



# RECRUITMENT AND SELECTION POLICY AND PROCEDURE

**The OHC&AT Board of Trustees has agreed this Policy – 9<sup>th</sup> December 2022.**

Jay Mercer  
Chair of OHCAT Board

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Peter Lauener  
Chair of OHC Board

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# Recruitment and Selection Policy

## INTRODUCTION

Orchard Hill College and Academy Trust (OHC&AT) is committed to providing outstanding educational opportunities for all our pupils and students. Part of that commitment is an undertaking to recruit and retain the highest standard of employees. This policy and procedure sets out OHC&AT's principles and processes for carrying out recruitment and selection. OHC&AT recognises that its employees are fundamental to its success and is committed to recruiting a high quality workforce with appropriate expertise and experience to deliver its strategic objectives and, most importantly, to ensure that all pupils and students have an outstanding experience.

OHC&AT is proactive in promoting diversity and ensuring that difference is recognised and celebrated within the context of fairness and equality. In its recruitment practices OHC&AT will treat all potential employees with dignity and respect, valuing the diversity of all and by doing so appointing the best person for the job.

OHC&AT is committed to safeguarding and promoting the welfare of children, young people and vulnerable adults, and expects all staff (including supply staff), governors and volunteers to share this commitment. This includes ensuring that robust safe recruitment and selection procedures are adopted which deter, reject or identify people who might abuse children and young adults or are otherwise unsuitable to work with them. OHC&AT will comply with all the relevant legislation, recommendations and guidance published by the Department of Education, [Keeping Children Safe in Education](#), the Education and Training (Welfare of Children) Act 2021, the Childcare Act (2006)(as amended 2018), Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018 ("the 2018 regulations"), the [Prevent Duty Guidance for England and Wales](#) (the Prevent Guidance), the School Staffing (England) Regulations 2009, the Education (Independent School Standards) (England) 2014 (as amended), the [Disclosure and Barring Service \(DBS\) code of practice](#) and the Modern Slavery Act 2015.

OHC&AT ensures that it meets its commitment to safeguarding and promoting the welfare of children, young people and vulnerable adults by carrying out the necessary pre-employment checks in accordance with safer recruitment statutory guidance within Keeping Children Safe in Education. This also helps to ensure that our recruitment processes are transparent and guard against risks associated with modern slavery and human trafficking.

This policy aims to ensure that no applicant receives less favourable treatment on the grounds of race, gender, disability, gender reassignment, age, social class, sexual orientation, religion or belief, marriage and civil partnership, pregnancy and maternity. Flexible recruitment practices may be adopted for those with a disability.

It is the responsibility of every employee involved in recruitment and selection to ensure compliance with this policy. Guidance on the implementation of this policy (known as the Recruitment and Selection Procedure and Disclosure Guidance) is provided in the Appendices.

This policy and procedure applies to all appointments to OHC&AT including fixed term and staff on zero hour contracts. All references to Orchard Hill College and Academy Trust (OHC&AT) include both Orchard Hill College (OHC) and Orchard Hill College Academy Trust (OHCAT) as employers unless otherwise specified.

## **POLICY STATEMENT**

OHC&AT will always seek to recruit the best candidate for the job. Vacancies will be advertised internally across the organisation and most, including leadership vacancies, will be advertised externally using the most appropriate advertising medium. In extenuating circumstances, where there is a proven business case, the Chief Executive Officer may waive the requirement to advertise.

To ensure that those involved in recruiting and selecting candidates are able to successfully test the candidate's ability and experience against a clearly defined person specification, OHC&AT offers:

- Specific training in respect of safer recruitment and selection;
- Supervised/supported experience of recruitment

Recruitment and selection is a key public relations exercise and should enhance the reputation of OHC&AT. All candidates will be treated with respect and courtesy, aiming to ensure that the candidate experience is positive, irrespective of the outcome.

Panel members should not be involved in a recruitment exercise and/or appointment where they are related to an applicant or have a close personal relationship with them outside work. All staff are required to declare any personal or professional relationships or interests that may have bearing on their work, upon appointment and as and when the situation demands.

OHC&AT welcomes applications from people with disabilities and will always seek to ensure that we operate a fair and accessible recruitment and selection process, including making reasonable adjustments where necessary.

All documentation relating to candidates will be treated confidentially in accordance with the Data Protection Act 2018 and the General Data Protection Regulation (GDPR).

