



Recruitment & Selection Policy

Policy Reference No	PT013
Review Frequency	Annually
Reviewed	September 2023
Next Review Date	Summer 2024

(This policy supersedes all previous Recruitment & Selection policies)

FLOURISHING FUTURES



Amendments

Policy Date	New Version Number	Summary of change	Comments
Dec 18	V1.1	Delete of Director of Operations Role & replaced with Senior Manager.	
Dec 18	V1.1	Delete Operations Team & replace with Business Support Team	
Sep 19	V1.2	Updated Introduction Section (1) to give overview of Succession Planning Strategy (1.2 / 1.3)	
Sep 19	V1.2	Updated to 1.4 to reflect the details of appointing committees are as per Scheme of Delegation	
Sep 19	V1.2	Added section on Trust Succession Strategy (3)	
Sep 19	V1.2	Updated Advertising Section (5) to reflect Succession Planning Strategy (5.1 / 5.2 / 5.3)	
Sep 19	V1.2	Updated Application Form Section (7) to reflect that the process for internal applicants in line with Succession Planning Strategy (7.2)	
Sep 19	V1.2	Updated 8.1a to reflect that references will not be requested for internal applicants.	
Sep 19	V1.2	Updated Interviews Section (10) to reflect that that there may be exceptional circumstances where face to face interview not appropriate and process (10.2).	
Sep 19	V1.2	Updated policy throughout to reflect that all Job Description will have a Person Specification	
Sep 19	V1.2	Updated 10.9 to reflect that all success applicants interview notes will be held in personnel file	
Sep 20	V1.2	Added that the Trust will ensure fair process and value for money and when appropriate the Board will test against external candidates (1.3)	
Sep 20	V1.3	Added that all senior leadership vacancies will be reviewed by TET and taken to Board (1.4)	
Sep 20	V1.3	Added action to support the disabled applicants (1.12)	
Sep 20	V1.3	KCSIE date updated to 2020 (4.3)	
Sep 20	V1.3	Added details of senior leadership vacancies and advertising process (5.4)	
Sep 20	V1.3	Added details relating to the issue of recruitment privacy notice to all applicants (5.7)	
Sep 20	V1.3	Added that shortlisted candidates will be asked to disclose details on criminal convictions etc. (10.11)	
Sep 20	V1.3	Safer recruitment training will be updated every 2 years	
Sep 20	V1.3	Added as Trust runs before and afterschool clubs an activities for children up to age of 8/provides education for children up to the age of 5 (13.1/m)	
Sep 20	V1.3	Added requirements for DBS for Chair of Trustees after 01 Apr 19 (14.1/Table)	
Sep 20	V1.3	Updated action for holding DBS certificates and producing certificates when requested (14.3/14.4)	
Sep 20	V1.3	Added that (subject to RA) a new enhanced DBS check will be completed when their contact has increased from that of their time of appointment (15.1)	
Sep 20	V1.3	Added that agency workers must be supplied with copy of Trust Managing Allegations Policy (16.2)	
Sep 20	V1.3	Chief Operating Officer role added (Member of TET)	
Sep 21	V1.4	Staff and employee replaced with colleagues throughout	

