



# Tove Learning Trust

## TLT 2.1.1

# Recruitment and Selection Policy

<b>Approved by:</b>	TLT Pay & Personnel Committee	<b>Date:</b>
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## Control Sheet

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02	16/09/2021	J Clarke	Updated in line with KCSIE 2021
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04	April 2025	Camillia Salter, HR Strategy Manager	New Policy

## **1. Introduction**

- 1.1 Tove Learning Trust (TLT) is committed to safeguarding and promoting the welfare of children and young people and requires all staff and volunteers to demonstrate this commitment in every aspect of their work. TLT regards its staff as its most important asset. It is the policy of the Trust to ensure an adequate supply of suitably qualified and experienced staff to meet the Trust's requirements and to deliver the TLT improvement plan.
- 1.2 The appointment of all staff at academies and the central team within TLT will be made on merit and in accordance with the provisions of Employment Law, the Education Act 2002, the School Staffing (England) Regulations 2003 and the statutory guidance, Safeguarding Children: Safeguarding children and safer recruitment in education, Keeping Children Safe in Education (KCSIE) and TLT's equal opportunities policy.
- 1.3 The Trust fully recognises that applicants of both sexes and of all racial groups have a right to equal opportunity in employment. The Sex Discrimination Act 1975, the Race Relations Act 1976 and the Disability Discrimination Act 1995, as each amended, make it unlawful to discriminate against an applicant for employment, or an existing employee, on the grounds of sex, age, marital status, pregnancy & maternity, sexual orientation, race including colour, nationality or national origin, religious belief, gender reassignment or of disability.
- 1.4 In the very exceptional cases where we are required to discriminate due to an occupational requirement, this must be approved by the Trust Board who will provide reasons for this requirement.

## **2. Scope & Purpose**

- 2.1 The purpose of this policy is to set out our processes for recruiting, selecting and appointing any employee, volunteer, governor or trustee to work within our Trust.

## **3. Delegation of Appointments**

- 3.1 All Leadership post appointments must be discussed with the CEO who will decide on the format and salary scale for the appointment. The Trust delegates all support staff appointments and all teaching appointments below the level Assistant Head/Deputy Head to the Headteacher and School Business Manager within the Trust academies. The Headteacher is expected to involve at least one member of the Local Governing Body in all teaching staff or senior support staff appointments, where possible.
- 3.2 The Headteacher may not delegate the final decision of appointment to any other senior manager or governor.

## **4. Advertising**

When advertising roles we will:

- 4.1 Ensure all vacant posts will be advertised to ensure equality of opportunity and encourage as wide a field of candidates as possible, usually allowing a minimum of two weeks for the advertisement to run.
- 4.2 This will normally mean placing an advertisement externally. However, where there is a reasonable expectation that there are sufficient, suitably qualified internal candidates, or employees are at risk of redundancy, vacancies may be advertised internally before an external advertisement. All candidates who meet the minimum person specification criteria, the satisfactory reference requirements and any other necessary checks will then be put into the formal shortlisting process.

- 4.3 Include a link to the Trust's Privacy Notice to inform candidates how we intend to process, use and retain their personal data.

## 5. Recruitment and Selection Process

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

- 5.1 Any person involved in recruiting to our Trust must read the most recent publication of Keeping Children Safe in Education guidance (or updated statutory guidance) produced by the DfE and our Trust's Child Protection Policy. All recruitment and selection panels must be led by a senior leader who has confirmation of safer recruitment training within the last three years.
- 5.2 The recruitment of all employees and volunteers MUST follow the process of safer recruitment and be in line with this policy to ensure that we identify and deter people who pose a risk of harm and prevent them from working with the pupils in our Trust.
- 5.3 All applicants must receive a copy of the TLT's safer recruitment information sheet (see 6.2).