## **POLICY REVIEW DETAILS**

<i>Version:</i>	1.9
<i>Reviewer:</i>	OHC&AT HR
<i>Approval body:</i>	Family Board
<i>Date this version approved:</i>	9 <sup>th</sup> December 2022
<i>Due for review:</i>	Autumn 2023

## **RELATED POLICIES AND PROCEDURES**

Anti-Radicalisation Policy  
Child Protection, Adult Protection and Safeguarding Policy  
Conflict of Interest Policy  
Equality, Diversity & Inclusion Policy  
Modern Slavery Statement  
Remuneration Policy for Senior Executives  
Staff Code of Conduct

## **APPENDIX 1: RECRUITMENT AND SELECTION PROCEDURE**

The following provides information for all recruiters and HR from pre-recruitment to employment. The recruitment and selection checklist in Appendix 2 should be used in conjunction with this procedure.

### **Section 1: Pre-recruitment process**

#### **Job Description and Person Specification**

Before any recruitment activity, it is good practice to review the job description and person specification to ensure they are up to date and an accurate reflection of what the job entails.

A job description summarises the main duties and responsibilities of the post, and the post holders responsibility to safeguard and promote the welfare of children and young adults with whom they have contact or for whom they are responsible.

The required level of DBS must be made clear on the job description.

The person specification should relate directly to the job description and set out the core qualifications, experience, skills and behaviours required to perform the role. It should also describe the competencies and qualities that the successful candidate should be able to demonstrate. Some criteria may be desirable rather than essential and it is good practice to highlight this.

If it is a new role, you will need to draft a job description and person specification and OHC&AT Human Resources (HR) can support you with this. Some new roles will need evaluation by the HR team using the job evaluation system. Only staff trained in the job evaluation scheme may evaluate a position and wherever practical, a second evaluator should verify the job and salary grading.

Both job descriptions and person specifications must be completed at the same time and before the job is advertised.

#### **Advertising the role**

Please discuss with OHC&AT HR how you intend to fill the role, including internal and external advertisement strategies. They can advise you on effective ways to attract applicants and different media to use depending on the role.

In extenuating circumstances the CEO may waive the need to advertise – you will need their express authority to do this.

Each advertisement will detail that OHC&AT is committed to safeguarding and promoting the welfare of children, young people and vulnerable adults and expects all staff and volunteers to share this commitment, and that appointments made will be subject to safeguarding checks including an enhanced/basic DBS check.

## **The application process**

All applicants will be required to complete an application form including information about their academic and employment history and their suitability for the role. Should there be any gaps in academic or employment history, a satisfactory explanation must be provided at interview. A curriculum vitae will not be accepted in place of the completed application form, as these will contain the information the candidate wishes to present and may omit relevant details.

Where a role involves engaging in regulated activity relevant to children, OHC&AT will include a statement in the application form or elsewhere in the information provided to applicants that it is an offence to apply for the role if the applicant is barred from engaging in regulated activity relevant to children.

## **Internal candidates applying for a post outside their school/centre/department**

Internal candidates should inform their line manager/Principal that they have applied for an internal vacancy. Staff will not be penalised or prevented from applying elsewhere if they are not successful.

If successful, the current line manager/Principal should discuss the proposed start date with the new line manager/Principal, taking into consideration the employee's notice period as detailed in their contract of employment.

In these instances, pre-employment checks will be carried out, which will include an up to date health assessment, a DBS check (if the current DBS is 3 years old) and one reference from their current employer.

## **The Selection Panel**

Shortlisting and selection interviews will be completed by at least two people to ensure fairness and consistency and prevent bias. The same selection panel should both shortlist and interview candidates.

## **Shortlisting**

The panel should agree their criteria and evidence for selecting for interview; these should be objective, relevant to the role and measurable, and against the person specification and job description. In drawing up a shortlist there should be a systematic and consistent approach. All application forms should be assessed equally against the agreed criteria without exception or variation.

In all cases the panel should consider any inconsistencies in candidates' applications, look for gaps in employment and reasons given for them, and explore all potential concerns. They should also ensure the application forms are fully completed. Any concerns should be discussed with OHC&AT HR.

Panel members should use the OHC&AT scoring system and record scores for each candidate. The same scoring method is also used at interview stage. Using these scores, you should decide which candidates you wish to put forward to the next stage in the process.

References will be taken up prior to interview as part of the shortlisting process – please refer to Section 3: Pre-Employment Checks/References for full details regarding references.