Policy Date	New Version Number	Summary of change	Comments
Sep 21	V1.4	HR replaced with People throughout	
Sep 21	V1.4	Sentenced removed relating to % of existing colleagues appointed to new roles (1.2)	
Sep 21	V1.4	Removed relating to internal recruitment within the LAP (3.2/3.3)	
Sep 21	V1.4	Year change on KCSIE (4.3)	
Sep 21	V1.4	Removed related to advertising for internal applicant within the LAP (5.1)	
Sep 21	V1.4	Line added relating to employment is subject to Enhanced DBS (5.5)	
Sep 21	V1.4	Line added relating to seniority of referee (8.1(d))	
Sep 21	V1.4	Line added relating to working with children (8.19g)	
Sep 21	V1.4	Removed relating to face to face interview (10.2)	
Sep 21	V1.4	Line removed relating to declaration of a criminal record or caution (10.9)	
Sep 21	V1.4	Line removed relating to disclosure and discussion of convictions and or cautions (10.11)	
Sep 21	V1.4	Removed relating to self-disclosure forms (10.2)	
Sep 21	V1.4	Removed relating to satisfactory checks for teachers (13.1(j))	
Sep 21	V1.4	Added relating to applicants declaring convictions and cautions (14.6)	
Sep 21	V1.4	Line added relating to Rehabilitation of Offenders Act 1974 (15.4)	
Sep 21	V1.4	Non-Teaching replaced with Support Staff throughout	
Sep 22	V1.5	Head of Academy replaced with Head Teacher throughout document	
Sep 22	V1.5	Paragraph added relating to legislation and statutory requirements (2.2)	
Sep 22	V1.5	KCSIE 22 updated (4.3)	
Sep 22	V1.5	Paragraph added relating to legal obligations GDPR etc (2.3)	
Sep 22	V1.5	Trust succession strategy section updated to reflect current strategy (3)	
Sep 22	V1.5	Candidates changed to applicants throughout document	
Sep 22	V1.5	Trust Executive Team/Trust Leadership roles updated & replaced throughout document	
Sep 22	V1.5	Shortlisting panel make up updated to reflect interview panel (9.3)	
Sep 22	V1.5	Teams added as an option for interviews (10.1)	
Sep 23	V1.6	Purpose & Scope section updated in line with legal obligations (2)	
Sep 23	V1.6	Trust Succession strategy section removed (3)	
Sep 23	V1.6	Equality Legislation section added (3)	
Sep 23	V1.6	Safer recruitment section updated (4)	
Sep 23	V1.6	New & amended post section added (5)	
Sep 23	V1.6	Advertising section updated (5.1, 5.2, 5.3)	
Sep 23	V1.6	Reference section updated (8.1, 8.2, 8.6, 8.7,8.8)	
Sep 23	V1.6	Shortlisting section updated throughout (9)	
Sep 23	V1.6	Interview section updated (10.1, 10.11, 10.12, 10.13, 10.14)	
Sep 23	V1.6	Decision making, feedback and offers of employment section added (11)	
Sep 23	V1.6	Contracts of employment section added (19)	
Sep 23	V1.6	Remuneration section added (20)	
Sep 23	V1.6	Monitoring & Data Protection section updated (21.3, 21.4)	

Union consultation/External Review

Date	Action (meeting, email etc.)	Comments	Attendance
20/11/18	Draft policy sent to all unions and staff for comment	30 day consultation period	
22/09/20	Sent to external HR Advisors – Browne Jacobson for review		
28/09/21	Sent to external HR Advisors – Browne Jacobson for review		
Sept 23	Sent to PHP Law for external review		

* **Trust** – Refers to all Schools, Academies & Business Support Team within the Learning Academy Partnership

* **Colleagues** – Refers to employees

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1. Introduction

1.1 The success of the Learning Academy Partnership (the 'Trust') relies on recruiting and selecting the 'Best' people with appropriate skills, knowledge, qualifications, experience, abilities and competencies to meet current and future requirements. The Trust endeavours to recruit and select the right people in a fair, consistent, timely and cost-effective manner in line with current legislation and statutory requirements. Safeguarding sits at the heart of the Trust's recruitment and selection processes, ensuring our young people's safety is central to our recruitment and selection processes, decisions, and outcomes.

2. Purpose and scope

2.1 This policy applies to all applicants and employees of the Trust.

2.2 The purpose of this policy is to set out our processes for recruiting, selecting, and appointing any colleague to work within our Trust and is designed to ensure that people who are unsuitable to work with children, young people and their families are deterred and prevented from working within the school environment.

2.3 Not appointing the right people to our roles can have a negative impact on the performance of our Trust to ensure that recruitment effectively and efficiently supports the provision of high-quality education to the children. The Trust will ensure that recruiting managers follow this procedure, safeguarding those children and young people for whom it has a duty of care.

