



## RECRUITMENT Policy

### **Recruitment Policy at Roots and Shoots Learning**

#### **INTRODUCTION**

The safe recruitment of team members is the first step to safeguarding and promoting the welfare of children in education.

Roots and Shoots Learning is committed to safeguarding and promoting the welfare of all learners in its care. As an organisation, the Roots and Shoots Learning expects all team members and volunteers to share this commitment.

#### **AIMS AND OBJECTIVES**

The aims of this policy are to help deter, reject or identify people who might abuse learners or are otherwise unsuited to working with them by having appropriate procedures for appointing team members.

The aims of this policy are as follows:

- to ensure that the best possible team members are recruited on the basis of their merits, abilities and suitability for the position
- to ensure that all job applicants are considered equally and consistently
- to ensure that no job applicant is treated unfairly on any grounds including race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age
- to ensure compliance with all relevant legislation, recommendations and guidance including the statutory guidance published by the Department for Education (DfE), Keeping Children Safe in Education - September 2024(KCSIE), the Prevent Duty Guidance for England and Wales 2015 (the Prevent Duty Guidance) and any guidance or code of practice published by the Disclosure and Barring Service (DBS)
- to ensure that Roots and Shoots Learning meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary preemployment checks. Employees involved in the recruitment and selection of team members are responsible for familiarising themselves with and complying with the provisions of this policy.

Roots and Shoots Learning has a principle of open competition in its approach to recruitment and will seek to recruit the best applicant for the job. The recruitment and selection process should ensure the identification of the person best suited to the job based on the applicant's abilities, qualification, experience and merit as measured against the job description and person specification.

The recruitment and selection of team members will be conducted in a professional, timely and responsive manner and in compliance with current employment legislation, and relevant safeguarding legislation and statutory guidance (including KCSIE 2024 and Prevent Duty Guidance). If a member of team members involved in the recruitment process has a close personal or familial relationship with an applicant they must declare it as soon as they are aware of the



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individual's application and where possible avoid any involvement in the recruitment and selection decision-making process.

## ROLES AND RESPONSIBILITIES

It is the responsibility of the Directors to:

- Ensure that Roots and Shoots Learning has effective policies and procedures in place for recruitment of all team members and volunteers in accordance with DfE guidance and legal requirements.
- Monitor the Roots and Shoots Learning's compliance with them.

It is the responsibility of the Directors and other Managers involved in recruitment to:

- Ensure that the Roots and Shoots Learning operates safe recruitment procedures and makes sure all appropriate checks are carried out on all team members and volunteers who work at our settings.
- To monitor contractors' and agencies' compliance with this document.
- Promote welfare of children and young people at every stage of the procedure.

Definition of Regulated Activity and Frequency

Any position undertaken at, or on behalf of the Roots and Shoots Learning will amount to "regulated activity" if it is carried out:

- frequently, meaning once a week or more; or
- overnight, meaning between 2.00 am and 6.00 am; or
- satisfies the "period condition", meaning four times or more in a 30-day period; and
- provides the opportunity for contact with children.

Roles which are carried out on an unpaid/voluntary basis will only amount to regulated activity if, in addition to the above, they are carried out on an unsupervised basis.

Roots and Shoots Learning is not permitted to check the Children's Barred List unless an individual will be engaging in "regulated activity".

Roots and Shoots Learning is required to carry out an enhanced DBS check for all team members, supply team members and directors who will be engaging in regulated activity. However, Roots and Shoots Learning can also carry out an enhanced DBS check on a person who would be carrying out regulated activity but for the fact that they do not carry out their duties frequently enough i.e. roles which would amount to regulated activity if carried out more frequently.

### Recruitment and Selection Procedure Advertising

To ensure equality of opportunity, Roots and Shoots Learning will advertise all vacant posts to encourage as wide a field of applicant as possible, normally this entails an external advertisement.

Any advertisement will make clear the Roots and Shoots Learning's commitment to safeguarding and promoting the welfare of children.

All documentation relating to applicants will be treated confidentially in accordance with the General Data Protection Regulations (GDPR) [DPA18].

