Trust in Learning
Trust in Success






TRUST IN LEARNING (ACADEMIES)

SAFER RECRUITMENT POLICY

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05/09/22			New Policy
April 2025		Removal of reference to EEA Update to recruitment practice including use of online forms Inclusion of Letters of Assurance	

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1. Introduction

TILA is committed to safeguarding and promoting the welfare of all learners in its care. As an employer, the Trust expects all staff and volunteers to share this commitment.

2. Aims and Objectives

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

The aims of the Trust'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 - September 2024 (KCSiE), the Prevent Duty Guidance for England and Wales 2015 (the Prevent Duty Guidance) and any guidance or code of practice published by the Disclosure and Barring Service (DBS); and
- to ensure that the Trust meets its commitment to safeguarding and promoting the welfare of our learners by carrying out all necessary pre-employment checks.

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

The Trust 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 each of our schools 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 2025 and Prevent Duty Guidance).

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 Trust aims to operate this procedure consistently and thoroughly while obtaining, collating, analysing and evaluating information from and about applicants applying for job vacancies through Trust in Learning.

3. Roles and Responsibilities

It is the responsibility of the Board of Trustees to:

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

It is the responsibility of the Headteachers, Business Manager and other Managers involved in recruitment to:

- Ensure that their school operates safe recruitment procedures and makes sure all appropriate checks are carried out on all staff and volunteers who work at each of their schools. To monitor contractors' and agencies' compliance with this document.
- Promote welfare of learners at every stage of the procedure.

The Board of Trustees has delegated responsibility to the Headteachers (teaching staff), Business Manager (support staff) and Senior Trust Leaders (for example Directors, Service Leads) to lead in all appointments. Trustees may be involved in staff appointments, but the final decision will rest with each Headteacher or Senior Trust Leader.

4. Definition of Regulated Activity and Frequency

Any position undertaken at, or on behalf of the Trust will amount to "regulated activity" if it is carried out:

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

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 Trust is not permitted to check the Barred List unless an individual will be engaging in "regulated activity". The Trust is required to carry out an enhanced DBS check for all staff, supply staff and trustees who will be engaging in regulated activity. However, the Trust 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.

5. Recruitment and Selection Procedure - Advertising

To ensure equality of opportunity, the Trust will advertise all vacant posts to encourage as wide a field of applicant as possible, normally this entails an external advertisement.

Any advertisement will make clear TILA's commitment to safeguarding and promoting the welfare of children. Each advert will contain the Fluency duty and our safeguarding statement.

All documentation relating to applicants will be treated confidentially in accordance with the General Data Protection Regulations (GDPR 2018).

6. Application Forms

Trust in Learning Academies and its schools uses its own application form or a digital equivalent which covers the same content covering applicants' 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). Applicants submitting an incomplete application form will not be shortlisted. All equal opportunities forms will be removed from any application forms and will be kept separately.

The application methods 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 may be accepted for long listed but applicants will be required to complete the full form in order to be shortlisted.

It is unlawful for the Trust 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 Trust in Learning (Academies). 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.

7. Shortlisting

At the shortlisting stage we will undertake an online search for all shortlisted candidates as per the guidance within KCSiE.

8. References

References for the successful candidate(s) will be requested before interview.

All offers of employment will be subject to the receipt of a minimum of two references, covering the last five years, which are considered satisfactory by the school/Trust. One of the references must 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. The referee should not be a relative. References will always be sought and obtained directly from the referee and their purpose is to provide objective and factual information to support appointment decisions.

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.

Referees will also be asked to confirm that the applicant has not been radicalised, so that they do not support terrorism or any form of "extremism".

Please note that no questions will be asked about health or medical fitness prior to any offer of employment being made.

Any discrepancies or anomalies will be followed up. Wherever possible, steps will be taken to confirm the legitimacy of referees via company website/business email/phone. It is a requirement of KCSiE 2024 that references for educational establishments are completed by or countersigned by the seniormost Headteacher/Principal/CEO. Where this is not the case, the reference will be confirmed by contacting the school to ensure that all confidential information relating to concerns and investigations has been passed on.