2.4 The Trust will follow its obligations under the Equality Act 2010.

2.5 The aim is to provide a fair, consistent and transparent framework that adheres to employment legislation and statutory requirements, enabling managers to:

- Attract the best possible applicants to vacancies
- Ensure equality and fair treatment in recruitment and selection and that all appointments are based on merit
- Ensure that the safeguarding and welfare of children and young people sits at the heart of recruitment and selection and is robust throughout the process
- Follow a fair, consistent, open and transparent process in recruiting and selecting employees
- Adhere to all relevant legislation and statutory requirements
- Ensure the most cost-effective use of resources
- Give applicants a clear understanding of the post and what is expected of them, measuring applicants against the criteria in a fair, transparent and reasonable way. The Trust will give appropriate and proper consideration to all applicants
- Value all individuals involved in the recruitment process
- Value existing staff and help them realise their potential
- Minimise the risk of making an unsuitable appointment

2.6 The Trust understands its statutory obligations and the Trust People Team will ensure policies, procedures, processes, training and associated documentation is regularly reviewed in line with changing legal and statutory requirements.

3. Equality Legislation

3.1 The Trust is committed to compliance with their legal duty to actively promote equal opportunities and eliminate discrimination.

3.2 If an applicant makes the Trust aware, at any stage of the recruitment process, that they have a disability then reasonable adjustments must be considered to ensure the applicant is not disadvantaged by the process.

3.3 In the very exceptional case where we are required to discriminate due to an occupational requirement this must be approved by the Board who will provide reasons for this requirement.

3.4 The Trust recognises the legal obligations it has as an employer under the Equality Act 2010, the Part time Workers (Prevention of Less Favourable Treatment) Regulations 2000, Fixed Term (Prevention of Less Favourable Treatment) Regulations 2002, The Employment Rights Act 1996, and the Human Rights Act 1998.

3.5 Equality Legislation covers all aspects of the recruitment and employment process and protects applicants with 'protected characteristics' against discrimination. Protected characteristics are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and Maternity
- Race
- Religion and Belief
- Sex
- Sexual Orientation

3.6 The equality legislation applies to everyone including:

- Employees
- Job applicants
- Volunteers
- Agency Workers
- Contract Workers
- Students

3.7 The Equality Act 2010 is supported by a code of practice which sets out good employment practice and guidance on how to ensure compliance with legal requirements. Although not legally binding, the code of practice will be taken into account by employment tribunals as evidence of good practice. The

code of practice can be found on the Equality and Human Rights Commission website and will be amended from time to time.

- 3.8 In addition to the other forms of discrimination set out in the Equality Act, people with a disability, as defined in the Equality Act 2010, are protected from:
- Unfavourable treatment by the Trust due to something connected with their disability- this differs from direct/indirect discrimination because there does not have to be anyone to compare the treatment of the disabled person with.
 - A failure by the Trust to make 'reasonable adjustments' – these must be made if a disabled candidate is placed at a substantial disadvantage, i.e. anything that is not minor or trivial, by any aspect of the recruitment process. What is reasonable will depend on the effectiveness of the adjustment in overcoming the disadvantage and the ability of the employer to make the required changes. Changes may have to be made to the recruitment process, duties, working practices and terms and conditions of employment, even when that involves treating disabled people more favourably. It is also unlawful to discriminate against employees, job applicants or trainees because of their age.

4. Safer recruitment

- 4.1 The Trust recognises its legal obligations in safeguarding vulnerable groups and this procedure adheres to the requirements of the Police Act 1997, the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020), the Protection of Children Act 1999, the Education Act 2002 and Statutory Guidance (e.g. Keeping Children Safe in Education and Disqualification under the Childcare Act 2018).
- 4.2 The Trust is committed to safeguarding and promoting the welfare of children and young people and expects all staff to share this commitment.
- 4.3 This policy directly endorses and supports mandatory guidance in 'Keeping Children Safe in Education' Recruitment and selection in our Academies must focus on safeguarding children by reducing the risk of harm through employment suitable, appropriately screened, vetted and checked individuals.
- 4.4 All recruitment must be in line with this policy to ensure that we identify, deter and prevent people who pose a risk of harm from working with our children and young people.
- 4.5 The recruitment of all applicants and volunteers to our Trust must, without exception, follow the processes of safer recruitment. All offers of employment will be subject to us being satisfied that the applicant or volunteer is a suitable person to work with children and young people.
- 4.6 Any person involved in recruiting to our Trust must read the "Keeping children safe in education" (2023) guidance (or updated statutory guidance) produced by the DfE and our Trust's Child Protection Policy. These can be obtained from the office / colleague portal / Trust People Team.
- 4.7 The School Staffing (England) Regulations 2009, as amended, require that at least one person on any selection panel has undertaken safer recruitment training.