## THE RECRUITMENT PROCESS

### APPLICATION FORMS

Roots and Shoots Learning uses its own application form and all applicants for employment will be required to complete an application form containing questions about their academic and full employment history and their



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suitability for the role (in addition all applicants are required to account for any gaps or discrepancies in employment history). Applicants submitting an incomplete application form will not be shortlisted. The application form will include the applicant's declaration regarding convictions, time spent abroad and working with children, and will make it clear that the post is exempt from the provisions of the Rehabilitation of Offenders Act 1974.

It is unlawful for Roots and Shoots Learning to employ anyone who is barred from working with children. It is a criminal offence for any person who is barred from working with children to apply for a position at the Roots and Shoots Learning. All applicants will be made aware that providing false information is an offence and could result in the application being rejected, or summary dismissal if the applicant has been selected, and referral to the police and/or the DBS. Job Descriptions and Person Specifications A job description is a key document in the recruitment process and must be finalised prior to taking any other steps in the process. It will clearly and accurately set out the duties and responsibilities of the job role. The person specification is of equal importance and informs the selection decision. It details the skills, experience, abilities and expertise that are required to do the job.

#### **REFERENCES:**

References for short-listed applicants will be sent for immediately after interview. All offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory by Roots and Shoots Learning. One of the references must be from the applicant's current or most recent employer. If the current/most recent employment does/did not involve work with children, then the second reference should be from the employer with whom the applicant most recently worked with children. The referee should not be a relative.

References will always be sought and obtained directly from the referee and their purpose is to provide objective and factual information to support appointment decisions.

All referees will be asked whether they believe the applicant is suitable for the job for which they have applied and whether they have any reason to believe that the applicant is unsuitable to work with children.

Please note that no questions will be asked about health or medical fitness prior to any offer of employment being made. Any discrepancies or anomalies will be followed up.

Roots and Shoots Learning does not accept open references, testimonials or references from relatives.

#### **INTERVIEWS**

There will be a face-to-face or online interview with a minimum of two interviewers on the panel and for those working directly with our Children and Young People (CYP) a follow-up visit to one of our sites will take place to ensure suitability.

The interview process will explore the applicant's ability to carry out the job description and meet the person specification. It will enable the panel to explore any anomalies or gaps which have been identified in order to satisfy themselves that the chosen applicant can meet the safeguarding criteria (in line with Safer Recruitment).

Any information in regard to past disciplinary action or allegations, cautions or convictions will be discussed and considered in the circumstance of the individual case during the interview process, if it has been disclosed on the application form.

At least one member of any interviewing panel will have undertaken safer recruitment training or refresher training as applicable.

All applicants who are invited to an interview will be required to bring evidence of their Proof of identity and Right to Work in the UK (in accordance with the Immigration, Asylum and Nationality Act 2006 and DBS identity checking guidelines).

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



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qualifications and /or professional status, applicants must be able to demonstrate that they have actually obtained any academic or vocational qualification legally required for the position and claimed in their application form. Original documents will only be accepted and photocopies will be taken. Unsuccessful applicant documents will be destroyed 6 months after the recruitment process is completed.

#### **OFFER OF EMPLOYMENT AND NEW EMPLOYEE PROCESS**

In accordance with the recommendations set out in KCSIE and the requirements of the Education (Independent School Standards) Regulations 2014, Roots and Shoots Learning carries out a number of pre-employment checks in respect of all prospective employees.

If it is decided to make an offer of employment following the formal interview, any such offer will be conditional on the following:

- the agreement of a mutually acceptable start date and the signing of a contract incorporating Roots and Shoots Learning's standard terms and conditions of employment
- verification of the applicant's identity
- the receipt of two references which Roots and Shoots Learning considers to be satisfactory
- for positions which involve "teaching work", Roots and Shoots Learning being satisfied that the applicant is not, and has never been, the subject of a sanction, restriction or prohibition issued by the Teaching Regulation Agency (formerly National College for Teaching and Leadership), which prevents the applicant working or which, in Roots and Shoots Learning's opinion, renders the applicant unsuitable to work with us.
- where the position amounts to "regulated activity" the receipt of an enhanced disclosure from the DBS which the Roots and Shoots Learning considers to be satisfactory
- where the position amounts to "regulated activity" confirmation that the applicant is not named on the Children's Barred List
- confirmation that the applicant is not subject to a direction under section 142 of the Education Act 2002 which prohibits, disqualifies or restricts them from providing education at a school, taking part in the management of an independent school or working in a position which involves regular contact with children
- confirmation that the applicant is not subject to a direction under section 128 of the Education and Skills Act 2008 which prohibits, disqualifies or restricts them from being involved in the management of an independent school
- verification of the applicant's medical fitness for the role
- verification of the applicant's right to work in the UK
- any further checks which are necessary as a result of the applicant having lived or worked outside of the UK
- verification of professional qualifications which Roots and Shoots Learning deems a requirement for the post, or which the applicant otherwise cites in support of their application. Whether a position amounts to "regulated activity" must therefore be considered by Roots and Shoots Learning in order to decide which checks are appropriate. It is however likely that in nearly all cases the Roots and Shoots Learning will be able to carry out an enhanced DBS check and a Children's Barred List check.

A 'New Starter' checklist will be used to track and audit paperwork obtained in accordance with Safer Recruitment Training. The checklist will be retained on personnel files and recorded on the 'Single Central Record'.

#### **KEY BACKGROUND CHECKS**

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

Roots and Shoots Learning applies for an enhanced disclosure from the DBS and a check of the Children's Barred List (now known as an Enhanced Check for Regulated Activity) in respect of all positions at the Roots and Shoots Learning which amount to "regulated activity" as defined in the Safeguarding Vulnerable Groups Act 2006 (as amended).



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The purpose of carrying out an Enhanced Check for Regulated Activity is to identify whether an applicant is barred from working with children by inclusion on the Children's Barred List and to obtain other relevant suitability information.

It is Roots and Shoots Learning's policy that the DBS disclosure must be obtained before the commencement of employment of any new employee.

Team members at Roots and Shoots Learning are aware of their obligation to inform Roots and Shoots Learning of any cautions or convictions that arise after these checks taking place.

DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence.

### **Portability of DBS Certificates Checks**

team members may wish to join the DBS Update Service if they are likely to require another check in the future. Applicants may sign up to the Service for a fee of £13 per annum, which is payable by the applicant. This allows for portability of a Certificate across employers. Where the team member has already joined the DBS Update Service Roots and Shoots Learning will:

- Obtain consent from the applicant to carry out an update search.
- Confirm the Certificate matches the individual's identity.
- Examine the original certificate to ensure that it is for the appropriate workforce and level of check, i.e. enhanced certificate/enhanced including barred list information. The Update check would identify and advise whether there has been any change to the information recorded, since the initial Certificate was issued. Applicants will be able to see a full list of those organisations that have carried out a status check on their account.

### **The Rehabilitation of Offenders Act 1974**

The Rehabilitation of Offenders Act 1974 does not apply to positions which involve working with, or having access to learners. Therefore, any convictions and cautions that would normally be considered 'SPENT' must be declared when applying for any position at Roots and Shoots Learning.

### **Dealing with convictions**

Roots and Shoots Learning operates a formal procedure if a DBS Certificate is returned with details of convictions. Consideration will be given to the Rehabilitation of Offenders Act 1974 and also:

- the nature, seriousness and relevance of the offence;
- how long ago the offence occurred;
- one-off or history of offences;
- changes in circumstances,
- decriminalisation and remorse.

A formal meeting will take place face-to-face to establish the facts with a Senior Manager, (including the Head of Provision and/or Roots and Shoots Learning Director). A decision will be made following this meeting.

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, the Senior Manager and HR team will evaluate all of the risk factors above before a position is offered or confirmed.

If an applicant wishes to dispute any information contained in a disclosure, they may do so by contacting the DBS. In cases where the applicant would otherwise be offered a position were it not for the disputed information, the Roots and Shoots Learning may, where practicable and at its discretion, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

### **Secretary of State Prohibition Orders (Teaching & Management roles)**



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In all cases where an applicant is to undertake a teaching role, a Prohibition Order check will be made using the Employer Access Online Service. It is anticipated that this will be performed at offer stage.

