



RECRUITMENT POLICY

Oxfordshire Motor Project (TRAX)

2022/2023

Review Management

Initiated	Who	Action
05/10/2022	Trustees, CEO, COO and DSL Leads	Signed off and load onto ARBOR
08/10/2022 ongoing, planned completion 21/11/2022	COO and DSL Leads	Load onto ARBOR
The first week in November 2022	COO and DSL Leads	Staff refresh training first week of November
Throughout November planned completion	Lead Trustee CEO, COO and DSL	Review and validate- test for information and access
Early December OCC Visit		Invite OC to test and review Sign off as lead charity compliance process (Replace activity section)
April 2023	Trustees, CEO, COO and DSL Leads	Review and update policy

The safe recruitment of staff at Oxfordshire Motor Project (Trax) is the first step to safeguarding and promoting the welfare of children and young people in education. Oxfordshire Motor Project (Oxfordshire Motor Project (Trax)) is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. We are also committed to providing a supportive and flexible working environment for all staff. We recognise that to achieve these aims, it is of fundamental importance to attract, recruit and retain staff of the highest caliber who share this commitment.

Oxfordshire Motor Project (Trax) recognises the value of and seeks to achieve a diverse workforce. We are committed to ensuring that the recruitment and selection of all who work within Oxfordshire Motor Project (Trax) are conducted in a manner that is systematic, efficient, effective, and promotes equality of opportunity. This Policy provides a good practice framework to comply with the principles set down in our Equal Opportunities Policy.

The aims of this policy are:

- To ensure that the best possible staff are recruited based on their merits, abilities, and suitability of the person
- To ensure that all job applicants are considered equally and consistently
- To ensure that no job applicant is treated unfairly on any ground including age, disability, gender reassignment, race, religion or belief, sex, or sexual orientation as outlined in the Equality Act 2010 updated 2015.
- 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 (Jan 2021) and the code of practice published by the Disclosure and Barring Service (DBS)
- To ensure that the Oxfordshire Motor Project (Trax) meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks.
- To ensure that all employment checks are recorded clearly on the electronic Single Central Register (SCR).

Single Central Record of Recruiting Vetting Checks

Oxfordshire Motor Project (Trax) will keep and maintain an SCR. The SCR will list all staff who are employed at the Oxfordshire Motor Project (Trax), including casual staff and volunteers, whether employed directly or by outside agencies connected to the young person. The SCR will indicate whether the required pre-employment checks have been completed, what documents have been checked, and when and by whom.

Staff members have a duty through their contract to immediately disclose during their employment if they are:

- charged or convicted of any criminal offence.
- in receipt of a police caution, reprimand, or warning, or if there is formal child protection.
- disqualified under the Childcare (Disqualification) Regulations 2009 (when working in relevant childcare provision)

- barred from working with children or vulnerable adults.
- the subject of a referral to the Disclosure and Barring Service (DBS).

Staff will also be asked at their yearly annual appraisal meetings whether they have any of the above to disclose, including where relevant disqualification under the Childcare Act 2016 update.

Pre-Employment Checks

In accordance with the recommendations set out in the Guidance, and the requirements of the Education (Independent School Standards) (England) Regulation 2014 which came into force on 5th January 2015, and the ISI Regulatory Requirements (September 2020) Oxfordshire Motor Project (Trax) carries out several pre-employment checks in respect of all prospective employees.

If it is decided to make an offer of employment following a formal interview, employment at Oxfordshire Motor Project (Trax) will be conditional on the following

- An identity checks
- A barred list checks
- An enhanced DBS checks
- A prohibition from teaching checks.

(Must be made for anyone undertaking 'teaching work' (with or without Qualified Teaching Status))

- A check of professional qualifications and QTS where appropriate.
- A check to establish the person's right to work in the United Kingdom
- Further checks on people living or working outside the UK which could include where applicable overseas criminal record checks and for those seeking teaching positions, obtaining a letter of professional standing from the professional regulating body in the country in which the applicant has worked.
- Receipt of at least two references that are satisfactory to Oxfordshire Motor Project (Trax), one of which will be from the applicant's more recent employer.
- A separate satisfactory barred list check will be undertaken in the event that an enhanced disclosure is not received in advance of starting employment in the regulated activity, or where a 'portable' disclosure is used.