- 4.8 All recruitment must be planned to ensure that there is adequate time available to recruit safely.
- 4.9 Any person who becomes aware that this policy is not being followed during recruitment must inform the Head Teacher /Executive Head/ Member of Trust Leadership Team/Member of Trust Executive Team (as appropriate) immediately.
- 4.10 All of the checks described in Sections 13 and 14 must be carried out and have been determined as satisfactory before an applicant can start their employment in the Trust.
- 4.11 Sections 14 and 15 on Disclosure and Barring Service checks also applies to volunteers in our Trust.

5. New and amended posts

- 5.1 All changed/new support staff job descriptions will be evaluated by the Trust People Team with the support of the Trust Leadership Team and external legal partner (as required).
- 5.2 Any amendments to a teacher's job description will be made in line with the conditions of service and the framework professional standards for teachers as set out in the School Teachers' Pay and Conditions Document.

6. Advertising

- 6.1 When a post becomes vacant, an analysis will be undertaken to establish whether the vacancy needs to be filled. If it does, the requirements of the post will be reviewed. This will include the working hours of the post, aspects of the role and how they relate to the overall objectives for the Academy/Trust.
- 6.2 All senior leadership vacancies will first be considered by the Trust Leadership Team who will take their recommendations to the Trust Board for security and final agreement.
- 6.3 Where colleagues are at risk of redundancy, an internal advertisement will be considered appropriate.
- 6.4 There may be occasions where a member of the Trust is identified for an opportunity for promotion or that an individual has the best skill set for an internal role or part-role. Such vacancies do not always need to be advertised and would be supported by a Trust 'Waiver' form and reported at Board Level (ARR Committee)
- 6.5 Senior leadership vacancies will normally be externally advertised as the default position but each vacancy will be dealt with on a case by case basis
- 6.6 Any decision not to advertise will be fully documented.
- 6.7 Any external vacant position will normally be advertised via the appropriate channels to ensure the most appropriate field of applicants is obtained. All advertisements will have the following statement about safeguarding children and young people and the requirement to have a DBS check:

***'The Learning Academy Partnership is committed to safeguarding and promoting the welfare of its pupils and expects all those working at the Trust to share this commitment.'* All offers of employment are subject to an Enhanced**

DBS check, and where applicable, a prohibition from teaching check will be completed for all applicants.'

- 6.8 All advertisements will also include the following statement if the post is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020:

'This post is exempt from the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020). This means that certain convictions and cautions are considered 'protected' and do not need to be disclosed to employers, and if they are disclosed, employers cannot take them into account. Guidance about whether a conviction or caution should be disclosed can be found on the Ministry of Justice website:

<https://www.gov.uk/government/publications/new-guidance-on-the-rehabilitation-of-offenders-act-1974>

- 6.9 Under Part 7 of the Immigration Act 2016, the Public Sector fluency duty requires state funded schools to ensure applicants for their customer facing roles have the necessary standard of spoken English (or English or Welsh in Wales). For example, a teaching assistant required to communicate with pupils to support their learning, would be viewed as operating in a public-facing role. Adverts (and Job Descriptions) should make clear the necessary standard of spoken English or Welsh required for the role.
- 6.10 All applicants will be provided with a copy of our Recruitment Privacy Notice which sets out how we will gather, process and hold personal data of individuals during and after the recruitment process.

7. Job description / Person specifications

- 7.1 A job description will be required for all posts which describes the duties and responsibilities of the post. It must be up to date, accurate and specific to the role. It must also include a person specification which outlines all the necessary skills, experience, qualifications and knowledge requirements for the post and must make reference to the responsibility for safeguarding and promoting the welfare of children.
- 7.2 The requirements shall be justifiable and clearly defined to show that no section of the community is being unlawfully discriminated against.
- 7.3 Advice from the Trust People Team must be sought if changes are thought to be required including a review of the post's salary.
- 7.4 If a job description is not available for the post, one must be produced by the appointing officer with support from the Trust People Team.
- 7.5 Applicants will be made aware that these requirements will be tested and assessed during the selection process.