## 6. Information for Applicants

6.1 All applicants for all vacant posts will be provided with:

- A job description outlining the duties of the post and the context of where the post fits into the organisational structure of the Academy/Department or Trust. This will also include a statement on behalf of TLT committing to safeguarding and promoting the welfare of children and young people.
- A person specification will also be provided.
- An application form (CVs will not be accepted alone but may be uploaded on the recruitment portal to form part of the online application form).
- An Information pack including but not limited to:
  - A description of the Academy/Department relevant to the vacant post
  - a link to TLT's Safer Recruitment Information Sheet
  - DBS information and other pre-employment checks required
  - The closing date for the receipt of applications
  - An outline of the terms of employment, including salary

6.2 The safer recruitment information sheet will contain, as a minimum:

- a link to TLT's Equality and Diversity Policy
- a link to TLT's Child Protection/Safeguarding Policy
- a link to TLT's Safer Recruitment & Selection Policy
- a link to TLT's Safer Code of Conduct policy
- a statement about how and why online searches will be conducted
- A statement that canvassing any employee, or member of TLT, directly or indirectly, is prohibited and will be considered a disqualification
- a statement on whether the post is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020, which means certain spent convictions and cautions are 'protected', so they do not need to be disclosed to employers.
- In accordance with Keeping Children Safe in Education, a statement that TLT will consider carrying out an appropriate online search as part of the due diligence on shortlisted candidates.
- the requirement for a certificate of good conduct where applicable, in addition, for teaching posts, a letter of professional standing from the professional regulating authority in the country in which the applicant has worked.

- 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)

6.3 The Application form will contain 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 record
- 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
- Any relevant overseas information
- Sign a declaration confirming the information they have provided is true.

## 7. References

7.1 The Trust's shortlisting process will involve at least 2 people, including the lead person and references will where possible be sought prior to interview. Where this is not possible, any offers of employment will be conditional upon receipt of at least two satisfactory written references that comply with the following:

- include the applicant's current or most recent employer (where this is a teaching post, the Headteacher/ Principal must be one of the referees). Where an applicant for a teaching post is not currently employed as a teacher, references should include the applicant's most recent employer as a teacher if possible.
- include details from the current employer of any capability and disciplinary history in the previous two years and the reasons for this
- be directly from the referee and not be accepted if they are presented as open letters with a generic salutation
- include information on the applicant's suitability to work with children and young people

7.2 References will also be sought for internal candidates to confirm suitability for the role applied for.

7.3 In the event 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.

7.4 In order to comply with the Equality Act 2010, information relating to sickness absence will only be requested after a conditional offer of employment has been made.

7.5 Where an online search has been carried out on shortlisted candidates as part of the due diligence, any concerns which arise may be discussed with the applicant at, or prior to, the interview stage.

## 8. Shortlisting

8.1 Applicants will be shortlisted against the requirements of the person specification. The shortlisting and interviews should be carried out by the same people, including the lead person, where possible. The outcome of the shortlisting process will be recorded and retained.

8.2 The equal opportunities monitoring form in Part B of the Application form must be removed from the application and not provided to the shortlisting panel.

8.3 The shortlisting panel will be appointed at the outset of the process where possible and are responsible for scrutinising the application forms and identifying any gaps in employment or other unexplained periods of time. A satisfactory explanation for any concerns must be obtained from the applicant during the interview process or from further details included in the application form.

## 9. Interviews

9.1 The format, style and duration of the interviews are matters for the senior lead on the panel to decide in consultation with the other panel members involved in the process and will usually take the form of a face to face interview. The use of online mechanisms may be used in special circumstances.

9.2 All candidates will be given relevant information about TLT to enable the candidate to make further enquiries about the suitability of the advertised job.

9.3 Any questions asked will be aimed at obtaining any remaining evidence required of how each candidate meets the requirement of the job description and the person specification. Each candidate will be assessed against all of the criteria for the post by one method or another i.e. application, reference, shortlist, interview, probation etc. The same areas of questioning will be covered for each applicant and no questions which would discriminate directly or indirectly on protected characteristics under the Equality Act 2010 will be asked.

9.4 The interview process for every post will include exploration of the candidate's understanding of child safeguarding issues through relevant questions. Further investigations under Safer Recruitment will include:

- Finding out what attracted the candidate to the post being applied for and their motivation for working with children
- Exploring their skills and asking for examples of experience of working with children which are relevant to the role
- Probing any gaps in employment, or where the candidate has changed employment or location frequently, asking for the reasons for this.
- Reviewing any information about past disciplinary action, allegations, convictions, cautions or pending prosecutions, any other than those protected, that the candidate has declared and are relevant to the prospective employment.

