

Aspirational Futures Multi Academy Trust



Recruitment and Selection Policy

Aspirational Futures Multi Academy Trust Wide Policy

September 2023

Document Control

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1. Introduction

- 1.1. Recruiting the best people to our trust is vital for our continued success in providing the highest standards of education to our pupils.
- 1.2. Not appointing the right people to our roles can have a negative impact on the performance of our trust.
- 1.3. The headteacher is responsible for deciding on the arrangements to recruit to any post, with the exception of the headteacher role. The Board of Trustees will be responsible where there is a need to recruit a headteacher and may use the expertise of an external consultant.
- 1.4. In carrying out our recruitment processes we;
 - 1.4.1. are committed to the creation of a safe environment for our pupils by operating safer recruitment practices in line with the statutory requirements and guidance.
 - 1.4.2. will comply with the requirements of Data Protection Legislation (being the UK General Data Protection Regulation and Data Protection Act 2018 and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time and our Data Protection Policy sets out how we will comply with Data Protection Legislation.
 - 1.4.3. will comply with the requirements of the Equality Act (2010) and are committed to ensuring that throughout our recruitment and selection processes no applicant is disadvantaged or discriminated against because of the protected characteristics of age, disability, gender, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief and sexual orientation.
- 1.5. In the very exceptional cases where we are required to discriminate due to an occupational requirement this must be approved by the trust CEO who will provide reasons for this requirement.
- 1.6. Recruitment will be solely on the basis of the applicant's abilities and individual merit as measured against the criteria for the job. Qualifications, knowledge, experience and skills will be assessed at the level that is relevant to the job.
- 1.7. If an applicant makes the school aware, at any stage of the recruitment process, that they have a disability then reasonable adjustments must be considered to ensure the applicant is not disadvantaged by the process.

2. Scope and Purpose

- 2.1. The purpose of this policy is to set out our processes for recruiting, selecting and appointing any employee to work within our trust.
- 2.2. Section 13 on Disclosure and Barring Service checks also applies to any applications from volunteers to work in our trust.

3. Safer Recruitment

- 3.1. All recruitment must be in line with this policy to ensure that we identify, deter and prevent people who pose a risk of harm from working with our pupils.
- 3.2. The recruitment of all applicants and volunteers to our trust must, without exception, follow the processes of safer recruitment. All offers of employment will be

subject to us being satisfied that the applicant or volunteer is a suitable person to work with children and young people.

- 3.3. Any person involved in recruiting to our trust must read the statutory guidance regarding Safeguarding and Safer Recruitment in Education produced by the DfE and our trust's Child Protection policy.
- 3.4. All recruitment must be planned to ensure that there is adequate time available to recruit safely.
- 3.5. Any person who becomes aware that this policy is not being followed during recruitment must inform the headteacher and the Designated Safeguarding Lead immediately.
- 3.6. All of the checks described in Sections 12 and 13 must be carried out and have been determined as satisfactory before an applicant can start their employment in the trust.

4. Advertising

- 4.1. Any vacant position will be advertised via the appropriate channels to ensure the most appropriate field of applicants is obtained. This provides the flexibility for internal adverts first as required.
- 4.2. All advertisements will have the following statement about safeguarding children and young people and the requirement to have a DBS check: 'Aspirational Futures Multi-Academy Trust is committed to safeguarding and promoting the welfare of its pupils and expects all those working in the trust to share this commitment.' They will also contain the following statement regarding inclusivity; 'Applications from ethnic minority candidates and other diverse groups are welcomed.'
- 4.3. All advertisements will also include the following statement if the post is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020: 'This post is exempt from the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020). This means that certain convictions and cautions are considered 'protected' and do not need to be disclosed to employers, and if they are disclosed, employers cannot take them into account. Guidance about whether a conviction or caution should be disclosed can be found on the Ministry of Justice website: <https://www.gov.uk/government/publications/new-guidance-on-the-rehabilitation-of-offendersact-1974>.
- 4.4. Under Part 7 of the Immigration Act 2016, the Public Sector fluency duty requires state funded schools to ensure candidates for their customer facing roles have the necessary standard of spoken English (or English or Welsh in Wales). For example, a teaching assistant required to communicate with pupils to support their learning, would be viewed as operating in a public-facing role. Adverts (and Job Descriptions) should make clear the necessary standard of spoken English or Welsh required for the role.
- 4.5. All applicants will be provided with a copy of our Recruitment Privacy Notice which sets out how we will gather, process and hold personal data of individuals during and after the recruitment process.

