



## Employee Recruitment and Selection Policy Statement

1. The Trust Board is committed to:

- safeguarding and promoting the welfare and safety, and the spiritual, moral, social and cultural development, of children and young people;
- promoting equality of opportunity and community cohesion where the diversity of different backgrounds and circumstances is appreciated and positively valued;
- promoting the fundamental British values of democracy, the rule of law, individual liberty and mutual respect and tolerance for those with different faiths and beliefs;

and expects all staff, volunteers and other workers to share this commitment. It is recognised that this can only be achieved through sound procedures, good inter-agency co-operation and the recruitment and retention of competent, motivated employees, who are suited to, and fulfilled in the roles they undertake.

2. The Trust Board recognises the value of, and seeks to achieve, a diverse workforce, which includes people from different backgrounds, with different skills and abilities. Discovery Educational Trust is committed to ensuring that the recruitment and selection of every candidate is conducted in a manner that is systematic, efficient, effective and promotes equality of opportunity. Selection is made based on merit and ability, assessed against the qualifications, skills and competencies required to do the job. The Trust Board upholds its obligations under law and national collective agreements to not discriminate against applicants for employment on the grounds of the protected characteristics of age, sex, sexual orientation, marriage or civil partnership, pregnancy, gender re-assignment, disability or health, race (which includes colour, nationality and ethnic origin), religion or belief.
3. Discovery Educational Trust and its Schools implement robust recruitment procedures and checks for appointing staff and volunteers to ensure that reasonable steps are taken not to appoint a person, who is unsuitable to work with children, or who is disqualified from working with children, or does not have the suitable skills and experience for the role.
4. Discovery Educational Trust and its Schools ensure that the terms of any contract with a contractor or agency requires them to adopt and implement measures described in its Employee Recruitment Procedure. Discovery Educational Trust and its Schools monitor compliance with these measures and require evidence that relevant checks have been undertaken for all workers deployed.

5. The following pre-employment checks are required, where applicable to the role and setting:

- receipt of satisfactory references;
- verification of identity;
- a satisfactory DBS disclosure if undertaking Regulated Activity;
- verification that a candidate is not barred from working with children;
- verification that a candidate is not prohibited from teaching;
- verification of medical fitness for the particular role;
- verification of qualifications and of professional status, where required, e.g. QTS status;
- the production of evidence of the right to work in the UK;
- verification of successful completion of/exemption from statutory induction period;
- verification that a candidate is not subject to a Section 128 Direction preventing them from holding a management position within a school;
- a declaration that a candidate is not disqualified from working with children by virtue of the Childcare (Disqualification) Regulations 2018, or that a candidate has provided a valid disqualification waiver from Ofsted.

**NB It is illegal for anyone, who is barred from working with children to apply for or undertake Regulated Activity.**

6. Discovery Educational Trust and its Schools keep and maintain a Single Central Record of recruitment and vetting checks, in line with the current Department for Education (DfE) requirements.
7. All posts/voluntary roles that give substantial unsupervised access to children and young people are exempt from the Rehabilitation of Offenders Act 1974, and, therefore, all preferred candidates are required to declare spent and unspent convictions, cautions and bind-overs (save for those offences that are subject to filtering by the police), prior to an offer of employment being confirmed. When making a recruitment decision, Discovery Educational Trust disregards any filtered convictions/cautions/reprimands, which were disclosed in error.

Applicants are required to sign a DBS consent form giving consent for the DBS Certificate to be copied and shared (within strict guidelines) for the purposes of considering suitability for employment and/or consent for an online status check to be carried out in the event that the applicant subscribes to the DBS update service. A previously issued DBS Certificate is only accepted in certain restricted circumstances or where a candidate subscribes to the DBS update service and the appropriate online status checks are satisfactory.

The Trust Board is committed to ensuring that individuals, who have convictions/cautions/reprimands on their record, are treated fairly and given every opportunity to establish their suitability for positions. Having a criminal record does not necessarily act as a bar to obtaining a position, except in the case of school settings covered by the Childcare (Disqualification) Regulations 2018, where certain convictions, cautions or warnings mean that an individual is disqualified from working in that setting and prohibit employment with Discovery Educational Trust (unless a waiver can be obtained from Ofsted).

Positive disclosures are managed on a case-by-case basis, considering the nature, seriousness and relevance to the role. The following factors are considered in each case:

- The seriousness/level of the disclosed information, e.g. was it a caution or a conviction?
- How long ago the incident(s) occurred and whether it was a one-off incident or part of a repeat history/pattern.
- The circumstances of the offence(s) being committed, and any changes in the applicant's personal circumstances since then.
- The country where the offence/caution occurred.
- Whether the individual shows or has shown genuine remorse.
- If the offences were self-disclosed or not (non-disclosure could, in itself, result in non-confirmation of employment on the grounds of trust, honesty and openness).

Refer also to the Recruitment of Ex-Offenders and Handling of DBS Certificate Information detail at Appendices E and F.

The Discovery Educational Trust's Trust Board operates in accordance with The Disclosure and Barring Service Code of Practice in relation to the processing, handling and security of Disclosure information.