The Trust does not accept open references, testimonials or references from relatives.

9. Interviews and Selection Tasks

There will be a face-to-face interview wherever possible. It is good practice to ensure there are three interviewers on the panel, a minimum of two interviewers is acceptable in extreme circumstances. One interviewer must always be safer recruitment trained. 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 which 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 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 been disclosed on the application form.

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

All applicants who are invited to an interview will be required to bring evidence of their identity, address and qualifications. Original documents will only be accepted, and photocopies will be taken. Unsuccessful applicant documents will be destroyed 6 months after the recruitment programme.

10. Offer of appointment and New Employee Process

In accordance with the recommendations set out in KCSiE the Trust 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 Trust in Learning standard terms and conditions of employment

- verification of the applicant's identity (if not previously been verified)
- the receipt of a minimum of two references covering the last five years (one of which must be from the applicant's most recent employer) which the school considers to be satisfactory for positions which involve "teaching work":

    - the Trust being satisfied that the applicant is not, and has never been, the subject of a sanction, restriction or prohibition issued by the Teaching Regulation Agency (formerly National College for Teaching and Leadership), or any predecessor or successor body, which prevents the applicant working for Trust in Learning or which, in the Trusts opinion, renders the applicant unsuitable to work at any of our schools;
    - the Trust 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 for the Trust or which, in the Trusts opinion, renders the applicant unsuitable to work at any of our schools.

- where the position amounts to "regulated activity" the receipt of an enhanced disclosure
- from the DBS which the Trust 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 128 of the Education and Skills Act 2008 which prohibits, disqualifies or restricts them from being involved in the management of Trust in Learning
- 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 professional qualifications which the Trust deems a requirement for the post, or which the applicant otherwise cites in support of their application (where not previously verified).
- A comprehensive Probation should be undertaken for each new starter new to the Trust as well as those existing staff moving into a new role.

Whether a position amounts to "regulated activity" must therefore be considered by the Trust in order to decide which checks are appropriate. It is however likely that in nearly all cases the Trust will be able to carry out an enhanced DBS check.

11. 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 learners. Therefore, any convictions and cautions that would normally be considered 'SPENT' must be declared when applying for any position at Trust in Learning.

12. DBS (Disclosure and Barring Service (Check)

The Trust applies for an enhanced disclosure from the DBS in respect of all positions at throughout The Trust 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.

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

It is the Trust's policy to re-check employees' DBS Certificates every three years and in addition any employee who 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 Trust in Learning are aware of their obligation to inform the School Business Manager or Line Manager if a member of the central Trust team, of any cautions or convictions that arise between these checks taking place.

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

All existing employees are required to inform the Trust or the School of any changes in their criminal record. This includes convictions, cautions, arrests and police investigations which are not protected under the amendments to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020). The Trust/school may require all employees to sign a declaration on an annual basis that there has been no change in their criminal record. Action may be taken as a result of any change or any failure to inform the Trust/school of any change.

13. Portability of DBS Certificates Check

Staff may wish to join the DBS Update Service if they are likely to require another check in the future. Applicants may sign up to the Service for a fee of £16 per annum, which is payable by the applicant.

This allows for portability of a Certificate across employers. The Trust will:

- Obtain consent from the applicant to carry out an update search.
- Confirm the Certificate matches the individual's identity.
- Examine the original certificate to ensure that it is for the appropriate workforce and level of check, i.e enhanced certificate/enhanced including barred list information.

The Update check would identify and advise whether there has been any change to the information recorded, since the initial Certificate was issued. Applicants will be able to see a full list of those organisations that have carried out a status check on their account.

14. DBS Certificate

Employees/applicants should bring their original Certificate to the designated person (e.g. School Business Manager or line manager) at each school/Trust (for employees within seven days of issue or applicants before they commence work or any project involving regulated activity)

15. Dealing with Convictions

The Trust 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.