A person who is prohibited from teaching must not be appointed Roots and Shoots Learning to work as a teacher in such a setting.

Prohibition orders are made by the Secretary of State following consideration by a professional conduct panel convened by the Teaching Regulation Agency. Pending such consideration, the Secretary of State may issue an interim prohibition order if it is considered to be in the public interest to do so.

A section 128 direction 39 prohibits or restricts a person from taking part in the management of an independent school. A person who is prohibited is unable to participate in any management of an independent school, a governor on any governing body in an independent school, or a management position that retains or has been delegated any management responsibilities. Where the person will be engaging in regulated activity, a DBS barred list check will be used to identify any section 128 direction.

### **Medical Fitness**

Roots and Shoots Learning is legally required to verify the medical fitness of anyone to be appointed to a post at the Roots and Shoots Learning, after an offer of employment has been made but before the appointment can be confirmed. All applicants are requested to complete a medical questionnaire and where appropriate a doctor's medical report may be required. This information will be reviewed against the Job Description and the Person Specification for the particular role, together with details of any other physical or mental requirements of the role.

Roots and Shoots Learning is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, obtaining medical evidence and considering reasonable adjustments.

### **Overseas checks**

Roots and Shoots Learning, in accordance with the UK Visas and Immigration (UKVI) will, if applicable, sponsor new foreign nationals (see Certificate of Sponsorship section). In addition, applicants who have lived/travelled abroad for more than 3 months will need to obtain a criminal records check from the relevant country.

The applicant will not be permitted to commence work until the overseas information has been received and is considered satisfactory by Roots and Shoots Learning.

## **INDUCTION PROGRAMME**

All new team members will be given an induction programme which will clearly identify Roots and Shoots Learning policies and procedures, including the Safeguarding Policy, the Code of Conduct, and KCSIE, and make clear the expectations which govern how team members carry out their roles and responsibilities.

Single Central Record of all Team Members:

In addition to the various team members records kept in Roots and Shoots Learning and on individual personnel files, a single centralised record of recruitment and vetting checks is kept in accordance with the Education (Independent School Standards) Regulations 2014 requirements.

The Single Central Record will contain details of the following:

- All team members who work at Roots and Shoots Learning
- all others who have been chosen by the Roots and Shoots Learning to work in regular contact with children.

This will cover volunteers, directors, freelance team members, contractors and people brought in to provide additional teaching or instruction for children and young people but who are not team members, eg play therapists, Occupational Therapists, etc.



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## RECORD RETENTION / DATA PROTECTION

Roots and Shoots Learning is legally required to undertake the above pre-employment checks. Therefore, if an applicant is successful in their application, Roots and Shoots Learning will retain on their personnel file any relevant information provided as part of the application process. This will include copies of documents used to verify identity, right to work in the UK, medical fitness and qualifications.

Medical information may be used to help Roots and Shoots Learning to discharge its obligations as an employer, e.g. so that Roots and Shoots Learning may consider reasonable adjustments if an employee suffers from a disability or to assist with any other workplace issue.

This documentation will be retained by Roots and Shoots Learning for the duration of the successful applicant's employment with Roots and Shoots Learning. All information retained on employees is kept centrally and electronically, in a locked and secure manner.

The same policy applies to any suitability information obtained about volunteers involved with Roots and Shoots Learning activities. Roots and Shoots Learning will retain all interview notes on all unsuccessful applicants for a period of 6 months, after which time the notes will be confidentially destroyed (ie shredded). The 6-month retention period is in accordance with the General Data Protection Regulations (GDPR) [DPA18].

## ONGOING EMPLOYMENT

Roots and Shoots Learning recognises that safer recruitment and selection is not just about the start of employment, but should be part of a larger policy framework for all team members. Roots and Shoots Learning will therefore provide ongoing training and support for all team members, as identified through the supervision/appraisal procedure.