8. In line with recommended practice in the statutory guidance "Keeping Children Safe in Education", Discovery Educational Trust and its Schools conduct searches for information on shortlisted candidates, which is publicly available online. The purpose is limited:

- to identify issues, which call into question the applicant's suitability to work with children;
- to verify employment history.

Shortlisted candidates are requested to disclose the social media platforms that they use and the associated user names. Typically, these screening checks cover a five-year period and focus on Google, Facebook, LinkedIn, Twitter and Instagram. No detriment is applied whether or not an individual has an online presence.

Searches are conducted by an appropriate individual, who is not a member of the selection panel to avoid the potential for discrimination. Only information related to

the purposes stated above are shared with the selection panel. Any information is discussed with candidates at interview before any decisions regarding the recruitment process are made.

9. DET processes personal data collected during the recruitment process in accordance with its Data Protection Policy. Data is held securely and accessed by, and disclosed to, individuals only for the purposes of completing the recruitment process. On the conclusion of the process, data collected is held in accordance with DET's Records Management Policy.

A copy of the Employee Recruitment Procedure is available on request.

## Recruitment of Ex-Offenders

- As an organisation assessing applicants' suitability for positions, which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS), Discovery Educational Trust (DET) and its Schools comply fully with the [DBS Code of Practice](#) and undertakes to treat all applicants for positions fairly.
- DET and its Schools undertake not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.
- DET and its Schools can only ask an individual to provide details of convictions and cautions that DET and its Schools are legally entitled to know about. Where a DBS Certificate, at either standard or enhanced level, can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act Regulations as amended).
- DET and its Schools can only ask an individual about convictions and cautions that are not protected.
- DET and its Schools are committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.
- DET and its Schools have this written policy on the recruitment of ex-offenders, which is made available to all DBS applicants at the start of the recruitment process.
- DET and its Schools actively promote equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records.
- DET and its Schools select all candidates for interview based on their skills, qualifications and experience.
- An application for a criminal record check is only submitted to DBS after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a criminal record check is identified as necessary, all application forms, job adverts and recruitment briefs contain a statement that an application for a DBS Certificate will be submitted in the event of the individual being offered the position.
- DET and its Schools ensure that all those in DET/its Schools, who are involved in the recruitment process, have been suitably trained to identify and assess the relevance and circumstances of offences.
- DET and its Schools also ensure that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.
- At interview, or in a separate discussion, DET and its Schools ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.
- DET and its Schools make every subject of a criminal record check submitted to DBS aware of the existence of the [DBS Code of Practice](#) and makes a copy available on request.
- DET and its Schools undertake to discuss any matter revealed on a DBS Certificate with the individual seeking the position before withdrawing a conditional offer of employment.

# **Statement on the Handling of DBS Certificate Information**

## **General Principles**

As an organisation using the Disclosure and Barring Service (DBS) checking service to help assess the suitability of applicants for positions of trust, Discovery Educational Trust (DET) and its Schools comply fully with the [DBS Code of Practice](#) regarding the correct handling, use, storage, retention and disposal of Certificates and Certificate information.

DET and its Schools also comply fully with their obligations under the General Data Protection Regulation (GDPR), Data Protection Act 2018 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Certificate information and has a written policy on these matters, which is available to those, who wish to see it on request.

## **Storage and Access**

Certificate information should be kept securely, in lockable, non-portable, storage containers with access strictly controlled and limited to those, who are entitled to see it as part of their duties.

## **Handling**

In accordance with section 124 of the Police Act 1997, Certificate information is only passed to those, who are authorised to receive it in the course of their duties. DET and its Schools maintain a record of all those to whom Certificates or Certificate information has been revealed and it is a criminal offence to pass this information to anyone, who is not entitled to receive it.

To note: organisations, which are inspected by the Care Quality Commission (CQC) or Ofsted, and those establishments, which are inspected by the Care and Social Services Inspectorate for Wales (CSSIW) may be legally entitled to retain the Certificate for the purposes of inspection.

In addition, organisations that require retention of Certificates in order to demonstrate 'safer recruitment' practice for the purpose of safeguarding audits may be legally entitled to retain the Certificate. This practice needs to be compliant with the Data Protection Act, Human Rights Act, General Data Protection Regulation (GDPR), and incorporated within the individual organisation's policy on the correct handling and safekeeping of DBS Certificate information.

## **Usage**

Certificate information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

## **Retention**

Once a recruitment (or other relevant) decision has been made, DET and its Schools do not keep Certificate information for any longer than is necessary. This retention allows for the

consideration and resolution of any disputes or complaints, or is for the purpose of completing safeguarding audits.

Throughout this time, the usual conditions regarding the safe storage and strictly controlled access prevail.

### **Disposal**

Once the retention period has elapsed, DET and its Schools ensure that any DBS Certificate information is immediately destroyed by secure means, for example by shredding, pulping or burning. While awaiting destruction, Certificate information is not kept in any insecure receptacle (e.g. waste bin or confidential waste sack).

DET and its Schools do not keep any photocopy or other image of the Certificate or any copy or representation of the contents of a Certificate. Notwithstanding the above, DET and its Schools may keep a record of the date of issue of a Certificate, the name of the subject, the type of Certificate requested, the position for which the Certificate was requested, the unique reference number of the Certificate and the details of the recruitment decision taken.