



Revised Recruitment & Selection Policy

Recruitment and Selection Policy

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1. Introduction

- 1.1. Oasis Community Learning (OCL) recognises that our staff are our single most important resource and fundamental to the realisation of our vision is to create 'Exceptional Education at the Heart of the Community'. Therefore, robust recruitment and selection processes are crucial and a strategic and professional approach is essential, to be able to attract and retain staff of the highest calibre.
- 1.2. OCL is committed to safeguarding and promoting the welfare of children and young people. We expect all staff to share this commitment and to undergo appropriate checks, including enhanced Disclosure and Barring Service (DBS) checks.
- 1.3. This policy takes into account relevant education and employment law and guidance including Keeping Children Safe in Education: Statutory guidance for schools and colleges (September 2018) (KCSIE), the Education (Independent School Standards) Regulations 2014 (ISSR), Working together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children (July 2018), the Equality Act 2010 and the Data Protection Act 2018 (DPA).
- 1.4. This policy is supported by the OCL Recruitment Handbook for Academies and National Office Line Managers.

2. Purpose & Aims

- 2.1. To ensure that we attract, recruit and retain the best possible people to work within and for our academies.
- 2.2. To safeguard children and young people within our academies by ensuring that our practices deter, identify and reject people who are unsuitable to work with children and young people.

3. Scope

- 3.1. This policy covers the recruitment and/or appointment of employees, apprentices, agency/supply staff, casual workers, volunteers, peripatetic staff, contractors and consultants, trainee/student teachers, academy councillors, and trustees. Part 1 covers employees (which includes apprentices, casual or zero hours workers). Part 2 covers supply/agency staff, volunteers, peripatetic staff, contractors, trainee/student teachers, academy councillors and trustees.

4. Responsibility & Accountability

- 4.1. Safeguarding and promoting the welfare of children is everyone's responsibility. Everyone who comes into contact with children and their families and carers has a role to play'
- 4.2. The OCL People Directorate are responsible for the development and update of policies relating to recruitment and selection.
- 4.3. The Principal/Executive Principal (or Line Manager for non-Academy based staff) is primarily responsible for compliance with the provisions of KCSIE and the ISSR and with employment law and human resources best practice and therefore the implementation of this Policy and the policies and procedures referred to within this Policy within their academy or function.
- 4.4. The Principal or Line Manager is responsible for ensuring that those, to whom responsibilities within this Policy and the policies and procedures referred to herein are delegated on a day

to day basis, receive appropriate training and support to fulfil those responsibilities . As a minimum requirement, at least one member of all selection panels **must** have undertaken Safer Recruitment in Education Training.¹

5. Data Protection

- 5.1. Those seeking to work for OCL are referred to the Candidate Privacy Notice and the General Privacy Notice on the OCL website.
- 5.2. Information about the Handling of DBS Certificates is contained within Part Four of this Policy.

6. Equal Opportunities

- 6.1. OCL seeks to operate an open, fair and consistent recruitment and selection process where all applicants are given equal opportunity to be successful and recruitment is conducted in a professional and timely manner.
- 6.2. We are committed to providing equality and fairness for all our recruitment and employment practices ensuring that no-one is discriminated against on the grounds of personal differences such as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation² or any other political or personal beliefs.
- 6.3. We will implement all necessary action and training to ensure our commitments to equality of treatment and ensure that outcomes are fulfilled. We will regularly monitor and review progress made in this respect.
- 6.4. This policy should be read in conjunction with OCL's Equality and Diversity Policy.
- 6.5. Information about the Recruitment of Ex-Offenders is contained within Part Three of this Policy.
- 6.6. If a member of staff involved in the recruitment process has a close personal or familial relationship with an individual seeking to work for OCL they must declare this as soon as known to their line manager and/or the Principal. This person must not participate in the recruitment and selection process unless in exceptional circumstances and with the written authorisation of the Regional Director or the Head of Service/Directorate (as appropriate). If the Regional Director or Head of Service/Directorate is the person in question, then they must obtain written authorisation from either the OCL COO or CEO.

7. Single Central Record

- 7.1. OCL must by law maintain a Single Central Record (SCR) which records all of the vetting and barring checks that have been undertaken in respect of those working with or for OCL, whether at national office or based in an academy.

¹ Please contact the National Recruitment Team for further information on how to register for this training, a one-day accredited course delivered by the members of the People Directorate

² More information on protected characteristics can be found in the Equality Act 2010.