Once shortlisting is complete, shortlisted candidates will be asked to:

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

OHC&AT may also consider carrying out an online search on shortlisted candidates to help identify any incidents or issues that are publicly available online.

### **Selection interviews and testing**

The school or College will make the arrangements for interview and testing in liaison with OHC&AT HR as required. The following will need to be agreed in advance:

- Shortlisted candidates
- Panel names
- Interview dates and times
- Interview venue
- Test details
- Student involvement as appropriate
- Interview questions and evidence

There are many tests available to enhance the recruitment process, and OHC&AT HR will be able to advise on this. It is helpful to use testing for certain criteria alongside a face to face interview e.g. measuring by observation how a candidate interacts with students.

Interviews should be structured and led by the Chair of the panel. All questions must be objective and relevant to the role. The panel may also agree some follow up or probing questions to be used as appropriate. It is important to be consistent in questioning to ensure fairness and avoid bias with candidates. At least one member of the panel must have had safer recruitment training. All interview panels should include the designated line manager for the role who has experience and an understanding of the role.

Panels for senior postholders will include representation from the relevant governing body: for Academy Principals, this would usually be the Chair of their LGB; for OHC&AT executive roles (Chief Executive Officer, Deputy CEO, Chief Finance Officer, Chief Operating Officer, Principal of Orchard Hill College), this would be one or more members of the OHC&AT Board of Trustees. A member of the HR team should also attend as a panel member.

You should measure the candidate's attitude and values regarding key concepts such as safeguarding, equality and diversity and the Prevent duty during the interview.

If there are any unexplained gaps in employment history, then these should be fully explored at interview and documented. Further checks should be made as appropriate via referencing.

Notes of questions asked and answers given at the interview must be made and retained by the OHC&AT team after the interviews.

Candidates will be asked to bring to their interview documentary evidence of their identity that will satisfy DBS requirements i.e. their passport and/or birth certificate and/or driving licence, together with an additional document such as a utility bill that verifies the candidate's name and address. Where appropriate, evidence of relevant educational and professional qualifications should be provided.

The interview should include discussion of the candidate's self-declaration of any criminal record or information that would make them unsuitable to work with children.

The panel should score the candidates against the agreed framework using the points system. This should be discussed and agreed by the whole panel for both interview and tests. The Chair of the panel will have the final decision. This form should be signed by all interview panel attendees.

A decision as to whether to appoint an individual to a role must be based upon an evaluation of the entire selection process and activities. Appointments must be made on the basis of a person's experiences, ability and suitability to perform the role, rather than on the urgency of the need of the availability of the candidate.

## **Section 2: Employment Offer**

Following the interview, the recruiting manager or HR will telephone the successful candidate. All offers of employment are made subject to clearances and should be conditional until satisfactory completion of all mandatory pre-employment checks. All other candidates will be informed that they were unsuccessful on this occasion. For unsuccessful candidates their personal documents will be shredded immediately.

## **Section 3: Pre-Employment Checks**

This section details all the checks that must take place prior to a candidate starting in post.



The following checks **must** be completed before anyone starts work in an OHC&AT setting. The only exception is set out on p.7 under 'Starting work pending receipt of the DBS Disclosure' and only applies to OHC&AT employees; OHC staff may not commence employment until the DBS has been received and presented. This follows the regulatory framework set out in Keeping Children Safe in Education.

Successful candidates are emailed a link to OHC&AT's employee screening portal which candidates must complete and submit within 21 days of receiving the initial email. OHC&AT reserves the right to withdraw an offer of employment should the candidate not complete the screening within the timeline stipulated. All checks are recorded, documented and retained within the portal and followed up where they are unsatisfactory or where there are discrepancies in the information provided.

Most OHC&AT employees will require an enhanced DBS check; some central service roles (e.g. those based entirely off school or College premises and who do not undertake regulated activity) will only require a standard or basic DBS. The required level of DBS will be made clear on the job description.

