

We will refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult where:

- We believe the individual has engaged in [relevant conduct](#); or
- We believe the individual has received a caution or conviction for a relevant (automatic barring either with or without the right to make representations) offence, under the [Safeguarding Vulnerable Groups Act 2006 \(Prescribed Criteria and Miscellaneous Provisions\) Regulations 2009](#); or
- We believe the 'harm test' is satisfied in respect of the individual (i.e. they may harm a child or vulnerable adult or put them at risk of harm); and
- The individual has been removed from working in regulated activity (paid or unpaid) or would have been removed if they had not left.

**Any personal or confidential information relating to medical/health, previous offences or advisories, disciplinary or investigative procedures should be maintained in a sealed envelope within an employee's personnel file. This must be sealed and marked for the attention of the Executive Head/Headteacher/Head of School only. Supporting documentation should be included and reviewed where necessary.**

## **Agency and third-party staff**

We will obtain written notification from any agency or third-party organisation that it has carried out the necessary safer recruitment checks that we would otherwise perform. We will also check that the person presenting themselves for work is the same person on whom the checks have been made.

## **Contractors**

We will ensure that any contractor, or any employee of the contractor, who is to work at the school has had the appropriate level of DBS check (this includes contractors who are provided through a PFI or similar contract). This will be:

- An enhanced DBS check with barred list information for contractors engaging in regulated activity
- An enhanced DBS check, not including barred list information, for all other contractors who are not in regulated activity but whose work provides them with an opportunity for regular contact with children

We will obtain the DBS check for self-employed contractors.

We will not keep copies of such checks for longer than 6 months.

Contractors who have not had any checks will not be allowed to work unsupervised or engage in regulated activity under any circumstances.

We will check the identity of all contractors and their staff on arrival at the school.

For self-employed contractors such as music teachers or sports coaches, we will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we decide that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought.

## **Trainee/student teachers**

Where applicants for initial teacher training are salaried by us, we will ensure that all necessary checks are carried out.

Where trainee teachers are fee-funded, we will obtain written confirmation from the training provider that necessary checks have been carried out and that the trainee has been judged by the provider to be suitable to work with children.

In both cases, this includes checks to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006.

## **Volunteers**

We will:

- Never leave an unchecked volunteer unsupervised or allow them to work in regulated activity
- Obtain an enhanced DBS check with barred list information for all volunteers who are new to working in regulated activity



- Carry out a risk assessment when deciding whether to seek an enhanced DBS check without barred list information for any volunteers not engaging in regulated activity. We will retain a record of this risk assessment
- Ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we decide that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought

### **Governors/Trustees/Members**

All Trustees, Local Governors and Members will have an enhanced DBS check without barred list information.

They will have an enhanced DBS check with barred list information if working in regulated activity.

The chair of the board will have their DBS check countersigned by the secretary of state.

All proprietors, trustees, local governors and members will also have the following checks:

- A section 128 check (to check prohibition on participation in management under [section 128 of the Education and Skills Act 2008](#)). (Section 128 checks are only required for local governors if they have retained or been delegated any management responsibilities.)
- Identity
- Right to work in the UK
- Other checks deemed necessary if they have lived or worked outside the UK

### **Apprentices**

Employees appointed as Apprentices will be paid the National Minimum Wage (NMW) for their age following the completion of the first year of their Apprenticeship, not the NMW rate for Apprentices. A Kaleidoscope hourly rate has been agreed for Apprentices during their first year of placement/study and will be reviewed annually. Should trainees successfully attain a substantive post, their salary would then reflect the grade for the post.

Schools are able to pay an appropriate rate taking into account the NMW and the grade applicable to the post.

### **Staff working in alternative provision settings**

Where we place a pupil with an alternative provision provider, we obtain written confirmation from the provider that they have carried out the appropriate safeguarding checks on individuals working there that we would otherwise perform.

### **Adults who supervise pupils on work experience**

When organising work experience, we will ensure that policies and procedures are in place to protect children from harm.

We will also consider whether it is necessary for barred list checks to be carried out on the individuals who supervise a pupil under 16 on work experience. This will depend on the

specific circumstances of the work experience, including the nature of the supervision, the frequency of the activity being supervised, and whether the work is regulated activity.

### **Pupils staying with host families**

Where the school makes arrangements for pupils to be provided with care and accommodation by a host family to which they are not related (for example, during a foreign exchange visit), we will request enhanced DBS checks with barred list information on those people.

Where the school is organising such hosting arrangements overseas and host families cannot be checked in the same way, we will work with our partner schools abroad to ensure that similar assurances are undertaken prior to the visit.

A handwritten signature in blue ink that reads "Tristan Coy". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Chair of Trustee Board

7/12/22

# Areas of Concern/Referral for Applicants or Employees



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Name of Applicant/Employee:	
Position:	
Date:	

Area of concern noted from (please tick/expand):	
Self-disclosure documentation	
Interview	
Pre-Employment Medical Questionnaire	
DBS Check	
Other	

Concerns referred to:	
Date of referral:	
Actions taken:	

Recruitment completed:	Yes / No
Details of any follow up-action required:	

Signature:	
Position:	
Date:	

To be placed in a sealed envelope for the attention of the Headteacher only within personnel or applicant file.