- 7.2. Each Academy has its own SCR which must be in the prescribed OCL format and stored in the 'HR – Academy Documents' section of the Oasis Zone which has been set-up with appropriate restricted access.
- 7.3. This record should cover all "staff" which includes: employees (including casual or zero hours workers), supply/agency staff, volunteers, academy councillors, trustees/the OCL Board and contractors (those engaged under a contract to provide a service to the organisation or its students).
- 7.4. The SCR should record when the relevant safeguarding checks have been carried out, who undertook/verified the check and in many cases, what evidence was used/seen to satisfy the check. The Principal of an Academy is ultimately responsible for their academy's SCR, but day to day maintenance of the SCR may be appropriately delegated. Responsibility for the National Office and Leadership SCR is held by the Head of Talent Management and Attraction.

PART ONE: Employees (including apprentices, casual and zero hours workers and trainee salaried teachers)

1. Recruitment Planning

- 1.1. When a vacancy occurs due to a member of staff leaving, the Principal/Line Manager should review the vacancy and decide whether it requires filling in its current form (or indeed at all) based on business need, budgets and other relevant factors.
- 1.2. All positions require a Job Description and Person Specification (JDPS). For existing positions, the JDPS must be reviewed and amended (if appropriate) prior to recruitment to ensure it is still fit for purpose. Inaccurate or incomplete job descriptions can have a significant impact on the quantity and quality of candidates attracted and can also lead to misconceptions for new employees.
- 1.3. For brand new positions, a new JDPS must be drafted in line with the JDPS Template and Manager's Guidance for Writing Job Descriptions. All job descriptions must contain standard safeguarding wording, as contained in the template.
- 1.4. All positions with a new or amended JDPS (excluding Teaching and Leadership posts covered by the School Teachers' Pay and Conditions) must be evaluated by the national People Directorate before recruitment can take place.³
- 1.5. Salaries for all Leadership posts (Deputy Principal and above) must be calculated in line with the OCL Pay Policy and ratified by the Pay Committee⁴.
- 1.6. A Hiring Requisition must be completed for all appointments (whether within or outside of budget) and submitted to the specified approval channels for authorisation before recruitment can commence.

³ Job Evaluation requests should be sent to OCL.JobEval@oasisuk.org

⁴ Contact the Head of Talent Management and Attraction for more information (OCLRecruitment@oasisuk.org)

- 1.7. Once the Hiring Requisition is approved, a planning meeting should take place to agree the key details of the campaign (advertising and interview dates, media, selection panel members etc.). See the [OCL Recruitment Handbook for Academies and National Office Line Managers](#) for more information.

2. Marketing and Advertising

- 2.1. The Principal/Line Manager must consider whether it is appropriate to only advertise the vacancy internally or whether they require a full external campaign.
- 2.2. All posts should be advertised for a minimum of 14 days.
- 2.3. Advertising decisions should be made based on the type of role, likely candidate pool and budget limitations. Guidance is available in the Recruitment Toolkit and advice can be sought from the National Talent Team.
- 2.4. In exceptional circumstances a decision may be taken not to advertise positions if there is a good reason not to. These circumstances could include situations where a position may provide suitable alternative employment for an existing staff member(s) whose post has been identified for redundancy, or where the post is part of a re-structuring exercise where ring-fencing is necessary to minimise job loss. Advice must be sought, and authorisation obtained, from the relevant People Directorate Business Partner /Head of Talent Management and Attraction before taking this action.
- 2.5. Adverts are the key means for attracting candidates. Care should be taken to ensure the advert accurately reflects the role and organisation and entices candidates to apply for the position.
- 2.6. All adverts must contain a short statement on Equal Opportunities, Fluency Duty (where relevant) and Safer Recruitment, as detailed in the [Recruitment Advert Template](#). It is also important to ensure that the advert copy promotes equality of opportunity and does not include any language that could be deemed discriminatory.
- 2.7. All adverts should be written and published in line with [OCL Brand Guidance](#) and [Tone of Voice Document](#).⁵

3. Applying for a role

- 3.1. Alongside the Recruitment Advert, each vacancy requires an [Application Form](#), [Equal Opportunities Monitoring Form](#), [Candidate Privacy Notice](#) and JDPS (templates contained in the Recruitment Toolkit).
- 3.2. Academies and line managers are free to create “Candidate Packs” providing information about the Academy and/or organisation however nothing in these documents should conflict with the provisions or requirements of this Policy.
- 3.3. Recruiters must use the OCL Application Forms (Leaders, Teachers & Support Staff, Volunteers) for the appointment of all staff, which are contained within the Recruitment Toolkit. A CV is not acceptable as a method of application. It does not provide a common data set, may allow candidates to omit information and does not comply with safe recruitment guidance.

⁵ Please contact the Communications Team (Comms@oasisuk.org) for any queries or assistance in this area.