A formal meeting will take place face-to-face to establish the facts with the Headteacher and the Business Manager or equivalent senior Trust leader for the central team. 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 Headteacher 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 Trust 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.

16. Secretary of State Prohibition Orders (Teaching and Management Roles)

In all cases where an applicant is to undertake a teaching role of any kind, a Prohibition Order check will be made using the *Check a Teacher's Record* system. It is anticipated that this will be performed at offer stage. A person who is prohibited from teaching must not be appointed to work as a teacher in such a setting.

Prohibition orders are made by the Secretary of State following consideration by a professional conduct panel convened by the Teaching Regulation Agency. Pending such consideration, the Secretary of State may issue an interim prohibition order if it is considered to be in the public interest to do so. A section 128 direction 39 prohibits or restricts a person from taking part in the management within our schools.

A person who is prohibited is unable to participate in any management of any school, a trustee on any governing body or a management position that retains or has been delegated any management responsibilities. A check for a section 128 direction will be carried out using the Trust's DBS checking system. Where the person will be engaging in regulated activity, a DBS barred list check will also identify any section 128 direction.

17. Proof of Identity, Right of Work in the UK and verification of Qualifications and/or professional status

All applicants invited to attend an interview within the Trust 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 the Immigration, Asylum and Nationality Act 2006 and DBS identity checking guidelines. The Trust does not discriminate on the grounds of age.

Where an applicant claims to have changed their name by deed poll or any other means (eg 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.

18. Medical Fitness

The Trust is legally required to verify the medical fitness of anyone to be appointed to a post at each of our schools or central Trust team, after an offer of employment has been made but before the appointment can be confirmed.

All applicants are requested to complete a medical questionnaire and where appropriate a doctor's medical report may be required. This information will be reviewed against the Job Description and the Person Specification for the particular role, together with details of any other physical or mental requirements of the role.

The Trust 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.

19. Overseas Check

The Trust, in accordance with the UK Visas and Immigration (UKVI) will, if applicable, sponsor new foreign nationals (see Certificate of Sponsorship section).

In addition, applicants who have lived/travelled abroad for more than 3 months within the last five years will need to obtain a criminal records 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 Trust.

20. Certificates of Sponsorship (CoS)

If an appointed applicant is a national of a different country, a CoS may be required. Before any offer of employment is made, the Interviewing Managers should consult with the HR to establish whether the Trust has any unallocated Sponsorship Certificates.

Criteria for issuing a CoS are:

- The job is in a "designated shortage" occupation, or
- It passes the Resident Labour Market Test (RLMT)
- The job is at NQF6 Level or above
- Minimum salary levels as stated by the UKVI are met.

Only HR will be able to issue a CoS. In addition to the CoS the applicant must apply for entry clearance/leave to remain through the UKVI and comply with the UKVI requirements.

The process can take up to three months and staff cannot, under any circumstances, be employed until permission is given.

Detailed advice on the above is available from the HR Department.

21. Risk Assessments

On extremely rare occasions, the Headteacher or equivalent senior Trust leader may decide to start an employee in post without all of their completed checks. More than one incomplete check would not be accepted. The senior leader will risk assess and record the mitigating factors, rationale and review dates. Examples where this may be appropriate are:

- Applicant unable to obtain overseas criminal check due to geographical context (e.g. ongoing war or applicant's political status)
- Applicant career history unable to be verified due to organisational context (e.g. company dissolution)

HR advice must always be sought in these instances.

22. Induction Programme

All new employees will be given an induction programme which will clearly identify the Trusts policies and procedures, including Safeguarding, the Code of Conduct, and KCSIE, and make clear the expectations which will govern how staff carry out their roles and responsibilities.