5. Job Description

- 5.1. A job description will be required for all posts which describes the duties and responsibilities of the post. It must be up to date, accurate and specific to the role. The job description must also include a person specification which outlines all of the necessary skills, abilities, experience, attitude, behaviours, qualifications and knowledge requirements for the post.
- 5.2. All job descriptions and person specifications must make reference to the responsibility for safeguarding and promoting the welfare of children.

6. Application form

- 6.1. All applicants are required to fill out our standard application form. CVs will be accepted but will not replace the application form.

7. References

- 7.1. All offers of employment will be conditional upon receipt of satisfactory, supportive references.
- 7.2. Two written references will be requested to obtain information to support appointment decisions. References will;
 - 7.2.1. be requested for all shortlisted applicants, including internal applicants;
 - 7.2.2. be directly from the referee;
 - 7.2.3. be requested before the interview.
- 7.3. The trust will:
 - 7.3.1. not accept open references e.g. to whom it may concern;
 - 7.3.2. not rely on applicants to obtain their reference;
 - 7.3.3. ensure any references are from the candidate's current employer and have been completed by a senior person with appropriate authority (if the referee is school or college based, the reference should be confirmed by the headteacher/principal as accurate in respect to disciplinary investigations);
 - 7.3.4. obtain verification of the individual's most recent relevant period of employment where the applicant is not currently employed;
 - 7.3.5. clarify with the referee where the information is vague or insufficient;
 - 7.3.6. request information on the applicant's suitability to work with children and young people from the last employer where the applicant worked with children (if not currently working with children);
 - 7.3.7. always verify any information with the person who provided the reference and, where the reference is provided electronically, verify that it is from a legitimate source;
 - 7.3.8. contact referees to clarify content where information is vague or insufficient information is provided;
 - 7.3.9. compare the information on the application form with that in the reference and take up any discrepancies with the candidate;
 - 7.3.10. establish the reason for the candidate leaving their current or most recent post;
 - 7.3.11. ensure any concerns are resolved satisfactorily before appointment is confirmed;

- 7.3.12. will ask about disciplinary record;
- 7.3.13. ask the current employer for details of any capability history in the previous two years, and the reasons for this.
- 7.4. When asked to provide references schools and colleges should ensure the information confirms whether they are satisfied with the applicant's suitability to work with children and provide the facts (not opinions) of any substantiated safeguarding allegations but should not include information about allegations which are unsubstantiated, unfounded, false, or malicious. References are an important part of the recruitment process and should be provided in a timely manner and not hold up proceedings.
- 7.5. Where it has not been possible to obtain references before the interview (every effort will be made to do this) any concerns that are subsequently raised will need to be resolved before the appointment is confirmed. References are expected to be supportive.
- 7.6. In order to comply with the Equality Act 2010, information in a reference relating to sickness absence will only be considered after an offer of employment has been made. Applicants may be asked to submit to a medical check in relation to this.

8. Short-listing

- 8.1. Applicants will be short-listed against the requirements of the person specification. The same people should carry out the short-listing and the interviews and there should be at least two people. The outcome of the short-listing process will be recorded and retained in accordance with retention periods. The equal opportunities monitoring form must be removed from the application and not provided to the shortlisting panel. This form is kept for 6 months.
- 8.2. The shortlisting panel are responsible for scrutinising the application forms and identifying any gaps in employment or other areas that may affect an applicant's suitability to work with children and young people. A satisfactory explanation for any concerns must be obtained from the applicant during the interview process.

9. Interviews

- 9.1. A face-to-face interview must take place for all applicants to all posts. The use of video conferencing, Skype, FaceTime or other similar technologies is acceptable for this purpose.
- 9.2. All those involved in interviewing must be properly trained. At least one person on the interview panel must have passed the appropriate safer recruitment training.
- 9.3. The purpose of the interview is to assess the merits of each applicant against the job description and person specification to establish their suitability for the post and to work with children and young people. An applicant may be asked relevant questions about disability and health in order to establish whether they have the physical and mental capacity for the specific role.
- 9.4. Interviews should be conducted with a minimum of two interviewers on the panel to enable one interviewer to assess the applicant, observe and make notes whilst the applicant talks to the other interviewer.
- 9.5. Before the interview commences the interview panel should have;