4. Shortlisting and Interview Set-up

- 4.1. Shortlisting must be undertaken separately by at least two people, before coming together to finalise the shortlist. At least one member of the shortlisting panel must be Safer Recruitment Trained.
- 4.2. Shortlisting must be undertaken using agreed criteria based on the JDPS and be documented for audit and scrutiny purposes. A suggested Shortlisting Matrix can be found in the Recruitment Toolkit.
- 4.3. The shortlisting panel should identify gaps in employment and any discrepancies on the Application Form. If shortlisted, these must be investigated at (or before) interview.
- 4.4. Once the shortlist is agreed, the shortlisted candidates must be invited to attend for interview in writing (Invitation to Interview Letter). The invite must:
 - 4.4.1. confirm the date and time, format for the day and any preparation required;
 - 4.4.2. provide details of the documents the candidate must bring to the interview (Documents to Bring to Interview);
 - 4.4.3. enclose the DBS Self Declaration Form and Childcare Disqualification Declaration Form (where required for the role), which must be completed prior to and brought to the interview in a sealed envelope.
- 4.5. All unsuccessful candidates must also be informed of the outcome of their application by a Regret Email (see Recruitment Toolkit) as soon as possible following the shortlisting process.

5. Pre-Interview checks

- 5.1. At least two references must be sought for all shortlisted candidates prior to interview using the OCL Reference Request Template(s) to cover a minimum of three years prior to the date of their application. One of these references must be sought from their current/most recent employer.
- 5.2. If a candidate has previously worked (whether as an employee, volunteer or on a supply basis) in a school or other education setting or situation involving working with children (Scouts, sports coaching, Outward Bound, or similar) then a reference must be sought from that organisation which confirms the role they held, the dates on which they worked at that organisation and their reason for leaving.
- 5.3. If the candidate has worked through a supply agency during the three years prior to their application, references should be sought direct from the last supply agency **and** from any education setting where the candidate has been placed for 4 or more consecutive weeks.
- 5.4. A reference must be addressed to a senior person within the organisation ie. The Principal/Headteacher within a school, the Managing Director within a business, the Chief Executive within a charity – not to a colleague or the candidate's immediate line manager (although these may be copied into any request out of courtesy and/or to encourage a timely response).
- 5.5. Open references or testimonials supplied directly by the candidate cannot be accepted.
- 5.6. Employment reference requests must be sent to and received from a professional email address in order to ensure the legitimacy of the referee.

- 5.7. A copy of the email or letter requesting the reference must be retained on the candidate's file (and if successful, moved to their personnel file) as evidence that a request has been made.
- 5.8. A copy of the email returning the completed Reference Request Template must be retained on the candidate's file (and if successful, moved to their personnel file) as evidence of the source of the completed Reference Request Template
- 5.9. On receipt, references should be checked to ensure that all specific questions have been answered satisfactorily. The referee should be contacted to provide further clarification as appropriate, for example if the answers are vague or if insufficient information is provided. This level of enquiry would normally be undertaken by the Academy Principal or Service Leader. In the event new information is disclosed verbally, notes from the call should be emailed to referee to verify the information. They should also be compared for consistency with the information provided by the candidate on their application form. Any discrepancies should be taken up with the candidate.
- 5.10. For internal candidates, a reference is required from their current Line Manager and, where the role applied for will have a regional or national responsibility, from the Principal of their Academy.

6. Interview

- 6.1. Prior to the commencement of the Interview, the candidate must produce the following:
 - 6.1.1. Evidence of identity
 - 6.1.2. Original relevant qualification certificates
 - 6.1.3. Evidence of right to work in the UKwhich will be verified, photocopied (the person responsible for verification noting their name, position, date and signature on each copy)
- 6.2. The candidate must also provide the completed DBS Self Declaration Form and Childcare Disqualification Declaration Form (where required for the role).
- 6.3. If the Application Form has been electronically submitted, the candidate should be asked to sign a printed copy.
- 6.4. All interview panels must contain at least two people (a minimum of three for leadership posts). Panel members should be chosen based on the nature of the role and seniority of the position. At least one panel member must have undergone Safer Recruitment Training and should be involved at all stages of the process.⁶
- 6.5. Considerable care needs to be taken over the practical arrangements for the interview day(s). Where candidates have indicated that they have a disability which requires a reasonable adjustment to be made, they should be consulted in advance how the process can be made accessible for them and timely plans must be made for adjustment.
- 6.6. The interview panel should draw up selection criteria taking account of the Job Description and Person Specification (JDPS). They should consider the range of selection activities to be used and should be clear as to how these activities will allow them to apply the criteria. Interview

⁶ To arrange Safer Recruitment Training for your staff team please contact the National Recruitment Team – OCLRecruitment@oasisuk.org / 0207 921 4226

panels should also consider how activities inform candidates of the nature of both the post and the organisation, paying due consideration to areas such as culture and ethos. The candidates should be advised of selection activities prior to the selection day. Where possible/appropriate, students should be involved in the process. While a Skype or telephone interview may be permissible for a preliminary stage, all candidates should normally be interviewed face-to-face.