Employment will be conditional on the following:

- the agreement of a mutually acceptable start date and the signing of a contract,
- verification of the applicant's identity and right to work (this should have already been seen at interview);
- verification of qualifications, whether professional or otherwise, which OHC&AT takes into account in making the appointment decision, or which are referred to in the application form, whether a requirement for the role or not;
- verification of the applicant's employment history;
- the receipt of a minimum of two satisfactory references (one of which must be from the applicant's most recent employer) – please refer to the References section below for further information regarding what constitutes a satisfactory reference;
- for teachers applying for qualified teacher roles, evidence of QTS or QTLS
- receipt of a clear DBS certificate (enhanced or standard, depending on job role) with barred list check for those in regulated activity. If there are any convictions these must be discussed with the candidate and in some cases, depending on the conviction, the offer of employment may be withdrawn – please seek advice from HR;
- for positions which involve "teaching work", information about whether the applicant has ever been referred to, or is the subject of a sanction, restriction or prohibition issued by the Teaching Regulation Agency (TRA) which renders them unable or unsuitable to work at OHC&AT;\*
- check that the individual is not subject to any historic sanctions and restrictions imposed by the General Teaching Council for England;\*
- where the position amounts to "regulated activity", the receipt of a satisfactory enhanced disclosure with barred list check from the DBS;
- information about whether the applicant has ever been subject to a direction under section 142 of the Education Act 2002 which renders them unable or unsuitable to work in a OHC&AT setting
- for management positions in the Academies and College, information about whether the applicant has ever been referred to the Department for Education, or is the subject of a direction under section 128 of the Education and Skills Act

2008 which renders them unable or unsuitable to work at the Academy or College;

- where relevant, confirmation that the applicant is not disqualified from working in connection with early or later years provision (Disqualification under the Childcare Act 2006, as amended 2018);
- verification of the applicant's medical fitness for the role;
- any further checks which OHC&AT decides are necessary as a result of the applicant having lived or worked outside of the UK within the last five years for a period of three months or more, which may include: an overseas criminal records check; a letter from the professional regulating authority in the country in which the applicant has worked, confirming that they have not imposed any sanctions or restrictions, and/or are aware of any reason why that person may be unsuitable to teach; a certificate of good conduct or professional references. This includes those who have lived or worked in the EEA.

In accordance with the guidance set out in [Keeping Children Safe in Education](#), the Education and Training (Welfare of Children) Act 2021, the Childcare Act 2006 (as amended 2018) and the 2018 regulations, and the requirements of the Education (Independent School Standards) Regulations England 2014 (as amended), OHC&AT carries out a number of pre-employment checks in respect of all prospective employees. These checks are carried out to ensure that candidates are suitable to work for OHC&AT, including satisfying the principles of the harm test as set out in Keeping Children Safe in Education which state that a person may pose a risk of harm to children or vulnerable adults if they have:

- behaved in a way that has harmed a child/vulnerable adult, or may have harmed a child/vulnerable adult;
- possibly committed a criminal offence against or related to a child/vulnerable adult;
- behaved towards a child/vulnerable adult in a way that indicates they may pose a risk of harm to a child/vulnerable adult; or
- behaved or may have behaved in a way that indicates they may not be suitable to work with children/vulnerable adults.

In addition to the checks set out below, OHC&AT reserves the right to obtain such formal or informal background information about an applicant as is reasonable in the circumstances to determine whether they are suitable to work for OHC&AT. This may include internet and social media searches.

In fulfilling its obligations OHC&AT 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.

### **Verification of identity, address and qualifications**

All applicants who are invited to an interview will be required to bring with them evidence of identity, right to work in the UK, address and any qualifications relevant to the job.

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

## References

All offers of employment will be subject to the receipt of a minimum of two satisfactory references. One of the references must be from the candidate's current employer. Where a candidate is not currently working with children, OHC&AT will also secure a reference from the relevant employer from the last time the candidate worked with children.

For references to be considered satisfactory, they must be completed by the candidate's line manager, Principal / Headteacher / HR department or a suitably senior person within the referring organisation and provide the information required by OHC&AT to make a decision on the candidate's suitability for employment in the role offered. Employment references will not be accepted from personal email addresses.

References will be taken up on shortlisted applicants prior to interview. Please note that no questions will be asked about health or medical fitness prior to any offer of employment being made.

When seeking references OHC&AT will:

- Not accept open references.
- Liaise directly with referees and verify any information contained within references.
- Ensure any references are from the candidate's current employer and completed by a senior person. Where the referee is school based, we will ask for the reference to be confirmed by the headteacher/principal as accurate in respect to disciplinary investigations.
- Obtain verification of the candidate's most recent relevant period of employment if they are not currently employed.
- Secure a reference from the relevant employer from the last time the candidate worked with children if they are not currently working with children.
- Compare the information on the application form with that detailed in the reference and discuss any inconsistencies with the candidate.
- Resolve any concerns before any appointment is confirmed.
- Only accept references obtained directly from the referee and will validate by telephone with referees that all references have been completed by the stated individual.