8. Application form

- 8.1 All external applicants are required to fill out the Trusts application form. CVs will **not** be accepted as substitutes for the standard application form but may be used in conjunction with it.
- 8.2 Internal applicants will be required to submit a letter of interest/application supporting their application which may include:

- Reasons for applying for the post and what excites them about it
- How they will embrace and further develop the Trust vision, values and principles of excellence
- What they understand the role to be and the skills and qualities they would bring
- What difference they will make
- Where they meet the person specification of the role
- Other specific to the role

9. References

9.1 The purpose of seeking references is to obtain objective and factual information to support the selection panels decisions.

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

- Be requested for all external shortlisted 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/disciplinary history in the previous two years, and the reasons for this. Any information provided will be carefully considered when assessing the candidate's suitability for the post. Advice from the Trust People Team can be sought.
- 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 except in circumstances where this can be justified.
- Request information on the applicant's suitability to work with children and young people
- Be requested before the interview from the last employer where the applicant worked with children (if not currently working with children)
- Be explored further with the referee and with the applicant during the interview if necessary

9.3 There may be occasions where applicants are unable to provide references that meet the criteria above. In such circumstances advice can be sought from the Trust People Team

9.4 Where it has not been possible to obtain references before the interview any concerns that are subsequently raised will need to be resolved before the appointment is confirmed.

- 9.5 In order to comply with the Equality Act 2010, information relating to sickness absence and/or disability will only be requested after a conditional offer of employment has been made.
- 9.6 On receipt of all references, they will be checked to ensure all the questions have been answered satisfactorily. The referee will be contacted to provide further clarification as appropriate, for example if answers are vague.
- 9.7 If a referee fails to provide a reference, the candidate will be contacted to provide an alternative referee. If a candidate for a teaching post is not currently employed as a teacher, a check will be carried out with the school or local authority at which they were most recently employed, to confirm details of their employment and their reasons for leaving.
- 9.8 References for candidates for posts not involving children, should be obtained after interview, and for the successful candidate only. This is to comply with the Equality Act 2010, which prevents references being taken that require disability or sickness absence details to be provided prior to interview.

10. Shortlisting

- 10.1 Applicants will be shortlisted against the requirements of the job description and person specification. The same people should carry out the shortlisting and interviews. The outcome of the short-listing process will be recorded and retained.
- 10.2 The shortlisting panel are responsible for scrutinising the application forms and identifying any gaps in employment or other areas that may affect an applicant's suitability to work with children and young people. A satisfactory explanation for any concerns must be obtained from the applicant during the interview process.
- 10.3 Shortlisting will be made by reference to the essential and if necessary, the desirable criteria detailed in the person specification. Shortlisted candidates will be asked to complete a self-disclosure form prior to interview.
- 10.4 The Trust may carry out an online search on shortlisted candidates to help identify any issues that are publicly available.
- 10.5 Late applications will not generally be considered, and not once shortlisting has commenced.
- 10.6 It is unlawful to eliminate applicants from the shortlist on the grounds of disability, gender, pregnancy, sexual orientation, race, marital status, religion or belief, age or 'spent convictions' unrelated to the job other than where an occupational requirement applies. These are situations when it is possible to specify sex, race, religion or sexual orientation of the person you wish to carry out that role if there is an objective justification for doing so and where this requirement is a proportionate means of achieving a legitimate aim. Advice should also be sought from the Trust People Team.
- 10.7 The Equality Act 2010 also limits the circumstances when an employer can ask general health-related questions before a job offer is made. Prior to making an offer of employment to an applicant, health related questions must only be asked to help the employer to:

- Decide whether there is a duty to make reasonable adjustments for the person to undertake any part of the assessment/selection process
 - Decide whether an application can carry out a function that is essential to the job once reasonable adjustments have been put in place.
 - Monitor diversity among people making applications for jobs
 - Take positive action to assist people with disabilities
- 10.8 This means that applicants will not be asked, as a matter of course, to complete generic health questionnaires as part of the application process.