Roles and Responsibilities

- Employees involved in the recruitment and selection of staff are responsible for familiarising themselves with and complying with the provisions of this policy.
- All employees involved in the recruitment of staff will undertake Safer Recruitment training.
- It is the responsibility of the COO and CEO and other senior managers involved in the recruitment process to ensure that Oxfordshire Motor Project (Trax) operates safe recruitment procedures and carries out all appropriate checks on all staff, and volunteers who work at Oxfordshire Motor Project (Trax).
- Monitor contractors' and agencies' compliance with this policy; and promote the welfare of children and young people at every stage of the procedure.
- It is the responsibility of all contractors and agencies who provide services to Oxfordshire Motor Project (Trax) to comply with safer recruitment practices.
- It is the responsibility of the Administrator, in conjunction with the COO and CEO, to ensure all pre-employment checks are complete before employment begins and that they are recorded on the Single Central Register.

Verification of Identity and Address

All applicants who are invited to an interview will be required to bring the following evidence of identity, right to work in the UK, current address, and qualifications:

- Passport or photo-card driving license providing photographic identity
- Two utility bills or statements (from different sources) showing their name and home address
- Documentation confirming their National Insurance Number
- Original documents confirming any educational and professional qualifications referred to in their application form.

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

Oxfordshire Motor Project (Trax) asks for the date of birth of all applicants (and proof of this) in accordance with the Guidance. Proof of date of birth is necessary so that we may verify the identity of, and check for any unexplained discrepancies in the employment and education history of all applicants. Oxfordshire Motor Project (Trax) does not discriminate on the grounds of age.

The Procedure

Advertising

To ensure equality of opportunity, Oxfordshire Motor Project (Trax) will advertise all vacant posts to encourage as wide a field of candidates as possible. Normally this will entail an external advertisement. However, where there is a reasonable expectation that there are sufficient qualified internal candidates or where staff are at risk of redundancy, an internal advertisement may be considered appropriate.

Applications

Applicants will receive a job description and person specification for the role applied for. All applicants for employment will be required to complete a confidential application form containing questions about their academic and employment history and their suitability for the role. Incomplete application forms will be returned to the applicant where the deadline for completed application forms has not passed.

The applicant may then be invited to attend a formal interview at which his/her relevant skills and experiences will be discussed in more detail.

Interviews

The selection process will always include the following:

- A tour of Oxfordshire Motor Project (Trax)
- The candidate will be observed teaching a lesson
- A face-to-face professional interview including questions relating to safeguarding children
- Verification of Qualifications and/or professional Status

Short listed applicants will be required to provide proof of their qualifications and professional status by producing documentation on the day of interview. Oxfordshire Motor Project (Trax) will verify that applicants have obtained any qualifications legally required or deemed essential for the job and claimed in their application by asking to see the relevant certificate, or a letter of confirmation from the awarding body/institution. If the original documents are not available, we will require sight of a properly certified copy. Where applicants have obtained qualifications abroad, a certified comparability check by BARIC will be required. Proof of identity and other documentation will be verified by the chair of the panel/COO.

Oxfordshire Motor Project (Trax) requires applicants to account for any gaps or discrepancies in employment history on the application form. Where any applicant is shortlisted, any gaps will also be discussed at interview.

Applicants should be aware that providing false information is an offence and could result in an application being rejected or summary dismissal if the applicant has been selected. Where false information is provided in support of

an application to work at Oxfordshire Motor Project (Trax), Oxfordshire Motor Project (Trax) is required to report the matter to the Disclosure and Barring Service, the Police and other relevant professional bodies.