9.5 In addition to a face-to-face interview with the interview panel, a variety of other selection methods may be used. These additional methods must be notified to the applicants invited to interview in advance. Such additions may include but are not limited to:

- observation of teaching practice
- one or more additional panel interviews
- a presentation
- tasks or in-tray exercises
- psychometric testing

9.6 The recruitment documentation will be retained for six months from the date of interview. Applicants have the right to request access to notes written about them during the recruitment process. After six months all information about unsuccessful candidates will be securely destroyed.

9.7 For internal staff, any recruitment documentation for internal applications will be retained on their employment file for the required timescales.

## 10. Pre-appointment Vetting Checks

10.1 An offer of appointment to the successful applicant will be conditional upon the following:

- receipt of at least two satisfactory written references (as per section 7)
- verification of the applicant's identity with relevant photographic identification and proof of address
- verification of the applicant's medical fitness in relation to the role
- verification of qualifications or 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
- satisfactory enhanced DBS check (see Section 12)
- for teachers and other employees who hold QTS and are working in non-teaching roles, verification that they are not subject to a prohibition order by checking the Teacher Services system
- for teachers, a satisfactory check of the teachers sanctioned in other European Economic Area (EEA) member states list to determine any restrictions / sanctions that have been imposed, through the Teacher Services system
- for management staff including middle and senior managers and governors, verification that they are not subject to a S128 direction
- a clear children's barred list check (except for supervised volunteers)
- verification of right to work in the United Kingdom
- any further checks where the applicant has lived or worked outside of the UK with the relevant embassy, including a good character certificate / receipt of criminal record information from overseas.
- social media checks to ensure the applicant is suitable to work with children and will not bring the organisation into disrepute

## 11. Disclosure & Barring Service (DBS) checks

11.1 The Trust will engage with the applicant to obtain 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.

11.2 For academies with pupils aged under 8, 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.

11.3 Regulated activity means a person who will be:

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

11.4 Retention of personal information for the successful candidate following the end of their employment will be in accordance with TLT's Data Retention Policy, which is compliant with relevant Data Protection Act. When retained documents have reached their data retention limit, they will be securely destroyed.

#### 11.5. 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:

11.5.1 There are concerns about an existing member of staff's suitability to work with children; or

11.5.2 An individual moves from a post that is not regulated activity to one that is; or

11.5.3 For previous staff, this includes where there has been a break in service of 12 weeks or more.

11.5.4 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

11.5.5 We will also refer where we believe the 'harm test' threshold is met in respect of the individual (i.e. they may harm a child or vulnerable adult or put them at risk of harm); and / or where the individual has been removed from working in regulated activity (paid or unpaid) or would have been removed if they had not left.

#### 11.6 Agency and third-party staff

We will obtain written notification from any agency or third-party organisation, including alternative provision providers, that they have carried out the necessary safer recruitment checks that we would otherwise perform and the results of such checks. We will also check that the person presenting themselves for work is the same person on whom the checks have been made, as we do for all newly employed staff.

#### 11.7 Contractors, Volunteers, Visitors

We will ensure that any contractor, volunteer or visitor who is engaged to work at TLT has had the appropriate level of DBS check. There is a requirement for us to:

11.7.1 Never leave an unchecked contractor, volunteer or visitor unsupervised or allow them to work in regulated activity

11.7.2 Carry out a risk assessment when deciding whether to seek an enhanced DBS check without barred list information for anyone at the academy / trust not engaging in regulated activity. We will retain a record of this risk assessment.

11.7.3 For academies with pupils aged under 8, 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

#### 11.8 Trustees, Members and Governors



All governors (including trustees and members) will have an enhanced DBS check without barred list information.

- The chair of the board will have their DBS check countersigned by the secretary of state.
- All 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).
- Identity check
- Right to work in the UK
- Other checks deemed necessary if they have lived or worked outside the UK

## 12. Consultation

This policy has been subject to consultation with recognised trade unions and will be subject to further consultation following any material change and in three years if not before.