11. Interviews

- 11.1 A formal face to face interview will take place for all applicants to all posts. The use of video conferencing, Teams, Skype, FaceTime or other similar technologies is acceptable for this purpose.
- 11.2 All those involved in interviewing must be properly trained. At least one person on the interview panel must have passed the appropriate safer recruitment training.
- 11.3 Trust colleagues will update their Safer recruitment training every 2 years (details held by Trust People Team)
- 11.4 The purpose of the interview is to assess the merits of each applicant against the job description and person specification to establish their suitability for the post and to work with children and young people.
- 11.5 All Interviews should be conducted with a minimum of 2 interviewers on the panel ideally with an equal gender balance to enable one interviewer to assess the applicant, observe and make notes whilst the applicant talks to the other interviewer.
- 11.6 Before the interview commences the interview, panel should have:
- 11.7 Prepared appropriate questions for the role
- 11.8 Prepared appropriate questions to test the applicant's suitability to work with children and young people
- 11.9 Identified any areas for further probing, e.g. If a criminal record has been declared or if there are gaps in employment etc.
- 11.10 Agreed assessment criteria which reflects the job description and person specification
- 11.11 Decided a structure to the interview and established which member of the panel will ask which questions
- 11.12 A set of common questions relating to the requirements of the post will be asked of each applicant. Their response will determine whether that is followed up through further questioning.
- 11.13 Any gaps in employment history must be explored further during the interview process.
- 11.14 Interview notes for successful applicants will be held on their personnel file.
- 11.15 Applicants shortlisted for interview will be asked about their suitability to work with children.

- 11.16 All candidates will be asked the same set of questions and their answers fully noted. Answers may be probed further as appropriate.
- 11.17 Discrepancies and anomalies in the information candidates have provided will be queried and satisfactorily resolved.
- 11.18 Questions about health will not be routinely asked until after an offer of employment has been made.
- 11.19 Shortlisted applicants will be required to complete a self-declaration of their criminal record or information that would make them unsuitable to work with children. Applicants will only be asked to disclose and discuss criminal convictions and/or cautions which are not protected under the amendments to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020) that may deem them unsuitable. Where this is provided electronically, the shortlisted candidate will be asked to physically sign a hard copy at the point of the interview.

12. Decision making, feedback and offers of employment

- 12.1 When assessing candidates with disabilities, it is a requirement to consider their suitability on the basis that any reasonable adjustments that may be required have been made. Similarly, if special equipment is required the candidate's suitability will be evaluated on the basis that the equipment is in place.
- 12.2 Each member of the selection panel will score each candidate at the end of each interview privately before the overall scores are agreed collectively and the best candidate chosen. If additional selection methods are used, these will be fed into the decision making process at the end, and the candidate who best meets the selection criteria chosen.

The selection panel will agree feedback for each candidate and record whether or not each candidate is suitable for appointment, even of not the first choice candidate.

- 12.3 Offers of employment will not routinely be made at interview.
- 12.4 All candidates will be notified of the outcome of the interview as soon as possible. However, the selection panel will wait until the successful candidate has accepted the offer before informing unsuccessful candidates, unless they are clearly unsuitable for the post.
- 12.5 All candidates will be offered feedback on their performance during the selection process.
- 12.6 The initial job offer to the successful candidate will normally be made verbally and followed up in writing within seven working days stipulating that the appointment is subject to satisfactory employment checks.
- 12.7 Appointing committees are as shown in the Trusts Scheme of Delegation.

13. Other selection methods

- 13.1 In addition to a face-to-face interview with the interview panel a variety of other selection methods may be used, such as:

- Observation of teaching practice in our Trust or in the applicant's current school or academy
 - One or more additional panel interviews (for example, a panel made up of children from our academies)
 - A presentation
 - In tray exercises
- 13.2 Those responsible for deciding the arrangements for recruitment to a specific post will determine the selection method(s). They will be relevant and appropriate to the role and will be based on the requirements for the particular post as set out in the job description and person specification.
- 13.3 Applicants will be informed in advance if any selection methods are to be used in addition to a face to face interview and what these are.