- 6.7. The interview should explore issues relating to safeguarding and promoting the welfare of children, including awareness of issues relating to the PREVENT agenda (where applicable). Example questions can be found in the Recruitment Toolkit. However safeguarding should be paramount throughout the interview and not simply an add-on question at the end of the interview. Interview Panels should avoid 'hypothetical' safeguarding questions and seek positive examples.
- 6.8. All candidates should be subject to the same selection tasks. Every interview should be structured and the same questions asked of all candidates. It is however acceptable to ask follow up or probing questions based on a candidate's response.
- 6.9. The panel must ensure that questions are asked and full and detailed answers are provided (and recorded) regarding:
 - 6.9.1. Any gaps in employment history;
 - 6.9.2. Any anomalies, inconsistencies or apparently incomplete information in the Application Form; and
 - 6.9.3. Information disclosed by the candidate on the DBS Self Declaration Form; and
 - 6.9.4. Any concerns arising from or discrepancies identified in the employment references that have been obtained.
- 6.10. Each panel member should complete an evaluation/question sheet in respect of every candidate. Interview notes should be factual, noting candidate responses and performance during the selection process. The responses to each question should be scored based on the stated criteria. All evaluation sheets should be batched with the panel member who has undertaken Safer Recruitment Training clearly identified. Following the completion of all selection activities, a wrap-up session should take place to collate scoring and discuss the performance of each candidate, their strengths and areas of concern and how they meet the requirements set out in the JDPS. Care must be taken to minimise unconscious biases and ensure appointment is based purely on merit.
- 6.11. The successful candidate should provide the "closest fit" to the "ideal person" described in the person specification and, as a minimum, should fulfil all the essential requirements.

7. Offer and Feedback

- 7.1. Candidates must be notified of the outcome of the selection exercise as soon as possible after the selection day. It is good practice to offer feedback to unsuccessful shortlisted candidates.
- 7.2. All offers of employment must be made conditional upon the satisfactory completion of all of the pre-employment checks. An offer of employment must be only be made using the OCL Conditional Offer of Employment Letter (in the Recruitment Toolkit).

8. Document storage and Retention

- 8.1. All interview documentation must be returned to the PD/HR lead for secure storage. Only those who require access for specific and authorised purposes will have access.
- 8.2. All documentation relating to unsuccessful candidates must be securely destroyed after six months.
- 8.3. The successful candidate's Application Form, References, interview and assessment notes and documentation from selection tasks, evidence of identity, right to work and relevant qualifications, Candidate Privacy notice and DBS Self Declaration Form (and Childcare Disqualification Declaration Form – where appropriate) should be transferred to their personnel file.

9. Pre-Appointment Checks for Employees

- 9.1. The Principal or Line Manager must ensure that the following pre-appointment checks are undertaken in respect of all employees (which includes casual or zero hours workers, such as invigilators and tutors):
 - 9.1.1. At least two satisfactory **references**, (see section 5 above).
 - 9.1.2. Confirmation the individual has the **right to work in the UK**.
 - 9.1.3. Verification of the individual's **identity**.
 - 9.1.4. Verification of **qualifications and/or professional status** (when required) necessary/relevant for the post. Original documents must be seen and copied. For teachers, Teaching Regulation Agency service (previously NCTL Teacher Services) must be used to check a teacher's record. This service will provide details of QTS and Induction qualifications, as well as any restrictions or sanctions in place.
 - 9.1.5. Verification that the new employee is not subject to a **Prohibition Order** (via Teaching Regulation Agency, previously NCTL Teacher Services). This check must be undertaken in respect of anyone who is a qualified teacher, even if they are applying for a support staff rather than a teaching staff post.
 - 9.1.6. Verification that the employee is not subject of a **Section 128 direction** (Prohibition from Management Checks) (via Teaching Regulation Agency, previously NCTL Teacher Services') This check is only relevant for those in a management role. Individuals taking part in 'management' include trustees, academy councillors, heads of service (ie finance), principal, any teaching positions on the senior leadership team, and any teaching positions which carry a department headship.
 - 9.1.7. Confirmation the individual has the **mental and physical fitness** to carry out their work responsibilities (this is undertaken by means of a confidential self-declaration and accompanying questionnaire ([New Starter Health Declaration Form](#) and [New Starter Health Questionnaire](#)).
 - 9.1.8. Obtain an **enhanced DBS certificate** (including barred list information, for those who will be engaging in regulated activity). OCL meets statutory requirements in relation to Disclosure & Barring Service – all staff and volunteers who work with Oasis who meet the 'regulated activity test' (Freedoms Act 2012) are required to undergo an enhanced DBS check prior to employment.