## Contractors, Visitors, Volunteers

Despite the best efforts to recruit safely, there may be occasions when allegations of serious misconduct or abuse against children and young people are raised. This policy is primarily concerned with the promotion of safer recruitment and details the preemployment checks that will be undertaken prior to employment being confirmed.

Whilst these are pre-employment checks, Roots and Shoots Learning also acknowledges it has a legal duty to make a referral to the DBS in circumstances where an individual:

- has applied for a position at Roots and Shoots Learning despite being barred from working with children; or
- has been removed by Roots and Shoots Learning from working in regulated activity (whether paid or unpaid), or has resigned prior to being removed, because they have harmed, or pose a risk of harm to, a child.

If the individual referred to the DBS is a teacher, Roots and Shoots Learning may also decide to make a referral to the Teaching Regulation Agency.

### Contractors and agency team members

Contractors engaged by Roots and Shoots Learning must complete the same checks for their employees that the Roots and Shoots Learning is required to complete for its team members.

Roots and Shoots Learning requires confirmation that these checks have been completed before employees of the Contractor can commence work at Roots and Shoots Learning.

Agencies who supply team members to Roots and Shoots Learning must also complete the pre-employment checks which Roots and Shoots Learning would otherwise complete for its team members. Again, Roots and Shoots Learning





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requires confirmation that these checks have been completed before an individual can commence work at Roots and Shoots Learning.

Roots and Shoots Learning will independently verify the identity of team members supplied by contractors or an agency and will require the provision of the original DBS certificate before contractors or agency team members can commence work at the Roots and Shoots Learning.

### **Visiting Speakers (and Prevent Duty)**

The Prevent Duty Guidance requires the Roots and Shoots Learning to have clear protocols for ensuring that any visiting speakers, whether invited by team members or by learners, are suitable and appropriately supervised. Roots and Shoots Learning is not permitted to obtain a DBS certificate or Children's Barred List information on any visiting speaker who does not engage in regulated activity at Roots and Shoots Learning or perform any other regular duties for or on behalf of Roots and Shoots Learning.

All visiting speakers will be subject to Roots and Shoots Learning's usual visitors signing in protocol. This will include signing in and out on arrival, the wearing of a visitor's badge at all times and being escorted by a fully vetted member of the team between appointments.

Roots and Shoots Learning will also obtain such formal or informal background information about a visiting speaker as is reasonable in the circumstances to decide whether to invite and/or permit a speaker to attend Roots and Shoots Learning. In doing so, Roots and Shoots Learning will always have regard to the Prevent Duty Guidance and the definition of "extremism" set out in KCSIE which states: "'Extremism' is vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas. Terrorist groups very often draw on extremist ideas developed by extremist organisations." In fulfilling its Prevent Duty obligations Roots and Shoots Learning does not discriminate on the grounds of race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age - characteristics protected by the Equality Act 2010.

### **Volunteers**

Roots and Shoots Learning will request an enhanced DBS check and Children's Barred List information on all volunteers undertaking regulated activity with learners at or on behalf of the Roots and Shoots Learning (the definition of regulated activity set out above will be applied to all volunteers). Under no circumstances will Roots and Shoots Learning permit an unchecked volunteer to have unsupervised contact with learners. It is Roots and Shoots Learning's policy that a new DBS certificate is required for volunteers who will engage in regulated activity but who have not been involved in any activities with Roots and Shoots Learning for three consecutive months or more.

Those volunteers who are likely to be involved in activities with Roots and Shoots Learning on a regular basis may be required to sign up to the DBS update service as this permits Roots and Shoots Learning to obtain up to date criminal records information without delay prior to each new activity in which a volunteer participates.

In addition, Roots and Shoots Learning will seek to obtain such further suitability information about a volunteer as it considers appropriate in the circumstances.

This may include (but is not limited to the following):

- formal or informal information provided by team members, parents and other volunteers;
- character references from the volunteer's place of work or any other relevant source;
- an informal safer recruitment interview.

### **Author Details**

Name: **L Sullivan**

Position: **Director and DSL**





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Signature: 

Dated: 31 July 2025

Review date : July 2026