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.

Any discrepancies identified between the reference and the application form and/or the interview assessment form will be considered by the College/Academy and/or OHC&AT HR. The applicant may be asked to provide further information or clarification before an appointment can be confirmed.

It is recognised that many organisations only supply factual references i.e. those which contain limited information such as job title and dates of employment. Although this will not necessarily disadvantage an applicant, OHC&AT will contact the provider of the reference to clarify content where the information provided is insufficient to enable

an informed decision to be made on the candidate's suitability for the role. This particularly applies with respect to safeguarding. OHC&AT may also seek additional references before an appointment can be confirmed.

No candidate may start work at an OHC&AT setting until at least two satisfactory references have been received.

### **Disclosure and Barring Service (DBS)**

OHC&AT will apply for an enhanced disclosure from the DBS and a check of the Children's and/or Adults' Barred List (now known as an Enhanced Check for Regulated Activity) in respect of all positions at the College/Academy which amount to "regulated activity" as defined in the Safeguarding Vulnerable Groups Act 2006 (as amended). The purpose of carrying out an Enhanced Check for Regulated Activity is to identify whether an applicant is barred from working with children or adults by inclusion on the relevant Barred List and to obtain other relevant suitability information. For some central service roles (e.g. those based entirely off school or College premises and who do not undertake regulated activity) OHC&AT will apply for a Standard or Basic DBS.

The DBS issues the DBS disclosure certificate, via paper copy in the post, to the subject of the check only, rather than to OHC&AT. It is a condition of employment with the College/Academy that the **original** disclosure certificate is provided to OHC&AT as soon as practical after the certificate is received. For new starters, the DBS disclosure certificate must be evidenced on their first day of employment, if received in the post.

Employment will remain conditional upon the original certificate being provided and it being considered satisfactory by the College/Academy.

### **Starting work pending receipt of the DBS Disclosure (Academies only)**

If there is a delay in receiving a DBS disclosure, Academy Principals have discretion to allow an individual to begin work pending receipt of the disclosure certificate. This will only be allowed if **all other checks**, including a clear check of the Children and/or Adults' Barred List as applicable to the role and setting (where the position amounts to regulated activity) and receipt of satisfactory references, have been completed and once appropriate supervision has been put in place. Appendix 3 provides a risk assessment which must be completed and signed prior to the start of employment. Final authorisation will be required by OHC&AT HR.

This does not apply to Orchard Hill College, in line with the regulatory framework set out in [Keeping Children Safe in Education](#), and OHC staff must present their original DBS certificate before commencing employment.

### **Applicants who have lived or worked outside the UK**

From 1<sup>st</sup> January 2021 the TRA Teacher Services system no longer maintains a list of teachers who have been sanctioned in EEA member states. Individuals who have lived or worked outside the UK must undergo the same checks as all other staff. In addition, OHC&AT must make any further checks considered appropriate so that any relevant events that occurred outside the UK can be considered. Following the UK's exit from

the EU, OHC&AT should apply the same approach for any individuals who have lived or worked outside the UK regardless of whether or not it was an EEA country or other country in the world.

Where applicants are asked to provide further overseas information this could include, where available: a criminal records check from the relevant jurisdiction(s); a letter from the professional regulating authority in the country in which the applicant has worked, confirming that they have not imposed any sanctions or restrictions, and/or are aware of any reason why that person may be unsuitable to teach; or a certificate of good conduct (as appropriate) and / or references from any employment held.

Reference will be made to the Home Office Guidance on criminal records checks for overseas applicants. It is recognised that such checks can take time and in exceptional circumstances it may not be possible to obtain this information. Where this information is not available schools/College should seek alternative methods of checking suitability and/or undertake a risk assessment that supports informed decision making on whether to proceed with the appointment.

Work can only commence once sufficient overseas information has been received and only if OHC&AT has considered that information and confirmed that the applicant is suitable to commence work at the College/Academy.

### **Prohibition from teaching check**

OHC&AT will check whether staff who carry out "teaching work" as defined in Keeping Children Safe in Education are prohibited from doing so. OHC&AT uses the Teaching Regulation Agency (TRA) system to check whether successful applicants are the subject of a prohibition, or interim prohibition order issued by a professional conduct panel on behalf of the TRA. The GTCE list will also be checked. However due to the nature of the OHC&AT settings, these checks are carried out on all successful applicants.