- 9.1.9. Require the individual to provide an **overseas criminal record check** (often referred to as a 'Certificate of Good Character') in respect of any country where the individual has lived for 6 months or more within the 10 years prior to joining OCL. If the individual is a sponsored worker, checks must cover the last 10 years for any country they have lived in for 12 months or more.
- 9.1.10. Verification that of any **current EEA member state restriction/sanction** (via Teaching Regulation Agency, previously NCTL Teachers Services). A restriction/sanction does not currently prevent the person from taking up teaching positions in England, but must be considered as part of your safer recruitment pre-appointment checks to determine their suitability for the position.
- 9.1.11. Where the individual will be involved in delivering or managing the delivery of child care to children up to an including Reception age during normal school hours, or childcare to children up to the age of 8 outside of normal school, verification that the individual is **not “disqualified”** contrary to the Child Care Act 2006 and the Childcare (Disqualification) Regulations 2018 (use Childcare Disqualification Declaration in the Recruitment Toolkit).
- 9.2. An offer of employment must remain conditional until all of the above listed checks are satisfactorily completed.
- 9.3. In exceptional circumstances it may be possible to allow an individual to start work in regulated activity before a DBS Certificate is obtained by OCL. The following conditions must be met:
- 9.3.1. There must be a critical business need; and
- 9.3.2. A clear Barred List check must be obtained; and
- 9.3.3. All other pre-employment checks must be satisfactory; and
- 9.3.4. The individual must not work without appropriate supervision; and
- 9.3.5. A Risk Assessment – Supervision of New Employees without a DBS Certificate must be completed.

PART TWO: Vetting and barring checks for agency/supply staff, trainee teachers, volunteers, peripatetic staff, contractors, academy councillors and trustees

1. Agency/supply staff

- 1.1 The following requirements apply to all supply/agency staff, **irrespective of the length of their engagement by the Academy or National Office**, this is because the law does not differentiate between supply for one day or one week – the requirements are the same.
- 1.2 Supply agencies are required to carry out the same level of checks as OCL undertakes for its employees (see Part 1 above). The academy and/or line manager must obtain written confirmation that the supply agency has undertaken all of these checks, appropriately store such written evidence and ensure that this is recorded in the appropriate SCR.
- 1.3 **Paragraph 19(2)(a)(ii) of The Education (Independent School Standards) Regulations 2014 requires that OCL obtain a copy of the individual’s enhanced DBS certificate from the supply agency before the individual commences work.**

- 1.4 If the agency/supply worker has not worked in an education setting in the 3 months prior to working at OCL then their Enhanced DBS Certificate must not be more than 3 months old.
- 1.5 The academy/line manager must also check that the person presenting themselves for work is the same person on whom the checks have been made by checking their photo identification upon arrival.
- 1.6 When using agency members of staff, academies/line managers must ensure they are complying fully with the Agency Worker Regulations 2010, guidance can be provided by the PD Business Partner for your region.
- 1.7 If an agency/supply worker is to be appointed to the organisation as an employee, the line manager or academy must ensure that **all** of the requirements of Part One of this Policy have been met. It is not sufficient to rely upon the checks or assessments undertaken by the supply agency (save that the DBS Certificate may be transferred/ported). The SCR must be completed accordingly and the all supporting evidence must be placed on a personnel file

2. Trainee/student teachers

- 2.1 Where a trainee is on a salaried scheme, OCL must undertake the same checks as are required for employees (see Part 1).
- 2.2 Where trainee teachers are fee-funded, the initial teacher training provider must carry out the same level of checks as OCL undertakes for employees. The academy must seek obtain written confirmation that the initial teacher training provider has undertaken all of these checks and has judged the trainee suitable to work with children, appropriately store such written evidence and ensure that this is recorded in the appropriate SCR.
- 2.3 Please see additional guidance 'Guidance Note: Contracts and Pre-Employment Checks for Trainee Teachers (including Teach First, Ark & Schools Direct)' on the Oasis Zone for more information.

3. Volunteers

- 3.1 Volunteers make a significant contribution to our organisation. They will be seen by students as safe and trustworthy and as such, it is necessary to check their suitability to work with children and young people. However a common sense approach must be taken based on the role, level of contact and frequency of volunteering (e.g. one off school trip support versus a more ongoing role).
- 3.2 If a volunteer is helping out on a one-off basis (i.e. school trip or event) they must be **supervised** by an OCL employee throughout their time with us and should be treated as a "visitor".
- 3.3 If a volunteer will be **unsupervised** or taking part in an overnight activity (ie. school camp) then you must obtain an Enhanced DBS Certificate with Barred List Check.
- 3.4 If a volunteer is **supervised but helping out on a regular basis** (more than 3 occasions a month) then you must obtain an Enhanced DBS Certificate without Barred List Check. You must also regularly monitor the arrangements to ensure that with familiarity and the passing of time, the volunteer is not being left to work unsupervised, in which case, you must conduct a Barred List Check.
- 3.5 Prior to commencing the volunteer arrangements, the Academy must:
 - 3.5.1 Obtain a completed Volunteer Application Form; and