- 9.5.1. prepared appropriate questions for the role
- 9.5.2. prepared appropriate questions to test the applicant's suitability to work with children and young people
- 9.5.3. identified any areas for further probing, e.g. if a criminal record has been declared, any information about past disciplinary action/allegations, or if there are gaps in employment, or workplace adjustments required as identified on the application form etc.
- 9.5.4. agreed assessment criteria which reflects the person specification
- 9.5.5. decided a structure to the interview and established which member of the panel will ask which questions.
- 9.5.6. conducted and recorded the outcome of checks of publicly available social media or other online activity and made a record of any offensive or inappropriate material. This may include a search via Google, Facebook Linked in or others.
- 9.6. A set of common questions relating to the requirements of the post will be asked of each applicant. Their response will determine whether that is followed up through further questioning.
- 9.7. Any gaps in employment history or declaration of a criminal record or caution must be explored further during the interview process.
- 9.8. Candidates shortlisted for interview will be asked about their suitability to work with children. Areas that may be concerning and lead to further questions include:
 - 9.8.1. implication that adults and children are equal;
 - 9.8.2. lack of recognition and/or understanding of the vulnerability of children;
 - 9.8.3. inappropriate idealisation of children;
 - 9.8.4. inadequate understanding of appropriate boundaries between adults and children; and
 - 9.8.5. indicators of negative safeguarding behaviours;
- 9.9. Shortlisted candidates will be required to complete a self-declaration of their criminal record or information that would make them unsuitable to work with children. Applicants will only be asked to disclose and discuss criminal convictions and/or cautions which are not protected under the amendments to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020) that may deem them unsuitable. Where this is provided electronically, the shortlisted candidate will be asked to physically sign a hard copy at the point of the interview.

10. Other selection methods

- 10.1. In addition to a face-to-face interview with the interview panel a variety of other selection methods may be used, such as:
 - 10.1.1. Observation of teaching practice in our school or in the applicant's current school or academy;
 - 10.1.2. One or more additional panel interviews (for example, a panel made up of pupils from our school);
 - 10.1.3. A presentation;
 - 10.1.4. In tray exercises; and
 - 10.1.5. Psychometric testing.

- 10.2. Those responsible for deciding the arrangements for recruitment to a specific post will determine the selection method(s). They will be relevant and appropriate to the role and will be based on the requirements for the particular post as set out in the job description and person specification.
- 10.3. Candidates will be informed in advance if any selection methods are to be used in addition to a face-to-face interview and what these are.

11. **Level of language proficiency**

- 11.1. Under the “fluency duty” (Part 7 of the Immigration Act 2016), public authorities are required to ensure that workers in public facing roles are fluent in English (or Welsh in Wales). Public facing roles are those members of teaching and support staff who, as a regular and intrinsic part of their role, are required to speak to members of the public (including students in schools).
- 11.2. The trust will accept a range of evidence of spoken English or Welsh language ability as follows:
 - 11.2.1. competently answering interview questions in English or Welsh;
 - 11.2.2. possessing a relevant qualification for the role attained as part of education in the UK or fully taught in English or Welsh by a recognised institution abroad,
 - 11.2.3. passing an English or Welsh spoken language competency test or possessing a relevant spoken English or Welsh qualification at CEFR Level B1 or above, taught in English or Welsh by a recognised institution abroad (and from September 2017 this includes Welsh second language GCSE).

12. **Pre-employment checks**

- 12.1. An offer of appointment to the successful applicant will be conditional upon the following;
 - 12.1.1. receipt of at least two satisfactory references (one of which must be their current or most recent employer)
 - 12.1.2. verification of the applicant’s identity
 - 12.1.3. verification of the applicant’s medical fitness
 - 12.1.4. verification of qualifications where relevant
 - 12.1.5. verification of professional status where required. For teachers, this will include checking that the individual has the required teaching qualification and has successfully completed any statutory induction, if required, through the Teacher Services System;
 - 12.1.6. satisfactory enhanced DBS check (see Section 13)
 - 12.1.7. a clear children’s barred list check (except supervised volunteers)
 - 12.1.8. verification of right to work in the United Kingdom
 - 12.1.9. the DfE Guidance on the Employment of Overseas-trained Teachers would be consulted should an overseas candidate apply for a teaching position
 - 12.1.10. that successful candidates for teaching positions are not subject to a prohibition order issued by the Secretary of State, done via Employer Access Online service

- 12.1.11. for management positions (applicable to governors/trustees, headteachers, members of the Senior Leadership Team and departmental heads only), verification that they are not subject to a section 128 direction by checking the Teacher Services System
- 12.1.12. for teachers and other employees who hold QTS who are working in non-teaching roles, verification that they are not subject to a prohibition order by checking the Teacher Services System
- 12.2. All checks must be confirmed in writing, retained on the personnel file and recorded in the single central record (SCR).