### **Prohibition from management check**

OHC&AT is required to check whether any applicant for a management position is subject to a direction under section 128 of the Education and Skills Act 2008 which prohibits, disqualifies or restricts them from being involved in the management of an Academy or College (a **section 128 direction**).

This check applies to appointments to management positions within Academies and the College including members of Local Governing Bodies, College and Trust Directors and leaders and managers working for OHC&AT, made on or after 12<sup>th</sup> August 2015.

### **Childcare disqualification**

The Childcare Act 2006 (as amended 2018) and the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018 state that it is an offence for the Academy to employ anyone in connection with our early years provision (EYP) or later years provision

(LYP) who is disqualified, or for a disqualified person to be directly involved in the management of EYP or LYP. The definitions are:

- (a) *EYP includes usual school activities and any other supervised activity for a child up to 1 September after the child's 5th birthday, which takes place on the school premises during or outside of the normal school day;*
- (b) *LYP includes provision for children not in EYP and under the age of 8 which takes place on school premises outside of the normal school day, including, for example breakfast clubs, after school clubs and holiday clubs. It does not include extended school hours for co-curricular activities such as sports activities.*

While Disqualification by Association no longer applies in schools, it remains the case that the relationships and associations that staff have in school and outside (including online) may have an implication for the safeguarding of students and as such there is an expectation that staff will speak to the school promptly if any such situation should arise.

### **Medical fitness**

OHC&AT will ask all applicants to whom an offer of employment is made to complete a Health Assessment Questionnaire (HAQ), to be reviewed by OHC&AT's occupational health advisor. If OHC&AT's occupational health advisor has any doubts about an applicant's fitness, OHC&AT will consider reasonable adjustments in consultation with the applicant. OHC&AT may also seek a further medical opinion from a specialist or request that the applicant undertakes a full medical assessment.

OHC&AT 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, considering reasonable adjustments and suitable alternative employment.

### **Declaration of Interests**

OHC&AT requires all prospective employees to declare personal or professional relationships or interests that may have bearing on their work. This may include pre-existing relationships with other members of OHC&AT staff or families of OHC&AT students, or links to connected organisations such as OHC&AT suppliers. This information is requested by OHC&AT HR as part of the standard pre-employment checks (detailed on application form).

## **Section 4: Self-employed contractors, agency staff, volunteers, and governors**

The School Business Manager/Centre Admin Officer is responsible for updating the Single Central Record (SCR) with the information obtained on the following groups prior to their engagement at the school/college.

In all instances the school or college must also check that the person presenting themselves for work is the same person on whom the checks have been made.

### **Agency staff**

Agencies who supply staff to OHC&AT must also complete the Compliance and Vetting Form which OHC&AT would otherwise complete for its staff. OHC&AT requires confirmation that these checks have been completed before an individual can commence work at the College/Academy.

All agency staff working in a College or school setting must hold a valid Enhanced DBS certificate, and if the role falls within regulated activity with the appropriate barring check whether for Enhanced Child Workforce / Enhanced Child & Adult Workforce / Basic depending upon the age range of the pupils/students they are working with and the nature of their role.

Contractors or any employees of the contractor must complete the pre-employment checks which OHC&AT would otherwise complete for its staff. Contractors engaging in regulated activity will require an enhanced DBS certificate including barred list information.

The school or college must also check that the person presenting themselves for work is the same person on whom the checks have been made.

OHC&AT will independently verify the identity of individuals supplied by an agency and requires the provision of the DBS disclosure certificate before the start date of those individuals.

### **Self-employed contractors**

Careful consideration should be given by the Principal/Service Director/Head of Learning Centre (OHC) to the role completed by the contractor and if this falls into regulated activity, in order to make a decision about which checks are appropriate.

Self-employed contractors engaging in regulated activity will require an Enhanced DBS certificate including barred list information. Prior to their starting work, OHC&AT may also validate relevant qualifications and source two references. The self-employed contractor will need to state they are medically fit to work, based on the job role. A health assessment questionnaire does not need to be completed.

For all other contractors who will not have opportunity for regular contact with children and vulnerable adults, and who are not in regulated activity, it should be decided by the Principal/Service Director/Head of Learning Centre whether a Standard or Basic DBS disclosure would be appropriate.

Contractors providing a service to OHC&AT will be required, wherever possible, to attend College/Academy centres outside of school hours, preventing contact with students/pupils.