References

References for shortlisted applicants will be requested immediately after short-listing. The only exception to this is where applicants have indicated on the application forms that they do not wish their current employer to be contacted. In such cases, this reference will be taken up immediately after interview and prior to any offer of employment being made

All referees will be asked whether they believe the applicant is suitable for the job for which they have applied. All referees will be sent a copy of the job description and person specification relevant to the role for which the applicant had applied. If the referee is a current or previous employer, they will also be asked to confirm the following:

- The applicant's dates of employment, salary, job title/duties, reason for leaving, performance and disciplinary record
- Their relationship to the applicant
- Whether they have any reason to believe that the applicant is unsuitable to work with children
- Whether the applicant has ever been the subject of disciplinary procedures involving issues related to the safety and welfare of children including any in which the disciplinary sanction has expired
- Whether any allegations or concerns have been raised about the applicant that relate to the safety and welfare of children or young people or behaviour towards children or young people
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Oxfordshire Motor Project (Trax) will only accept references obtained directly from the referee and will not rely on references or testimonials provided by the applicant or open references or testimonials. We will not accept references from relatives of the applicant or people writing solely in the capacity as a friend.

References will be compared to the application form to ensure that the information provided is consistent. Any discrepancies will be taken up with the applicant and/or the referee before any appointment can be confirmed. Any information about past disciplinary action or allegations will be considered in the circumstances of the individual case.

Disclosure and Barring Service (DBS) Check

Due to the nature of the work, Oxfordshire Motor Project (Trax) applies for an enhanced disclosure check via the Disclosure and Barring Service (DBS) in respect of all members of staff, proprietors, and volunteers on entry to its workforce.

An enhanced disclosure check will contain details of all convictions on record (including those which are defined as “spent” under the Rehabilitation of Offenders Act) together with details of any cautions, reprimands or warnings held on the Police National Computer. An enhanced disclosure will also reveal whether an applicant is barred from working with children or vulnerable adults by virtue of his/her inclusion on the lists of those considered unsuitable to work with children or vulnerable adults maintained by the DBS. An enhanced disclosure may also contain non-conviction information from local police records which a chief police officer thinks may be relevant in connection with the matter in question.

DBS checks will be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence. These applicants may also be asked to provide further information, including the equivalent of an enhanced DBS disclosure, from the relevant jurisdiction(s).

For any person who have applied to the DBS update service Oxfordshire Motor Project (Trax) will examine the original certificate, check it matches the individual's identity and run an online update check, which will provide information about any changes since the certificate was issued. If the check indicates that there has been a change then the individual must apply for a new certificate.

If there is a delay in receiving an enhanced DBS disclosure before a person starts work in regulated activity, the COO may allow the member of staff to commence work:

- after a satisfactory check of the barred list if the person is working in regulated activity.
- and all other relevant checks have been completed satisfactorily.
- provided that the DBS application has been made in advance.
- with appropriate safeguards taken (for example, Risk Assessment carried out and appropriate supervision put in place)

The Risk Assessment will be reviewed every two weeks and a note added to the single central register. The staff member will be informed of all safeguards put in place.

Oxfordshire Motor Project (Trax) are not required to retain copies of DBS certificates.

Overseas checks, where appropriate.

If, because a person 'living or having lived' outside of the UK for three months or more in the last five years, a DBS check is not considered sufficient to establish suitability to work in an educational environment (because a UK check would not cover offences committed abroad, but only those on the UK Police National Computer), we would carry out such further checks as the proprietor considers appropriate, having regard to any guidance issued by the DfE. Such checks will be completed before the person starts person. This applies where relevant both to foreign nationals and UK nationals returning from overseas.

Further checks could include where applicable overseas criminal record checks and for those seeking tutor positions, obtaining a letter of professional standing from the professional regulating body in the country in which the applicant has worked.

Prohibition Order Check

Prohibition orders prevent a person from carrying out 'teaching work' in educational environments, sixth form colleges, 16-19 academies, relevant youth accommodation and children's homes in England. A person who is prohibited from teaching must not be appointed 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 TRA (Teaching Regulation Agency). Pending such consideration, the Secretary of State may issue an interim prohibition order if he considers that it is in the public interest to do so.

The prohibition from teaching check is carried out using the Teacher Services system.

Qualified Teacher Status is not a requirement for tutors in the independent/charity sector, but Oxfordshire Motor Project (Trax) must now check that anyone employed to carry out teaching work is not subject to a prohibition order issued by the Secretary of State.