13. Disclosure and Barring Service (DBS) checks

- 13.1. Whilst there is no legal requirement to obtain an enhanced DBS check if, in the 3 months prior to beginning work in their new appointment, the applicant has worked in a school in England in a post which brought them into regular contact with children or in any post in a school since 12 May 2006. The trust will carry out the following checks before an employee or volunteer starts work, where they will be involved in 'regulated activity' (appendix 3):
 - 13.1.1. Employees - enhanced DBS check with children's barred list check (formerly List 99)
 - 13.1.2. Unsupervised volunteers - enhanced DBS check with children's barred list check
 - 13.1.3. Supervised volunteers - there is no legal requirement to obtain a check but one may be requested.
- 13.2. In exceptional circumstances a new employee or unsupervised volunteer may be able to start before the enhanced DBS check has been received, but not before the children's barred list check has been completed. The trust must ensure that appropriate supervision is in place until the DBS check has been received.
- 13.3. DBS certificates will only be issued to the applicant. All applicants must produce the disclosure when requested to do so. Any applicant who refuses to produce their DBS disclosure will not be able to start work at the trust. Any volunteer who refuses to produce their disclosure will not be able to volunteer in the trust. The disclosure will be scrutinised to ensure it is authentic and to detect any fraud. The DBS disclosure number and date of the check must be recorded in the Single Central Record (SCR). The trust is not required to take a copy of the DBS certificate, however we may choose to do so for decision making purposes. Any copy will be held for no longer than necessary, and up to a period of six months and be processed in line with Data Protection Legislation.
- 13.4. Any applicant who refuses to produce their DBS disclosure will not be able to start work at the trust and the conditional offer will be withdrawn as satisfactory checks are not in place. Any volunteer who refuses to produce their disclosure will not be able to volunteer in the trust.
- 13.5. Applicants (free for volunteers) can have their DBS certificate kept up to date and take it with them from role to role where the same type and level of check is required. Applicants or volunteers should be asked if they have subscribed to this service. Where the applicant or volunteer has subscribed they should provide the

trust with the original disclosure document to be verified and the trust will check the online update for any changes.

- 13.6. Applicants will only be asked to declare convictions and cautions that are not protected under the amendments to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020)
- 13.7. Information relating to an individual's criminal record will only be shared with the relevant people to enable the trust to make a decision about their suitability to work with children and young people. It will be held for no longer than is necessary and will be processed in line with the General Data Protection Regulations 2018.

Agency and 3rd party staff.

- 13.8. In the case of agency staff, the trust must ensure that the arrangement with the agency imposes an obligation on the agency to carry out all recruitment checks including DBS and children's barred list checks. The agency must confirm that these checks have been carried out and this must be recorded in the single central record (SCR).
- 13.9. Confirmation must be obtained that the individual who presents for work is the same person on whom the checks have been completed. (Photographic identification is generally appropriate).

Trainee and student teachers

- 13.10. We will ensure that enhanced DBS certificates and barred list checks are obtained on all 'salaried' applicants for initial teacher training
- 13.11. Where trainee teachers are fee-funded it is the responsibility of the initial teacher training provider to carry out the necessary Disclosure and Barring Service (DBS) checks.

Existing employees and volunteers

- 13.12. An enhanced DBS check and a children's barred list check will be carried out for all existing staff and unsupervised volunteers (subject to risk assessment) where their contact with children or young people has increased from that at their time of appointment.
- 13.13. An enhanced DBS and children's barred list check may be carried out on any employee or unsupervised volunteer (subject to risk assessment) where the trust has concerns about an individual's suitability to work with children and young people. An enhanced DBS (no barred list check) may be carried out on any supervised volunteer (subject to risk assessment) where the trust has concerns about their suitability to work with children and young people.
- 13.14. DBS certificates will only be issued to the applicant. The trust expects all applicants to produce the disclosure when requested to do so. Any existing employee who does not produce their DBS disclosure will be managed through the disciplinary procedure.
- 13.15. All existing employees are required to inform the trust of any change in their criminal record. This includes convictions, cautions, arrests and police investigations which are not protected under the amendments to the Rehabilitation of Offenders Act

1974 (Exceptions) Order 1975 (2013 and 2020). The trust may require all employees to sign a declaration on an annual basis that there has been no change in their criminal record. Action may be taken as a result of any change or any failure to inform the trust of any change.