- 3.5.2 Conduct a short interview to include the provision of information about the Academy, its requirements and expectations of the volunteer, safeguarding questions (including relating to why the volunteer wishes to be involved with the academy); and
 - 3.5.3 Obtain from the volunteer a signed Volunteer Agreement; and
 - 3.5.4 Obtain the appropriate Enhanced DBS Certificate (see above); and
 - 3.5.5 Require them to undertake the Hays Safeguarding Training; and
 - 3.5.6 Obtain evidence of the volunteer's identity; and
 - 3.5.7 Obtain 2 professional references (refer to section 11 above); and
 - 3.5.8 Verify the volunteers mental and physical fitness to carry out the role they have volunteered for; and
 - 3.5.9 Where the individual will be involved in delivering or managing the delivery of child care to children up to an including Reception age during normal school hours, or childcare to children up to the age of 8 outside of normal school, verification that the individual is **not "disqualified"** contrary to the Child Care Act 2006 and the Childcare (Disqualification) Regulations 2018 (use Childcare Disqualification Declaration in the Recruitment Toolkit)
- 3.6 Under no circumstances should a volunteer in respect of whom no checks have been obtained be left unsupervised or allowed to work in regulated activity.
 - 3.7 Volunteer information should also be recorded on the SCR and all documentary evidence appropriately stored in a volunteer personnel file.

4. Contractors

- 4.1 Contractors are those who supply services to the Academy (ie. Building contractors, Cleaning companies, School Improvement Consultants, Professional Coaches/Mentors) or to the students (ie. Art Therapist, School Nursing Service, Educational Psychologists, Counsellors, peripatetic music teachers or tutors) which require them to come on to the Academy's site to provide services to the Academy or its students. They may be paid for by the Academy, by OCL, by parents/carers via the local authority or other government funding. The important thing to remember is that they may often have regular or unsupervised access to the Academy's site and therefore its students.
- 4.2 If a contractor attends on a **one-off basis** (ie. to fix a piece of equipment or to deliver a training event) they must be supervised by an OCL employee throughout their time on site and treated as a "visitor" (the following requirements do not therefore apply).
- 4.3 If the Academy is **directly procuring the services of a contractor** (eg. Professional coach or mentor, therapists, educational psychologists, sports coaches) they must ensure that the terms of the contract are recorded in writing (seek advice and assistance from the PD Business Partner in your region) and that the requirements set out in paragraph [4.7] below are contained within the contract. Depending on the status of the contractor use the **Contractor Vetting Form** (where the contractor is a business that will send one or more people to perform the contract) or the Contractor Vetting Letter (where the contractor will be delivering the services themselves).
- 4.4 If the **contractor has been procured nationally/by OCL** (eg Sodexho) on behalf of the Academy, the Academy must ensure that it obtains written confirmation from the contractor that

the requirements set out in paragraph [4.7] below have been satisfied by the contractor in respect of each of the individuals it supplies to perform the contract. The Contractor Vetting Form (see Recruitment Toolkit) should be used for this purpose.

- 4.5 If the **contractor is provided by/funded by the local authority** (eg. Social workers, therapists/counsellor) then the Academy should obtain written confirmation from the local authority that it has undertaken appropriate vetting and barring checks and considers the individuals it provides/funds as suitable to work with children and young people. (see Local Authority Staff Checks Letter in the Recruitment Toolkit). To support this, these individuals must produce their Local Authority ID card (and for Social Workers, their Health and Care Professionals Card (HCPC) to the Academy on request. The Local Authority is unlikely to confirm the names of all of the individuals it may or will send to the Academy due to size and fluctuation of its workforce.
- 4.6 In many Academies, **parents/carers of the Academy pay** for music lessons and/or tutoring to be delivered to their child during the school day. These individuals contract directly with the parent/carer and the Academy has no direct involvement in the arrangements. However, by permitting these Peripatetic Staff access to the Academy and to its students; through advertising or facilitating the advertisement of the services of these Peripatetic Staff, the Academy takes on a responsibility for ensuring that these individuals are suitable to work with children and young people. (see Peripatetic Staff Checks Letter)
- 4.7 If you are unsure who or what funds the contractors services to the Academy or its students then you should seek advice from your regional PD Business Partner. School Nursing Services are funded by Public Health grants and commissioned by the local authority. The local authority is not however responsible for vetting the staff that work for School Nursing Services so you should use the School Nursing Services Checks Letter to verify that the suitability of the individuals who attend the Academy.
- 4.8 The following checks are required of each individual who performs the contract:
- 4.8.1 Identity;
 - 4.8.2 Medical fitness to perform the contract;
 - 4.8.3 Right to work in the UK;
 - 4.8.4 Relevant qualifications to perform the contract;
 - 4.8.5 Disclosure & Barring Certificate:
 - I. If a contractor will be **unsupervised** then you must see/obtain an Enhanced DBS Certificate **with** Barred List Check.
 - II. If a contractor is **supervised but on site on a regular basis** (more than 3 occasions a month) then you must see/obtain an Enhanced DBS Certificate **without** Barred List Check. You must also regularly monitor the arrangements to ensure that with familiarity and the passing of time, the contractor is not being left to work unsupervised or through the regularity of their visits, becoming familiar or trusted by the students, in which case, you must require a Barred List Check.