23. Single Central Register (SCR) of Members of Staff

In addition to the various staff records kept in each school and on individual personnel files, a single centralised record of recruitment and vetting checks is kept in accordance with Keeping Children Safe in Education guidance. This is kept up-to-date and retained by the Business Manager at school level, and by a designated member of central staff for the central Trust team. The Single Central Register will contain details of the following:-

- All employees who are employed to work at the school;
- all employees who are employed as supply staff to the school whether employed directly or through an agency;

- all others who have been chosen by the school to work in regular contact with children. This will cover volunteers, trustees, peripatetic staff and people brought into the school to provide additional teaching or instruction for learners but who are not staff members, e.g sports coaches etc.

A central Trust template/system will be provided by HR to support schools in discharging their safeguarding duties.

Audit responsibilities sit with the school's Designated Safeguarding Lead who will report their findings to their Headteacher. These should be completed termly (6 times per year) and recorded on the audit tab of the SCR. HR will annually audit and share good practice collected across the organisation and from legal advisors.

24. Record Retention/Data Protection

The Trust is legally required to undertake the above pre-employment checks. Therefore, if an applicant is successful in their application, the Trust 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 in the UK, medical fitness and qualifications.

Medical information may be used to help the Trust to discharge its obligations as an employer, e.g so that each 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 Trust for the duration of the successful applicant's employment with the Trust. All information retained on employees is kept centrally via our online HR system. Access to this system is strictly limited to those with operational requirements (e.g. Headteachers, School Business Managers, senior Trust leaders and HR team).

The same policy applies to any suitability information obtained about volunteers and local governors (or equivalent) involved with the school activities. Records and checks are obtained and stored locally and securely at school level for these individuals.

Trust in Learning will retain all interview notes on all unsuccessful applicants for a period of 6 months, after which time the notes will be confidentially destroyed (i.e deleted). The 6-month retention period is in accordance with the General Data Protection Regulations (GDPR) [DPA 18].

25. Ongoing Employment at Trust in Learning (Academies)

Trust in Learning 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 Trust will therefore provide ongoing training and support for all staff, as identified through the Annual Review/appraisal procedure.

26. Contractors and Agency Staff

Contractors engaged by each school must complete the same checks for their employees that the Trust is required to complete for its staff. The school requires confirmation that these checks have been completed before employees of the Contractor can commence work at any of our sites. The Trust has a template Letter of Assurance which it provides to external agencies and companies to complete. The schools and Trust will accept an organisation's own letter of assurance if it matches or exceeds the level of checks accepted in its own template.

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

The Trust will independently verify the identity of staff supplied by contractors or an agency in and will require the provision of the original DBS certificate before contractors or agency staff can commence work at the school.

27. Visiting Speakers (and Prevent Duty)

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

The Trust 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 schools or perform any other regular duties for or on behalf of the schools.

All visiting speakers will be subject to the schools' usual visitors signing in protocol. This will include signing in and out at Reception, the wearing of a visitor's badge at all times and being escorted by a fully vetted member of staff between appointments.

The school 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 school. In doing so, the school will always have regard to the [Visitors and Security Policy], 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 Trust 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.

28. Volunteers

The schools will request an enhanced DBS disclosure and Children's Barred List information on all volunteers undertaking regulated activity with learners at or on behalf of the school (the definition of regulated activity set out above will be applied to all volunteers).

Under no circumstances will the school permit an unchecked volunteer to have unsupervised contact with learners.

It is the school's policy that a new DBS certificate is required for volunteers who will engage in regulated activity but who have not been involved in any activities with the school for three consecutive months or more. Those volunteers who are likely to be involved in activities with the school on a regular basis may be required to sign up to the DBS update service as this permits the school to obtain up to date criminal records information without delay prior to each new activity in which a volunteer participates.

In addition, the school 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.
- Various checks of conduct (from overseas, a police check if applicable)

29. Monitoring and Evaluation

The most senior member of the HR Team will be responsible for ensuring that this policy is monitored and evaluated throughout the Trust. This will be undertaken through formal audits of job vacancies and a yearly Safer Recruitment Evaluation audit which will be presented to the Headteacher/Business Manager to report to the Board of Trustees.

30. Breaches of the Policy

Any instances of this policy not being adhered to will be taken very seriously and appropriate disciplinary action will be taken.