14. Positive Disclosure

- 14.1. All positive disclosures, regardless of the seriousness of the offence/conviction/charge, are subject to an objective assessment (see Appendix 1).
- 14.2. The headteacher and/or CEO will consider the magnitude of any DBS disclosures before making a decision about whether to proceed with an appointment.
- 14.3. Major disclosures will be discussed with the headteacher, who will be asked for clearance for the candidate to be rejected.
- 14.4. Serious disclosures, those that do not pose a risk to students, will also be discussed with the headteacher. The trust will endeavour to ascertain the relevant facts from the individual and to bring the matter to a conclusion. The candidate will be sent a rejection or acceptance letter, in keeping with the trust's procedures.
- 14.5. Minor disclosures will be dealt with in a discussion between the candidate and the relevant line manager. The headteacher will recommend whether to reject or accept the applicant.
- 14.6. The following considerations will be taken in relation to positive DBS disclosures:
 - 14.6.1. The relevance of the disclosure in relation to the position applied for.
 - 14.6.2. The nature of the offence or other matters revealed.
 - 14.6.3. The length of time since the offence or other matters occurred.
 - 14.6.4. Whether there is a pattern of offending behaviour.
 - 14.6.5. Whether the candidate's circumstances have changed since the offending behaviour or other matters occurred.
 - 14.6.6. Any extenuating circumstances surrounding the offence and explanations offered.
- 14.7. In exceptional circumstances, if an offer is made following a positive disclosure, an employment risk assessment may be completed.
- 14.8. A record of all recruitment decisions following positive DBS disclosures will be kept by the trust using the form provided in Appendix 1.
- 14.9. Depending on the circumstances of each case, the CEO may be asked to countersign the form.

15. The recruitment of ex-offenders

- 15.1. Under the Safeguarding Vulnerable Groups Act 2006 and the Criminal Justice and Courts Service Act 2000, the trust cannot employ persons who may have regular contact with children, who are:
 - 15.1.1. Included on the barred list (a list maintained by the Secretary of State for Health of people judged to be unsuitable to work with children).
 - 15.1.2. Subject to a disqualifying order made on being convicted or charged with the following offences against children: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm and/or other serious acts of violence.

- 15.2. The trust will also consider it a high risk to employ persons who may have regular contact with pupils if they have been convicted of or charged with any of the offences above or serious drug related offences.
 - 15.3. The trust is required to send each applicant its policy on the Recruitment of Ex-offenders (Appendix 2).
- 16. Breaches of the policy and appeals**
- 16.1. Any instances of this policy not being adhered to will be taken very seriously and appropriate disciplinary action may be taken in accordance with trust's disciplinary procedures.
 - 16.2. Any complaint in relation to this policy, including its application will be managed through the trust's Complaints Procedure (non-school staff) or Grievance policy (school employees).
 - 16.3. All complaints relating to recruitment and selection must be submitted in writing to the headteacher within 5 working days following the appointment of a successful candidate to the vacant post. (Note if the complaint is regarding the headteacher or a governor, it will be investigated by the Chair of the LGB or a nominated governor if the Chair of the LGB was previously involved.)
 - 16.4. The employer will confirm a final decision in writing, usually within 5 working days of an appeal hearing. This is the end of the procedure and there is no further right to appeal.
 - 16.5. For details of how to submit a complaint about the recruitment and selection process please see either the trust's Complaints Policy (external candidates) or the trust's Grievance Policy (internal candidates).
- 17. Record keeping and data protection**
- 17.1. All written records of interviews, application forms and reasons for appointment or non-appointment will be kept by the trust for 6 months, unless a longer period can be justified by the headteacher. Records will be treated as confidential and kept for no longer than necessary in accordance with the requirements of current Data Protection legislation.
 - 17.2. All written records of interviews, application forms and reasons for appointment or nonappointment will be kept by the trust in line with our Recruitment Privacy Notice, our Workforce Privacy Notice (for appointed candidates), our Retention and Destruction Policy and in line with the requirements of Data Protection Legislation.
- 18. Review of policy**
- This policy is reviewed every two years by the trust. We will monitor the application and outcomes of this policy to ensure it is working effectively.