- 4.8.6 Where the individual has lived/worked outside of the UK for more than 6 months in the previous 10 years, a certificate of good conduct (or equivalent) from each country is required.
- 4.9 If the contractor is self-employed or unable to obtain the appropriate DBS Certificate, the Academy should undertake the appropriate level of DBS check directly and re-charge this to the contractor.
- 4.10 If the contractor is self-employed then the Academy must also obtain and retain a home or business address and contact number for auditing purposes.
- 4.11 In the Recruitment Toolkit are the following templates which can be used to fulfil the above requirements:
- Peripatetic Staff Checks Letter
 - Contractor Checks Letter
 - Contractor Vetting Form (to be used where the contractor is a business which will send one or more of its employees to perform the contract at the Academy ie. a catering or cleaning company)
 - Local Authority Staff Checks Letter
 - School Nursing Services Checks Letter
- 4.12 The Academy should undertake the above checks at the commencement of a contract or annually (whichever is more frequent) to ensure that the data held by the Academy is up to date. Confirmation that the above checks have been completed must be recorded on the SCR.

5. Academy Councillors

- 5.1 Academy Councillors are volunteers and therefore the arrangements for their appointment whilst managed nationally/regionally by the Governance Services Manager and colleagues, must follow the provisions of this policy relating to Volunteers. Where possible the candidate will also visit the academy and meet with the Principal and Chair of Academy Council.
- 5.2 OCL considers it good practice for all Academy Councillors to have an enhanced DBS Disclosure without barred list check) and therefore it is policy to do so.⁷ A barred list check must only be undertaken if the individual is engaged in regulated activity. Whilst Academy Councillors often have very limited access to students, consideration should be given to circumstances when Academy Councillors may be asked/required to undertake or be involved in student facing activities, such as Student Voice or lesson observations which may give rise to unsupervised access/regulated activity.

6. Trustees

The recruitment and appointment of OCL's trustees is undertaken by National Office who will ensure that each Academy's SCR is appropriately completed for inspection purposes.

⁷ Further information on the policy and process surrounding this area can be obtained from Norma Downer-Powell, Governance Services Manager - Norma.Downer-Powell@oasisuk.org

PART THREE: Recruitment of Ex-Offenders

1. OCL will not unfairly discriminate against any applicant for employment on the basis of their criminal record or other information revealed. OCL makes appointment decisions on the basis of merit and ability. If an applicant has a criminal record this will not automatically debar him/her from employment. Instead, each case will be decided on its merits in accordance with the objective assessment criteria set out in paragraph [4] below.
2. All posts within OCL are, (by reason of the The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended)) exempt from the provisions of the Rehabilitation of Offenders Act 1974. This means that all applicants for employment with OCL will be asked to disclose if they have any convictions, cautions, reprimands or final warnings that are not "protected" as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013)
3. A failure to disclose a previous conviction may lead to an application being rejected or, if the failure is discovered after employment has started, may lead to summary dismissal on the grounds of gross misconduct. A failure to disclose a previous conviction may also amount to a criminal offence.
4. In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, OCL will consider the following factors before reaching a recruitment decision:
 - (a) whether the conviction or other matter revealed is relevant to the position in question;
 - (b) the seriousness of any offence or other matter revealed;
 - (c) the length of time since the offence or other matter occurred;
 - (d) whether the applicant has a pattern of offending behaviour or other relevant matters;
 - (e) whether the applicant's circumstances have changed since the offending behaviour or other relevant matters; and
 - (f) the circumstances surrounding the offence and the explanation(s) offered by the convicted person.
5. OCL will carry out a DBS Risk Assessment of Caution, Conviction or Reprimand with reference to the criteria set out above. The assessment form must be completed and signed by the Principal at the Academy or the National Office Line Manager and approved by the Regional PD Business Partner.
6. If the post involves regular contact with children, it is OCL's normal policy to consider it a high risk to employ anyone who has been convicted at any time of any of the following offences: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence, class A drug related offences, robbery, burglary, theft, deception or fraud.
7. If the post involves access to money or budget responsibility, it is OCL's normal policy to consider it a high risk to employ anyone who has been convicted at any time of robbery, burglary, theft, deception or fraud.