Teaching work is defined in The Teachers' Disciplinary (England) Regulations 2012 to encompass:

- planning and preparing lessons and courses for pupils.
- delivering and preparing lessons to pupils.
- assessing the development, progress, and attainment of pupils
- reporting on the development, progress, and attainment of pupils.

"Delivering" includes delivering lessons through distance learning or computer aided techniques. However, none of these is "teaching work" if the person carrying out the activity does so (other than for the purposes of induction) subject to the direction and supervision of a qualified teacher or other person nominated by the COO.

It is our policy that all new teaching staff will be subject to a prohibition check before commencing work at Oxfordshire Motor Project (Trax) and a record will be kept on the Oxfordshire Motor Project (Trax)'s single central register.

Policy on recruitment of ex-offenders

Oxfordshire Motor Project (Trax) will not unfairly discriminate against any applicant for employment based on conviction or other details revealed. Oxfordshire Motor Project (Trax) makes appointment decisions based on merit and ability. If an applicant has a criminal record this will not automatically bar him/her from employment within

Oxfordshire Motor Project (Trax). Instead, each case will be decided on its merits in accordance with the objective assessment criteria set out below.

All positions within the Oxfordshire Motor Project (Trax) are exempt from the provisions of the Rehabilitation of Offenders. All applicants must therefore declare all previous convictions, including those which would normally be considered "spent", when applying for a position at Oxfordshire Motor Project (Trax). A failure to disclose a previous conviction may lead to any application being rejected or, if the failure to disclose 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.

It is unlawful for Oxfordshire Motor Project (Trax) 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 attempt to apply for a position at Oxfordshire Motor Project (Trax). Oxfordshire Motor Project (Trax) will make a report to the Police and/or the Disclosure and Barring Service if:-

It receives an application from a barred person

It is provided with false information in, or in support of an applicant's application, or

It has serious concerns about an applicant's suitability to work with children.

Assessment Criteria

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, Oxfordshire Motor Project (Trax) will consider the following factors before reaching a recruitment decision:

- Whether the conviction or other matter revealed is relevant to the position in question.
- The seriousness of any offence or other matter revealed.
- The length of time since the offence or other matter occurred.
- Whether the applicant has a pattern of offending behaviour or other relevant matters.
- Whether the applicant's circumstances have changed since the offending behaviour or other relevant matters.
- The circumstances surrounding the offence and the explanation(s) offered by the convicted person.

If the post involves regular contact with children, it is Oxfordshire Motor Project (Trax) 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. Serious Class A drug related offences, robbery, burglary, theft, deception or fraud.

If the post involved access to money or budget responsibility, it is the Oxfordshire Motor Project (Trax) 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.

If the post involves some driving responsibility, it is the Oxfordshire Motor Project (Trax) normal policy to consider it a high risk to employ anyone who has been convicted of drink driving within the last ten years.

Assessment Procedure

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, Oxfordshire Motor Project (Trax) will carry out a risk assessment by reference to the criteria set out above. The assessment form must be signed by the CEO before a position is offered. Such convictions will also be discussed with the applicant at interview.

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, Oxfordshire Motor Project (Trax) will, where practicable, defer a decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

Employment Offer

It may be possible to negotiate a provisional start date with the preferred applicant, however, the checks detailed above must all be completed before a person's appointment is confirmed. Once all pre-employment checks have been satisfactorily completed and received, an offer of employment will be made.

A contract of employment will be issued upon satisfactory completion of the probation period, usually a term.

Record Retention/Data Protection

At Oxfordshire Motor Project (Trax) we follow the Data Protection Act 2018, the General Data Protection Regulation (GDPR) and the employment practices code.

If an applicant is appointed, Oxfordshire Motor Project (Trax) will retain any relevant information provided on his/her application form, together with any attachments and evidence of the pre-employment checks completed on his/her personnel file.

If the application is unsuccessful, all documentation relating to the application will normally be confidentially destroyed after six months.

Oxfordshire Motor Project (Trax) will store all confidential personnel files in locked, non-portable storage containers, access to which will be restricted to members of our senior management team only.

Personnel files will be kept for six years after the person has left.

Oxfordshire Motor Project (Trax) will also ensure that any personnel information is destroyed by suitably secure means such as shredding.

Please refer to the Safeguarding policy document for further information