Appendix 1: Record of Recruitment Decision

All positive disclosures relevant to child protection, regardless of the seriousness of the offence(s) or other matter revealed, are subject to objective assessment. All sections of this form must be completed and retained on file.

Applicant's name	
Date	
Position applied for	
Assessor's name	

Does the applicant meet all the essential criteria for the role, including skills, knowledge and ability?	Yes	No
Is the nature of the offence(s) directly related to the role?	Yes	No
When did the offence(s) occur?	Less than 2 years ago	More than 2 years ago
Is there a pattern of related offences?	Yes	No
Is there a pattern of unrelated offences?	Yes	No
Is the context still relevant today?	Yes	No
Was the offence(s) committed at work?	Yes	No
What level of independence will the role entail?	Close supervision	Minimal supervision
Does the applicant show a determination not to reoffend?	Yes	No
Did the applicant reveal the offence(s)?	Yes	No
What response was given when questioned about the offence(s)?		
Have two references been received?	Yes	No
What information did the referees provide on the candidates suitability?		
Does the applicant constitute a risk?	Yes	No
Recommendation		
Name		

Declaration: I understand the trust's policy on the Recruitment of Ex offenders and, having considered all relevant information, I believe the applicant does/does not* constitute a risk to children for the following reasons:

-
-
-
-

Therefore, the applicant should/should not* be offered this role. (*delete as appropriate)

Signed:

Date:

If proposing to appoint a person convicted of a high risk offence, the headteacher and CEO must countersign below.

Headteacher

Signed:

Date:

CEO

Signed:

Date:

Appendix 2 – Aspirational Futures Multi-Academy Trust Policy on the Recruitment of Ex-offenders

The trust is required to send a copy of its Policy on the Recruitment of Ex-offenders to all job applicants. This policy is made available to all candidates at the outset of the recruitment process.

- The trust fully complies with the DBS Code of Practice and will not discriminate unfairly against any subject of a disclosure on the basis of conviction or other information revealed.
- The trust meets the requirements of exempted questions under the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020; all applicants are subject to a DBS check before the appointment is confirmed. This includes details of convictions, cautions and reprimands, as well as spent and unspent convictions. A positive disclosure will not necessarily prohibit a candidate from being offered a position.
- The trust is committed to the fair treatment of all applicants, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical or mental disability or offending background.
- The trust promotes equal opportunity and welcomes applicants from a wide range of backgrounds, including those with criminal records.
- Candidates are selected for an interview based on their skills, qualifications and expertise.
- All application forms and recruitment notices will contain a statement that a disclosure will be requested if a position is offered.
- Applicants will be required to provide details of their criminal record if they are shortlisted for interview through self-declaration. Applicants at the shortlisting stage will only be asked to disclose and discuss criminal convictions and/or cautions which are not protected under the amendments to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020) that may deem them unsuitable.
- The trust is committed to ensuring all disclosure information will only be seen by those who require access as part of their duties.
- At interview, or in a subsequent discussion, open and measured discussion will take place on the subject of the offences.
- Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of any offer made.
- Legal advice is available for all involved in the recruitment process to ensure they can identify and assess the relevance and circumstances of offences.
- All recruitment personnel have received appropriate training and guidance in the relevant legislation relating to the employment of ex-offenders. In conclusion, having a criminal record will not necessarily prohibit you from working in the trust. This will depend on the nature and severity of offences or other matters and their relevance to the position offered.

Appendix 3 - Regulated Activity

The full legal definition of regulated activity is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012. HM Government have produced a factual note on Regulated Activity in relation to Children.

Regulated activity includes:

- A. Teaching, training, instructing, caring for (see (c) below) or supervising children if the person is unsupervised, or providing advice or guidance on wellbeing, or driving a vehicle only for children
- B. Work for a limited range of establishments (known as 'specified places', which include schools and colleges), with the opportunity for contact with children, but not including work done by supervised volunteers.

Work under A or B is regulated activity only if done regularly. Some activities are always regulated activities, regardless of their frequency or whether they are supervised or not. This includes:

- C. Relevant personal care, or health care provided by or provided under the supervision of a health care professional:
 - a. Personal care includes helping a child, for reasons of age, illness or disability, with eating or drinking, or in connection with toileting, washing, bathing and dressing;
 - b. Health care means care for children provided by, or under the direction or supervision of, a regulated health care professional.