8. If the post involves some driving responsibilities, it is OCL's normal policy to consider it a high risk to employ anyone who has been convicted of dangerous driving or of an offence of driving under the influence of alcohol or drugs, within the last 10 years
9. If an applicant wishes to dispute any information contained in a Disclosure, he/she can do so by contacting the DBS direct. In cases where the applicant would otherwise be offered a position were it not for the disputed information, OCL will, where practicable, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the Disclosure information.

PART FOUR: Handling of DBS Certificate information

1. As an organisation using the Disclosure and Barring Service (DBS) checking service to help assess the suitability of applicants for positions of trust, OCL complies fully with the DBS code of practice regarding the correct handling, use, storage, retention and disposal of certificates and certificate information.
2. It also complies fully with its 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.
3. Certificate information will 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.
4. 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. We 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.
5. OCL is entitled to retain a copy of the DBS certificate for the purposes of OFSTED inspection and to demonstrate 'safer recruitment' practice for the purpose of safeguarding audits. This practice will be compliant with the Data Protection Act, Human Rights Act, General Data Protection Regulation (GDPR).
6. 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.
7. Once a recruitment (or other relevant) decision has been made, we do not keep certificate information for any longer than is necessary and in any event, **no longer than 6 months from the date of issue or our receipt of the check** (in the case of update service and ported DBS certificates), **which ever is later**. This retention will allow for the consideration and resolution of any disputes or complaints, or be for the purposes of inspection and/or the completion of safeguarding audits. Throughout this time, the usual conditions regarding the safe storage and strictly controlled access will prevail.
8. We will ensure that when disposing of any DBS certificate information this is done by secure means, for example by shredding, pulping or burning. While awaiting destruction, certificate information will not be kept in any insecure receptacle (e.g. waste bin or confidential waste sack).

PART FIVE: Induction and probation

It is important that all academies maintain an ongoing culture of vigilance. While following Safer Recruitment practices is a key part of this, it also extends further and must be reinforced through

induction practices and a wider ‘safeguarding culture’ within each academy. It is essential that those joining OCL understand fully what is expected of them in respect of their behaviour and conduct and how everyone who works for or with OCL is expected to do all that they reasonably can to safeguard and promote the welfare of children and young people.

Appendix 1 – 9 Habits

Compassionate

‘To be compassionate and kind whilst acting justly.’

Compassion is the ability and willingness to place ourselves in the position of another and, as a result, be able to show kindness to them, without ignoring or dismissing the truth about their situation.

Patient

‘To be patient and persevering.’

Patience is the ability not just to tolerate delay or something not happening as quickly as we might have hoped for. It is also about the way we wait and the attitude we adopt as we do so, delaying immediate gratification and being prepared to keep going for the long haul; not giving up when things don’t work out but finding ways to develop work that is sustainable and grow relationships steadily. As we grow patience we gain a long-term perspective.

Humble

‘To be honouring of others through serving with humility.’

To be humble is to recognise that all people are created equal and are therefore of equal value. Because of this, a humble person will not laud it over others or use power to coerce, or pursue position and status but instead will choose to serve others, seeing their intrinsic worth and giving them honour and encouragement.

Joyful

‘To be joyful and positive and help others to be the same.’

Real joy is not shallow or momentary but is rooted in a deep sense of contentment with life, free from grasping and striving. Such joy brings peace and calm to ourselves and others. It is liberating and life giving and builds resistance in our lives and the teams we are a part of.

Honest

‘To be honest and have integrity.’

Honesty is about being truthful. Being honest includes acknowledging when we have got things wrong and taking responsibility for our actions. As we do this, we become a person of integrity - there is an alignment between what we say we are and how we behave.

Hopeful

‘To be hopeful in seeking transformation.’

Hope is not wishful thinking. It is a belief that causes us to find the light when everything around us feels hard or dark or challenging or without hope. Someone once said that ‘you have to kick at darkness until it bleeds daylight.’ So hope is about holding on and working for a better tomorrow, despite what the conditions and circumstances say today.

Considerate

‘To choose to love others like you love yourself.’

To be considerate is to see the intrinsic worth in others, to choose to care about them and treat them in the way that you would yourself. That is only truly possible when we understand our own self-worth and function from that place and belief. When we do this it changes the way we see, treat and respond to others.

Forgiving

‘To be forgiving and committed to healthy relationships.’

To forgive another is to choose not to allow their actions and behaviour in the past, which may have hurt or offended us, to determine our behaviour towards them in the future. Forgiveness is never easy but it is always transforming.....it always changes things.

Self-controlled

‘To be self-controlled.’

Self-control is having the ability to manage our own emotions and actions. When we have self-control we are not controlled by our own emotions but are able to maintain a right perspective on our life, our work and our relationships. It is a key part of emotional intelligence.