### **Governors**

OHC&AT will request an enhanced DBS disclosure with barred list for all governors undertaking regulated activity with pupils/students at or on behalf of the College/Academy.

Under no circumstances will OHC&AT permit an unchecked governor or volunteer to have unsupervised contact with pupils/students.

## **Volunteers**

It is the responsibility of the Principal / Head of Centre (OHC) to undertake a written risk assessment and use their professional judgement and experience when deciding what checks, if any, are required. The risk assessment should consider:

- The nature of the work with children and young adults, especially if it will constitute regulated activity, including the level of supervision.
- What the establishment knows about the volunteer, including formal or informal information offered by staff, parents and other volunteers.
- Whether the volunteer has other employment or undertakes voluntary activities where referees can advise on their suitability.

OHC&AT would source two references and the completion of a 5 years history grid.

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

Under no circumstances will OHC&AT permit an unchecked volunteer to have unsupervised contact with pupils/students.

Existing volunteers engaging in regulated activity do not have to be re-checked if they have already had a DBS check (which includes barred list information) unless the school or college have any concerns.

## **Section 5: Retention and security of disclosure information**

OHC&AT's policy is to observe the guidance issued or supported by the DBS on the use of disclosure information.

OHC&AT is legally required to undertake the above pre-employment checks. Therefore, if an applicant is successful in their application, the College/Academy will retain on their personnel file any relevant information provided as part of the application process. This will include copies of documents used to verify identity, right to work in the UK, medical fitness and qualifications. Medical information may be used to help OHC&AT to discharge its obligations as an employer e.g. so that OHC&AT may consider reasonable adjustments if an employee has a disability, or to assist with any other workplace issue.

This documentation will be retained by OHC&AT for the duration of the successful applicant's employment with the College/Academy. It will be retained in accordance with OHC&AT's retention of records schedule after employment terminates.



If the application is unsuccessful, all documentation relating to the DBS application will be shredded immediately.

The same policy applies to any suitability information obtained about volunteers involved with OHC&AT activities.

## APPENDIX 2: RECRUITMENT CHECKLIST

Action	Date completed	Completed by (please initial)
Post ID obtained from Management Accountant		
Draft/review job description		
Draft/review person specification		
Job description and person specification approved by HR		
Advertisement written and approved		
Job description, person specification and advertisement, together with Post ID, emailed to HRSupport inbox to be uploaded to generic / specialist websites		
Closing Date – application forms to be assessed and shortlisted		
Complete shortlisting grid (Academies)		
Complete shortlisting grid, together with interview panel / activities information to HRSupport inbox (OHC & QH only)		
Send 'regret at application stage' email to unsuccessful candidates		
Send invitation to interview email to applicant, including request for applicant to complete, sign and return self-declaration regarding criminal record or other information that may make them unsuitable to work with children		
Send template pre-interview reference request letter/email to referees stated on application form		
Chase candidates who have not confirmed their attendance at interview		
Chase referees who have not responded to pre-interview reference prior to interview date		
<i>The Interview Day</i>		

Action	Date completed	Completed by (please initial)
<p>A member of the interview panel collects the candidate</p> <p>SBM / HR / CAO / interview panel member takes photocopies of the following documents:</p> <ul style="list-style-type: none"> <li>• <b>identity information (usually passport or full birth certificate plus NI number)</b></li> <li>• <b>Right to work (usually passport or full birth certificate plus NI number)</b></li> <li>• <b>qualification documentation as required by the post</b></li> <li>• Utility bill / bank statement / credit card statement issued within 3 months, or</li> <li>• Council tax bill issued within 12 months</li> </ul> <p>All documents must be verified with the employee's name and signature, and dated.</p> <p>In the case of right to work documents or passports, / <i>certify this is a true likeness of xxxxx and date.</i></p> <p>Note – please advise candidates that their documents will be shredded if they are unsuccessful</p>		
<p>Check the application form that a full employment history has been provided. If not, or if any gaps in the applicant's employment history have been identified, check why this is and make a note on the interview notes.</p>		
<p>Check whether the applicant has lived or worked overseas in the last 5 years and make a note on the interview notes.</p>		
<p>Include discussion of self-declaration of criminal record or any relevant information</p>		
<p>Ask candidate to sign self-declaration form if hard copy not previously signed</p>		
<p>Complete interview assessment form with interview panel members</p>		
<p>Send regret following interview communication to unsuccessful candidates</p>		
<p>Contact successful candidate (by email or telephone) to inform them they have been successful and that the offer made is based upon satisfactory clearances</p>		
<p>Conditional offer of employment letter issued (Academies)</p>		