14. Level of language proficiency

- 14.1 Under the "fluency duty" (Part 7 of the Immigration Act 2016), public authorities are required to ensure that workers in public facing roles are fluent in English. Public facing roles are those members of teaching and support colleagues who, as a regular and intrinsic part of their role, are required to speak to members of the public (including students in schools).
- 14.2 The Trust will accept a range of evidence of spoken English language ability as follows:
- Competently answering interview questions in English
 - Possessing a relevant qualification for the role attained as part of education in the UK or fully taught in English by a recognised institution abroad
 - Passing an English spoken language competency test or possessing a relevant spoken English qualification at CEFR Level B1 or above, taught in English by a recognised institution abroad

15. Pre- employment checks

- 15.1 An offer of appointment to the successful applicant will be conditional upon the following:
- Receipt of at least 2 satisfactory written references (one of which should be their current or most recent employer if applicable)
 - Verification of the applicant's identity, preferably from current photographic id and proof of address
 - Verification of the applicant's medical fitness
 - Verification of qualifications where relevant
 - Verification of professional status where applicable. For teachers, this will include checking that the individual has the required teaching qualification and has successfully completed any statutory induction, if required, through the teacher services system

- Satisfactory enhanced DBS check (see section 13)
- For management positions (including trustees/board members if they are involved in management), verification that they are not subject to a section 128 direction by checking the teacher services system
- For teachers and other colleagues who hold QTS who are working in support staff roles, verification that they are not subject to a prohibition order by checking the teacher services system
- For teachers, satisfactory check to determine any restrictions/sanctions that have been imposed in other EEA member states, through the provision of a letter of professional standing from the professional regulating authority in the country that they qualified.
- A clear children's barred list check (except supervised volunteers)
- Verification of right to work in the United Kingdom
- Any further checks where the applicant has lived or work outside of the UK including receipt of criminal record information from overseas
- All checks must be confirmed in writing, retained on the personnel file and recorded in the single central record (SCR)
- Confirmation that the applicant is not disqualified from providing childcare

16. Disclosure and Barring Service (DBS) checks – new colleagues and volunteers

16.1 The Trust will carry out DBS checks as follows for new appointments, before the colleague or volunteer starts work:

Who?	Definition	Type of check
Colleagues who will be engaging in regulated activity	<p>As an educational institution which is exclusively or mainly for the provision of full-time education to children, The Learning Academy Partnership is an establishment specified in the relevant legislation. Activity carried out in this establishment will therefore be regulated activity relating to children if it meets the definition in the relevant legislation, including that it is carried out:</p> <ul style="list-style-type: none"> • Frequently (for example once a week or more); or • On more than three days in any period of 30 days. <p>Note – personal care of a child because of age, illness or disability including physical help with eating, toileting, washing, bathing or dressing is always regulated activity regardless of how frequently it is carried out.</p>	An enhanced DBS check with children's barred list check will always be obtained
Volunteers	As above - all volunteers will be classed as unsupervised volunteers	An enhanced DBS check with children's barred list check will always be obtained

		<p>Those applying for Chair of Trustee posts (after 01.04.17) must also have their identity verified for a stipulated professional as part of their DBS check as per the below link: https://www.gov.uk/government/publications/identity-verification-for-new-chairs-of-trustees</p>
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- 16.2 In exceptional circumstances a new colleague or unsupervised volunteer may be able to start before the enhanced DBS check has been received, but not before the children's barred list check has been completed. The Trust must ensure that a risk assessment is undertaken by Head Teacher /Executive Head/ Member of Trust Leadership Team/Member of Trust Executive Team (as appropriate) and that appropriate supervision is in place until the DBS check has been received.
- 16.3 DBS certificates will only be issued to the applicant. All applicants must produce the disclosure if requested to do so. The disclosure will be scrutinised to ensure it is authentic and to detect any fraud. The DBS disclosure number and date of the check must be recorded in the Single Central Record (SCR). We are not required to take a copy of your DBS certificate, however we may choose to do so for decision making purposes. Any copy will be held for no longer than necessary, and up to a period of 6 months and be processed in line with Data Protection legislation.
- 16.4 Any applicant who refuses to complete and/or produce their DBS application when asked will not be able to start work at the Trust and the conditional offer will be withdrawn as satisfactory checks are not in place. Any volunteer who refuses to complete and/or produce their application will not be able to volunteer in the Trust.
- 16.5 Applicants (free for volunteers) can have their DBS certificate kept up to date and take it with them from role to role where the same type and level of check is required. Applicants or volunteers should be asked if they have subscribed to this service. The cost of this service is £13 per year. The expectation is that individuals personally fund this if required. Where the applicant or volunteer has subscribed they should provide the Trust with the original disclosure document to be verified and the Trust will check the online update for any changes.
- 16.6 Applicants will only be asked to declare convictions and cautions that are not protected under the amendments to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020).
- 16.7 Information relating to an individual's criminal record will only be shared with the relevant people to enable the Trust to make a decision about their suitability to work with children and young people. It will be held for no longer than is necessary and will be processed in line with the Data Protection Act 2018.

17. Disclosure and Barring Service (DBS) checks - existing colleagues and volunteers

- 17.1 An enhanced DBS check and a children's barred list check will be carried out for all existing colleagues and unsupervised volunteers (subject to risk assessment) where their contract with children or young people has increased from that at their time of appointment.
- 17.2 An enhanced DBS and children's barred list check may be carried out on any colleague or unsupervised volunteer where the Trust has concerns about an individual's suitability to work with children and young people. An enhanced DBS (no barred list check) may be carried out on any supervised volunteer where the Trust has concerns about their suitability to work with children and young people.
- 17.3 DBS certificates will only be issued to the applicant. The Trust expects all applicants to produce the disclosure if requested to do so. Any existing colleagues who does not produce their DBS disclosure will be managed through the disciplinary procedure.
- 17.4 All existing colleagues are required to inform the Trust of any change 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 may require all colleagues 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 of any change.

18. Agency colleagues

- 18.1 In the case of agency colleagues, Trust must ensure that the arrangement with the agency imposes an obligation on the agency to carry out all recruitment checks as set out in section 13, including DBS and children's barred list checks, that the Trust would otherwise complete for its colleagues. The Trust must obtain written confirmation from the agency that these checks have been carried out and are satisfactory. This must be recorded in the Single Central Record (SCR).
- 18.2 Upon the engagement of an agency worker, the agency must be supplied with a copy of the Trusts Managing Allegations Procedure unless they have previously been provided with the most recent version of this procedure.

19. Breaches of the policy

- 19.1 Any instances of this policy not being adhered to will be taken very seriously and appropriate disciplinary action will be taken.
- 19.2 Any complaint in relation to this policy, including its application will be managed through the Trust's Complaints Policy or Grievance Policy (for existing colleagues).

20. Contracts of employment

- 20.1 There is a statutory responsibility to give new employees written details of the main terms and conditions of employment from day one of their employment. This is known as a Statement of Particulars.

20.2 The type of contract and the terms and conditions of employment will be clear and appropriate for the category of job. If the contract is temporary the reason for this must be written in the contract.

21. Remuneration

21.1 It is normal policy for support staff to be appointed to the minimum of the grade. However, it is recognised that starting salaries may need to be offered above the minimum in certain circumstances e.g., to take account of experience/qualifications or current salary levels.

21.2 Teachers' remuneration will be in line with the Schools Pay Policy which correlates with the School Pay and Conditions Document.

22. Monitoring & Data Protection

22.1 The Trust will monitor this policy and ensure that its application is compliant, consistent and fair to all colleagues.

22.2 As part of the application of this policy, the Trust will collect, process and store personal data and special categories of data in accordance with our data protection policy.

22.3 The Trust has a responsibility to maintain a central record for the complete recruitment process for a period of 12 months. The following should be recorded:

- Assessment and selection criteria used (person Specification)
- Application of assessment and selection criteria (e.g., application form)
- Interview and other selection method notes (e.g., question proformas/test results)
- Reasons for decisions made
- Any additional information such as copies of qualifications

22.4 All recruitment paperwork relating to the successful candidate will be retained and placed on the employee's personal file.

23. Review of policy

23.1 This policy is reviewed every year or upon change of relevant legislation. We will monitor the application and outcomes of this policy to ensure it is working effectively.