Action	Date completed	Completed by (please initial)
Details of successful candidate and conditional offer made sent to HRSupport inbox for HR to produce conditional offer of employment letter (OHC & QH)		
Offer accepted.		
Offer letter and successful candidate's email address forwarded to HRSupport inbox for HR to send the link to the employee screening portal to the candidate		

Checked by

Name

Date

**APPENDIX 3: RISK ASSESSMENT FORM – EMPLOYMENT AHEAD OF DBS CHECK (ACADEMIES ONLY)**

*When completing the section below, please refer to the guidance notes and reference table.*

**SECTION A: Checklist**

EMPLOYEE: ..... DATE OF ASSESSMENT: .....

POST ASSESSED: .....

<b>Checks completed</b>	<b>Yes</b>	<b>No</b>
Face to face interview		
Barred List		
All other clearances listed in Appendix 1		
Minimum of two satisfactory references and a check covering 5 years' full time employment		
Are there any unexplained gaps in employment?		
Evidence of eligibility to work in the UK		
DBS application has been submitted		

**SECTION B: Control measures**

What control measures have been put in place to mitigate the risk of this employee commencing employment prior to full DBS clearance being received?

<b>Control measures</b>	<b>Yes</b>	<b>No</b>
All recommended control measures in place (see attached)*		
Is the new employee able to adhere to the control measures noted above?		

\* If no, describe overleaf what measures have been put in place for minimise/offset risk.

**SECTION C: Reason for appointment prior to DBS clearance**

Please explain why it can be shown that not to employ the member of staff prior to clearance will have a significantly deleterious effect on the business of the organisation (continue overleaf if necessary). Give the date the DBS check was requested and when it is expected.

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 .....

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.....

Manager's name:

Job title:

Signed:

Date:

**SECTION D: Approval**

Appointment prior to DBS check approved/not approved (delete as appropriate).

Rationale for decision:

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**Risk Assessment Form A**

**Activity/Person/Area Assessed:**

Name(s) of assessor:	Reference number:
Date of Assessment:	Review Date:

No.	Hazard	People at risk	Existing control measure	Risk Rating: Red, Amber, Green
1				
2				
3				
4				
5				
6				
7				
8				
9				

Risk Rating:

High = current controls totally inadequate with serious consequences

Medium = current controls still poor but consequences less serious

Low = current controls are adequate to minimise the risk so far as reasonably practicable

<b>SEVERITY</b>	<b>MAJOR</b> (multiple fatalities of students or staff, major loss of business or loss of infrastructure)	5	5	10	15	20	25
	<b>SIGNIFICANT</b> (single fatality, life changing injury, significant damage to infrastructure or business)	4	4	8	12	16	20
	<b>MODERATE</b> (reportable injury, removable to hospital, moderate loss of business and damage to infrastructure)	3	3	6	9	12	15
	<b>LOW</b> (minor non-reportable injury, requiring first aid only, minor damage to infrastructure)	2	2	4	6	8	10
	<b>NEGLIGIBLE</b> (no injury, insignificant damage to infrastructure)	1	1	2	3	4	5
			1	2	3	4	5
			<b>IMPROBABLE</b>	<b>REMOTE</b>	<b>OCCASIONAL</b>	<b>PROBABLE</b>	<b>FREQUENT</b>
<b>LIKELIHOOD</b>							

<b>KEY:</b>	
	<b>Dark Red: Intolerable Risk:</b> 16-25: Task/activity cannot take place
	<b>Orange: Substantial Risk:</b> 15: Task/activity cannot take place without additional action and ESLT authorisation

# RISK MATRIX



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Amber	<b>Amber: Moderate Risk: 8-12:</b> Task/activity cannot take place without additional controls and/or Line Management authorisation
Yellow	<b>Yellow: Low Risk: 4-6:</b> Task/activity acceptable but requires monitoring
Green	<b>Green: Minimum Risk: 1-3:</b> Acceptable Risk

**Action required:** Yes/No (delete as appropriate)

**If action is required please fill in Form B below.**

**Risk Assessment Form B**

Hazard No	Action Required	By whom	Target date	Completion date

On completion date, please update the risk assessment form.

Manager's name:

Job title:

Signed:

Date: