



## Recruitment & Selection Policy

Approved / Reviewed By:	EAST HR Committee
Originally Ratified On:	8 February 2021
Last Reviewed On:	28 February 2023
Review Expectations:	Under regular review subject to changes in legislation. Formal review will be undertaken annually.



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# 1. About this Policy

## 1.1 Purpose

This document describes the Recruitment and Selection policy in Schools.

For the appointment of teaching and support staff and volunteers, the Trust Board, after deciding to recruit to the vacant post, will normally delegate this responsibility to the Chief Executive Officer (CEO) or to the Headteacher of the relevant school. The CEO or Headteacher may wish to include Trustees and/or Governors in the selection process, depending on the post.

This policy is also designed to ensure that people who are unsuitable to work with children, young people and their families are deterred and prevented from working within the school environment. This policy directly endorses and supports the mandatory guidance in the latest nationally published Keeping Children Safe in Education Document. Recruitment and selection in the Trust will focus on safeguarding children by reducing the risk of harm through the employment of suitable, appropriately screened, vetted, and checked individuals.

The Trust actively promotes equality, diversity, and inclusion, aims to eliminate discrimination, promotes positive attitudes to disabled people and takes account of disabilities in any staffing dealings, including recruitment.

## 2. Policy Statement

The aim of this policy is to create a structure and process to facilitate the recruitment of high calibre staff to the Trust. The Trust is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.

The Trust aims to ensure that recruitment effectively and efficiently supports the provision of high-quality education. The Trusts objective in carrying out recruitment is to fill vacancies with people of the highest quality, drawn from the widest possible 'pool', cost effectively and without undue delay, whilst adhering to principles of fairness and equality. No employee, potential employee or applicant will be unlawfully disadvantaged on the grounds of age, race or ethnicity, disability, gender and marital status, gender identity, sexual orientation, religion or belief or pregnancy and maternity.

In adopting this policy, the Trust is committed to:

- Ensure that the recruitment processes are safe and fit for purpose
- Developing and promoting our schools and other learning provisions
- Appoint the best person for each position
- Ensure equality of opportunity for all applicants
- Offer career development prospects and create opportunities for employees to apply for internal promotion
- Distribute leadership throughout the Trust
- Utilise the strengths of individual staff and enable them to contribute to their maximum potential
- Ensure compliance with the relevant employment legislation
- Working towards developing a workforce that promotes the Trust's values
- Meet the Trust's operational requirements and strategic aims.
- Working towards developing a workforce that in its diversity can provide an appropriate and professional education to the children
- Actively engaging with under-represented sectors of the community where possible
- Using flexible working arrangements, where appropriate, to encourage a diversity of applicants
- Ensuring that assessment techniques and tests are free from any bias that might unlawfully discriminate.
- Giving consideration to making reasonable adjustments at all stages of the recruitment process for applicants with a disability.





# EAST Vision

## Who are EAST?

EAST was established on 1 September 2019. At its inception, three secondary academies were formally partnered together: Bungay, Farlingaye and Kesgrave High Schools. In 2020, we applied to establish a Free Special School in Bungay, for children with interaction and communication needs. Demonstrating our commitment to local, inclusive education, we are proud to announce that Castle EAST School is open. EAST SCITT, our 'School Centred Initial Teacher Training' is an accredited Provider offering secondary (11-16) and primary (5-11) school-based initial teacher training awarding Qualified Teacher Status (QTS). We see this as the most effective way to find and develop future teachers to work in this vibrant county. We are delighted with the popularity and quality of EAST SCITT!

We are very confident that EAST will create a stronger future for our schools and continue to improve outcomes for our students. It is through a commitment to working together that we will continue to collectively and individually achieve great things, providing a first-class educational experience for our students and an excellent working environment for staff.

## Our Vision: Where everyone can achieve

We measure our **success** through a combination of **performance, growth** and **happiness**, as individuals and collectively.

Our **cornerstones** are the foundations of our vision; they underpin all that we do and shape the way we work with everyone in our trust and our extended educational community; from parents & carers to partners, suppliers and local government.



### #1 Learning

We will continually strive to deliver the best possible experience for quality learning and personal development for everyone at EAST through our curriculum, engaging teaching, the resources & support we have available and the quality of the physical environment in which we work.

### #3 Opportunity

We exist to enable everyone in our schools to realise their true potential through an academic or professional experience within our schools that achieves the outcomes they seek. We do not believe there is a one-size-fits-all for success and achievement and will always do our best to support the aims and ambition of the individual.

### #2 Inclusivity

We believe a great quality education, opportunities for personal development and participation should be available to everyone regardless of their personal circumstances. That's why our schools today already cater for many specialist needs and our trust is committed to developing the teachers of the future.

### #4 Community

We are a significant contributor to our local communities, we understand the role we play and will always seek to enable everyone at EAST to be considered, active, positive citizens of the world around them. Our sense of community begins in our schools and we nurture a respectful, supportive culture.





Those with delegated responsibility to recruit and select will design recruitment campaigns, selection activities and induction programmes that attract, identify, highlight, and support the behaviours in candidates that underpin the Trust's core values.

The Trust will ensure those delegated with the responsibility to recruit will be equipped to carry out these responsibilities. All staff involved in the recruitment process must have appropriate training and be aware of their responsibilities under the relevant legislation. At least one member of the recruitment panel should have carried out and successfully completed safer recruitment training.

In carrying out recruitment and selection processes, the Trust will note the importance both of growing our own leaders and of recruiting leaders who have gained appropriate experience in other schools and Trusts. These approaches both have a role in benefitting our Trust and the schools within it.

The Trust aims to secure equality of opportunity in all its activities, and in this respect all staff should demonstrate a positive approach towards equality in employment. If a member of staff involved in the recruitment process has a close personal or familiar relationship with an applicant they must declare this relationship as soon as they are aware of the individuals' application. It will be necessary for the member of staff to avoid any involvement in the recruitment and selection process.

We are committed to ensuring all recruitment adheres to employment legislation, safer recruitment guidelines and is fair and accessible to all. The safety of children and young people is paramount and we are fully committed to safeguarding and promoting the welfare of children and young people.

The recruitment panel will be required to act reasonably in making decisions about the suitability of a prospective employee based on checks and evidence including DBS checks, barred list checks and prohibition checks, together with references and information obtained at interview.

### 3. Definitions

The following terms are used in this policy:

**Vacancy** – a vacancy is defined as an established or new post which is not filled by a permanent member of staff.

**Safer Recruitment Training** – the course that one panel member should have attended and successfully completed.

**Recruiting Manager** – anyone who is leading on the recruitment process. Normally this will be the CEO or the Headteacher of the relevant school, but in some cases this responsibility will be delegated by the CEO or Headteacher, as relevant.

**Disciplinary action** – action taken against an employee in the form of a verbal or written warning, or in some cases dismissal due to breaching confidentiality or tampering in the recruitment process. Further details can be found in the Disciplinary Policy.

**Grievance** – an internal applicant may choose to raise a complaint if they feel the recruitment process has been biased or conducted unfairly. Full details can be found in the Grievance Policy.

### 4. Scope of the Policy

This policy applies to anyone who deals with the recruitment of Trust staff including but not limited to the CEO, Headteachers, Deputy Heads, Business Managers and Governors.

This policy is applicable for the recruitment of teaching and support staff and volunteers within the Trust schools, as well as staff who will work centrally for the Trust.



Recruitment of new staff must be agreed with the Headteacher for school-based appointments and the CEO for Trust-based appointments and for Headteacher posts before commencing any steps laid out in the procedures below.

The Trust is the employer of staff in the Trust schools but the school Local Governing Bodies and Headteachers have delegated responsibility for recruiting, selecting and managing staff, as per the Trust's Scheme of Delegation.

Particular stipulations apply when employing foreign workers. It may be necessary to conduct a 'resident labour market test' and advertise the post to settled workers for a set period. Please refer to Appendix A for further information.

## **Agencies**

Before engaging agencies, it is important to be assured they have robust systems in place in terms of pre-employment checks. Each agency should be fully vetted to ensure that the appropriate checks are carried in terms of suitability and validity to work with children and young people, eligibility to work in the UK and past criminal convictions.

Agency staff are not employees of the school and are engaged as workers through the agency. Recruiting Managers should ensure that any agency providing workers also adopt and implement the measures described in this guidance.

## **5. Identification of a Vacancy**

### **5.1. Definition**

A vacancy can arise when:

- A member of staff has left a post.
- A change in workload, departmental structure or job design is required.
- Cover for long-term sickness, maternity, paternity or shared parental leave is required.

The identification of a vacancy will be informed by the aims of the Trust, and by monitoring carried out by committees of the Trust. This monitoring will involve consideration of the staffing required to implement the developments prioritised by the Trust in the short, medium and longer term, and the development of a strategic overview of recruitment planning within the Trust. Headteachers will liaise with both the Trust and the Recruiting Managers operating in each school to ensure that decision-making at a school level is informed by this strategic overview.

On identifying a vacancy, Recruiting Managers should consider the following:

- Whether the vacant post is still necessary.
- How the post will be funded.
- Whether the post is established or outside of the agreed budget or structure.
- Whether the Job Description for the post needs updating. If so, the post may need to be re-evaluated or whether a new job description is required for a new post.
- Whether the post is appropriate for job share.
- Whether the post could provide an opportunity for secondment.
- Whether the post is suitable or appropriate for redeployment purposes
- Whether the post needs to be filled on a temporary basis due to the needs of the school.

### **5.2. Organisational Change**

Where a vacancy or vacancies have arisen as a result of organisational change, recruiting managers must, prior to advertising the vacancy, interview redeployees, who are covered by the Equality Act 2010,



for any posts for which they meet the minimum job requirements or posts which will be a step promotion, and which could constitute suitable alternative employment for them.

### **Suitable alternatives for redeployees**

Redeployees are employees who:

- For medical reasons are not able to fulfil requirements of the role for which they were employed.
- Due to organisational change no longer have a substantive role and are looking for a new role within the school.

Recruiting managers should interview redeployees prior to advertising the vacancy for any post for which they meet the job requirement i.e. apply for job at the same level/grade and could constitute suitable alternative employment for them.

### **5.3. Secondments / Acting Up**

Where a vacancy exists, a number of options can be used to fill the post i.e. secondment, acting up and on a permanent basis.

#### **Secondment within schools**

Seconding an employee from another department to cover a vacancy should be treated as a normal recruitment campaign. Therefore, the interim 'acting up' position should be advertised internally. It must be stated that the position will be offered on a fixed-term basis.

The seconded employee is entitled to return to their substantive post (or, in exceptional circumstances, to a comparable post of equal grade and status) at the end of their time in secondment. Advice can be sought from the Trust's HR Provider.

#### **Acting up within schools**

Headteachers should advertise temporary promotions across the relevant school unless a clear business need for urgency precludes this.

#### **Secondments between Trust schools**

Whilst secondments will usually be advertised in the school where the vacancy has arisen through a school-based internal recruitment process, the 'acting up' position may be advertised within other Trust schools, as directed by the CEO following consultation with the Headteacher of the relevant schools. It must be stated that the position will be offered on a fixed-term basis.

The seconded employee is entitled to return to their substantive post (or, in exceptional circumstances, to a comparable post of equal grade and status) at the end of their time in secondment. Advice can be sought from the Trust's HR Provider.

#### **Acting up between Trust schools**

The CEO should advertise temporary promotions across the relevant schools unless a clear business need for urgency precludes this.

## **6. Initiating the recruitment campaign**

Before the recruitment campaign can commence, the Job Description and Person Specification must be produced. If it has been used in previous recruitment processes for the same or similar roles, the Job Description should be reevaluated in the light of any changes to expectations relating to the role or to any organisational changes that are likely to impact on the implementation of the role.



## 6.1. The Application Form

All schools within the Trust and the Trust Central Team will use the EAST application form (available from Templates section of EAST SharePoint platform).

In each case, suitable documentation will be attached to the application form. These may include:

- The school prospectus (or other details, including the school's current position e.g. Ofsted reports, restructuring, new building etc).
- A copy of the school's Equality and Diversity Policy.

**Note:** CVs should not be accepted in any circumstances.

## 6.2. Create the Job Description and Person Specification

The purpose of the Job Description and Person Specification is to provide information on the role and what skills, knowledge, experience and behaviours the successful candidate must have.

The recruiting manager should draft the Job Description and Person Specification in consultation with the Headteacher. The job description for the vacant post will be reviewed to ensure it reflects the requirements of the post. If there is no job description, one will be produced.

The requirements listed in the Job Description and Person Specification must be clear, fully justifiable and associated to the role. These measures will help to increase the pool of potential applicants and reduce the risk of discrimination occurring.

The Job Description should enable the Recruitment Manager to:

- Ensure that the Trust attracts the right candidates for the role.
- Evaluate applications quickly and accurately during the shortlisting process.
- Provide a basis for writing the advert and interview questions.

**Note:** A Job Description and Person Specification should be written for every post and, where the post is new or has radically altered, evaluated through a job evaluation process for pay purposes. For more information, please contact the Trust's HR Provider.

All requirements must be realistic and justifiable and must observe equal opportunity provisions in terms of the language and criteria used. For example, number of years of experience required should not be stipulated as this can be deemed as age discriminatory.

## 6.3. Advertising

The normal practice should be for all posts to be advertised internally and externally concurrently.

However, there may be some exceptions according to the circumstances, for example:

- Appointments to a temporary role lasting twelve months or less, where practical, should be advertised internally and considered for external advertising, *whereas...*
- Appointments to a permanent role or to a temporary role lasting more than twelve months should be advertised internally and externally, except in cases where an external appointment would create excess staffing.

The decisions regarding where and how roles will be advertised should be discussed with either the Headteacher of the relevant school in relation to school-based appointments, or the Trust CEO in relation to Trust-based appointments.





It is the position of the Trust that the advertising of any vacancies should support the Equalities Act 2010 by ensuring that:

- All vacancies are advertised internally and, where appropriate, externally via the Trust/school website and appropriate external media.
- The content of advertisements complies with anti-discrimination legislation
- The advert should be based on the details of the job description and the agreed selection criteria in the person specification
- Where possible, advertisements are placed in media sources that will support the Trust's aim to develop a skilled and diverse workforce.
- Be clear and precise to attract more candidates to seek more detail
- Avoid any gender, age or culturally specific language or implication, e.g., for teaching posts, wording specifically targeting Early Career Framework or MPS Teachers must not be used as this may imply that a younger person is required.
- Include the statement: "We are committed to safeguarding and promoting the welfare of children and young people and expect all staff and volunteers to share this commitment."
- Any advertising opportunity will be used to the fullest advantage to promote the Trust and its schools and to clarify the benefits of working and living in our local area.

The advertisement for a post may include a commitment to paying a 'market supplement', payable on induction. This should only be used in exceptional cases where the Trust cannot recruit to a post using the existing pay structure. In cases where the market supplement is less than £2000, the Headteacher of the school involved in the recruitment will make this decision and will stipulate in writing the structure, level and duration of the market supplement. If the market supplement is required to be more than £2000, the Headteacher must seek approval of the proposed amount via the Chief Financial Officer (CFO) in association with Trustees.

### **6.3.1. Eligibility to apply for vacancies**

Any substantive employee within the school can apply for any vacancy providing they meet the minimum criteria for the vacant post. Internal candidates are defined as staff, who, are employed on either permanent or fixed-term contracts, i.e., substantive staff. Agency staff are not employees of the school but can apply for internally advertised vacancies.

## **7. Shortlisting**

### **7.1. Selection Panel**

The Recruiting Manager will normally be the Panel Chair. The selection panel will be responsible for the shortlisting of applicants, the interviewing and if required, further testing of candidates. In all cases, it is recommended that the selection panel should consist of at least two people and possess sufficient knowledge of the School / Trust and the post in order to objectively assess the suitability of each candidate.

### **Training**

In all cases, at least one and – ideally – all of the panel members should have appropriate recruitment and selection training, so they understand:

- The legal impact and consequences of not following consistent recruitment and selection procedures.
- The Trust's Recruitment Policy and Procedure.
- How to draw up effective Job Descriptions, Person Specifications, and adverts.
- The reasons for equal opportunities monitoring.
- The importance of developing the necessary skills for effective interviewing.
- The importance of safeguarding children.
- Safer Recruitment Training.



## 7.2. Shortlisting of applicants

All applicants will be expected to complete an application form, CVs will not be accepted.

Shortlisting will always be carried out with an agreed panel as outlined above. In order to ensure fair and effective shortlisting, only those criteria listed on the Person Specification can be used and recorded on a shortlisting grid. It is unfair and unethical to introduce new criteria at this stage. In all cases, candidates selected for interview must meet the essential criteria listed in the Person Specification of the Job Description. If only one candidate meets the shortlisting criteria the selection process may still go ahead.

All applications should be scrutinised to ensure that they are fully completed, that the information provided is consistent and does not contain any discrepancies, and to identify any gaps in employment. Reasons for obvious gaps in employment, a history of repeated changes of employment without any clear career progression, or a mid-career move from a permanent to a temporary post should be fully explored and verified.

It is essential that all staff involved in the recruitment and selection process ensure the confidentiality of information supplied by applicants and referees.

Keeping Children Safe in education – Part 3 – Paragraph 221: As part of the shortlisting process schools and colleges should consider carrying out an online search as part of their due diligence on the shortlisted candidates. This may help identify any incidents or issues that have happened, and are publicly available online, which the school or college might want to explore with the applicant at interview.

**Note: Candidates can request feedback as to why they were not shortlisted for interview. It is the responsibility of the Panel Chair to ensure that feedback is provided.**

## 8. Interviews

### 8.1. Preparing interview questions

The Recruiting Manager is responsible for compiling relevant competency-based interview questions. All interview questions asked must be relevant (and seen to be relevant) to the job. The Trust's HR Provider will be available to assist in identifying the most suitable questions.

Each shortlisted candidate will be invited to interview in writing to ensure appropriate documentation is brought to interview for checking of identity and eligibility to work in the UK.

#### 8.1.1. Suitability to work with children, young and vulnerable people

Depending on the amount of contact with children, young and vulnerable people, the interview questions may need to explore issues relating to safeguarding and promoting the welfare of children. In accordance with the guidance defined in 'Keeping Children Safe in Education', the interview questions must also explore:

- The candidate's attitude toward children and young people and their motivation to work in this area.
- The candidate's ability to form and maintain appropriate relationships and personal boundaries with children and young people.
- Their emotional resilience in working with challenging behaviours.
- Their attitudes to the use of authority and maintaining discipline.
- Their ability to support the School's agenda for safeguarding and promoting the welfare of children.

### 8.2. Conducting the interview



To ensure fairness each candidate should receive the same interview experience. The panel will be assessing the candidate and the candidate will be assessing the School / Trust as a potential employer. It is therefore advisable to ensure that candidates are made aware at the beginning of the interview:

- What the selection process and methods are.
- How they will be assessed.
- That they will be given the opportunity to ask questions.
- Be advised on how and when they will be informed of the selection outcome.

The panel should also:

- Ensure that each candidate is greeted and escorted to and from the interview room.
- Ensure that the room is appropriate for the interview (free of interruptions, comfortable, etc.).
- Ensure that arrangements are in place for candidates with a disability. Due diligence is necessary to ensure that any additional needs are accommodated at the interview.
- Give all interviewees a comparable amount of time.
- Supplement their understanding of the candidate's responses by the use of probing questions.

Each candidate will be asked:

- The same core set of questions and their answers fully noted
- Answers may be probed further as appropriate
- Competency questions to assess personal behaviours towards safeguarding, with outcomes being fully recorded
- At least one question based on the Trust Core Values
- Verification of the candidate's Right to Work in the UK (original documentation will be seen and a copy taken)
- Verification of qualifications (original documents will be seen and a copy retained)

The panel should follow the interview questions as set out on the Candidate Assessment Interview Form. Depending on the responses given, supplementary questions may be asked. These and the subsequent answers should be noted on the Candidate Assessment Interview Form. Obvious gaps in employment or any history of repeated changes of employment without any clear career progression should be fully explored and reasons verified.

It is advisable to ask the candidate if there is anything they would like to declare or discuss in light of the requirement for a DBS check (if applicable) and the questions put to their referees. Depending on the amount of contact with children, young and vulnerable people, the interview may need to explore issues relating to safeguarding and promoting the welfare of children.

**Note:** Where possible, any interviews should be carried out on the same day. Where this is not possible, the gap between interviews should be minimised.

**Note:** It is not the Trust's policy to pay for travel expenses incurred by the candidates invited to interview. However, Headteachers may decide to pay travel expenses for applicants to posts in shortage subjects or in other challenging recruitment contexts.

### **8.3. Decision to appoint**

The decision is based on the amalgamation of the individual scoring sheets from interviews and any other selection-related tasks. The highest scoring candidate should be offered the post, providing minimum acceptable standards have been met. If none of the candidates are considered suitable, thought should be given to reviewing the advertising/shortlisting/interviewing process and/or the Job Description itself and if, necessary re-advertising the vacancy. If the post is re-advertised without material changes to the Job Description, previous applicants may still apply. The emphasis for filling a post should be on the putting the "right person" in the job and not the person being available at the "right time". Candidates should be appointed on their ability to do the job for which interviewed and not



because of the need to fill the post. Interview records for unsuccessful candidates must be retained for a period of six months following the interviews. Records for successful candidates will be filed on their Personnel File.

The selection panel will agree feedback for each candidate and record whether each candidate is suitable for appointment, even if not the first-choice candidate.

When assessing candidates with disabilities, it is a requirement to consider their suitability on the basis that any reasonable adjustments that may be required have been made. Similarly, if special equipment is required the candidate's suitability will be evaluated on the basis that the equipment is in place.

## **9. Making a conditional offer**

### **9.1. Unsuccessful applicants**

The School/Trust will notify unsuccessful applicants in writing. If feedback is requested, the Recruiting Manager should provide a valid reason for rejection and feedback to support the unsuccessful candidate to identify areas for development. Candidate details will be kept on file for six months. Note: Documentation relating to applicants will be treated with the utmost confidentiality and in accordance to the Data Protection Act (DPA). Applicants will have the right to feedback from the Recruiting Manager after interview and to access any documentation held on them in accordance with the DPA, including shortlisting and interview notes.

#### **Overseas Trained Teachers (OTTs)**

OTTs are allowed to work as unqualified teachers for a maximum of four years without the need to gain qualified teacher status (QTS). Details can be found in the Guidance from the DfE on Overseas Trained Teachers <https://www.gov.uk/government/publications/teach-in-england-if-you-qualified-outside-the-uk/teach-in-England-if-you-qualified-outside-the-uk>

### **9.2. Offer of employment**

A contract comes into being once a verbal offer has been made and accepted. A member of the interviewing panel should make the offer verbally, followed up by a written conditional offer of employment. The successful applicant should receive a verbal offer no later than 5 working days after the interview. Written offers of employment will only be produced by the Trust upon receipt of all required documentation and authorisation by the Headteacher/CEO. This must include:

- Relevant Job Description and Person Specification.
- Signed interview and selection testing notes.

Conditional Employment Offer letters are sent to the selected candidate with the following documentation:

- DBS Application Form, including Overseas (if applicable to the role).
- Notes on completing the DBS Form.
- Job Description and Person Specification.

This approach will guarantee:

- A structured approach to recruitment across the Trust.
- Auditable outcomes of recruitment campaigns.
- Individual file management. All offers will be conditional upon the Trust receiving all relevant pre-employment checks.

## **10. Pre-employment checks**





The School/Trust should ensure all pre-employment checks are complete prior to the successful candidate starting employment. No-one should begin employment without all checks being clear. However, in exceptional circumstances, a non-student-facing member of staff may begin work on a temporary basis prior to all checks being completed, providing that an individual risk assessment has been completed by the relevant Headteacher or CEO.

All offers of employment will also remain conditional until the following have been received:

- Two satisfactory references covering at least 5 years.
- Satisfactory DBS Enhanced Check for regulated activity and DBS Children's Barred List clearance (where applicable for the post).
- Prohibition from Teaching check (if applicable).
- Disqualification by association check (if applicable).
- Medical fitness clearance.
- Evidence of the right to work in the UK.
- Verification of the applicant's identity.
- Evidence of qualifications required for the job.
- Declaration of Personal and Pecuniary Interest (where required).
- Verification of qualifications, where required.
- Verification of professional status, where required.
- Verification of successful completion of statutory induction period (applies to those who obtained QTS after May 1999) for centrally-employed teachers.

If any of the above checks are not satisfactory, the offer may be revoked. Where this is necessary, written reasons will be supplied. All pre-employment checks will be confirmed in writing, documented, and retained on the employee's personal file. Where they are unsatisfactory or there are any discrepancies in the information provided, these must be followed up with advice from the Trust's HR Provider. If a candidate is found to be on the DBS Children's Barred List, the Headteacher will be informed by the DBS Team and this person will not be able to be employed within the Trust. If a candidate has an unclear DBS Disclosure, The Trust's HR Provider will be informed by the DBS Team. They must discuss with the Trust and the applicant and decide whether to continue with the offer of employment. The ultimate decision will be made by the Headteacher for school-based appointments and the CEO for Trust-based appointments.

Disqualification under the Childcare Act 2006 - Staff are covered by this legislation if they are employed and/or provide early years childcare (this covers the age range from birth until 1 September following a child's fifth birthday i.e. up to and including reception age) or later years childcare (this covers children above reception age but who have not attained the age of 8) in nursery, primary or secondary school settings, or if they are directly concerned with the management of such childcare.

This includes:

Early years provision - staff who provide any care for a child up to and including reception age. This includes education in nursery and reception classes and/or any supervised activity (such as breakfast clubs, lunchtime supervision and after school care provided by the school) both during and outside of school hours for children in the early years age range; and

Later years provision (for children under 8) - staff who are employed to work in childcare provided by the school outside of school hours for children who are above reception age but who have not attained the age of 8. This does not include education or supervised activity for children above reception age during school hours (including extended school hours for co-curricular learning activities, such as the school's choir or sports teams) but it does include before school settings, such as breakfast clubs, and after school provision. Further information can be found in the DfE Statutory Guidance on Disqualification under the Childcare Act 2006 issued in February 2015

<https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006>



## 10.1. References

Every effort must be made to obtain references for all shortlisted applicants before interview. There are occasions when a candidate will request “no contact with current employer unless they are preferred candidate after interview” Although the recruiting manager may accede to such a request, it is not recommended as good practice. References should seek objective, verifiable information, and not subjective opinion. Open references for example addressed ‘To whom it may concern’ will not be relied upon.

Regardless of the type of post being applied for, references from the previous two employers covering at least the previous three years’ employment history will be taken up on. This also applies to internal candidates. Where candidates do not have 3 years of employment history appropriate alternative references must be obtained e.g., from education providers. For posts involving children, young people and vulnerable adults, the references may be obtained before interviews take place on all short-listed candidates so that any issues of concern they raise can be explored further with the referee, if appropriate, and taken up with the candidate at interview. In exceptional circumstances it might not be possible to obtain references prior to interview, either because of delay on the part of the referee, or because a candidate strongly objects to their current employer being approached at that stage, but that will be the aim in all cases.

References will not request details about the candidate’s sickness record or disability, in order to ensure that they comply with The Equality Act 2010 and the Data Protection Act 2018, prior to a conditional job offer.

On receipt, all references will be checked to ensure all the questions have been answered satisfactorily. The referee will be contacted to provide further clarification as appropriate, for example if answers are vague or if insufficient information is provided.

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. Any information about past disciplinary actions or allegations will be considered carefully when assessing the candidate’s suitability for the post.

If a referee fails to provide a reference the candidate will be contacted to provide an alternative referee. If a candidate for a teaching post is not currently employed as a teacher, a check will be carried out with the school, college, or local authority at which they were most recently employed, to confirm details of their employment and their reasons for leaving.

References for candidates for posts not involving children, young people, and vulnerable adults, should be obtained after interview, and for the successful candidate only. This is because these posts are not involved in regulated activity under the Safeguarding Vulnerable Groups Act 2006.

### 10.1.1 Criminal records

Candidates who have access to children and vulnerable people will normally not be employed until a clear DBS Disclosure is received. In exceptional cases, candidates may commence employment prior to DBS clearance provided there is no unsupervised access to children or vulnerable people and following a clear check of the DBS Children’s Barred List. The Headteacher for school-based appointments and the CEO for Trust-based appointments is responsible for the final decision and should complete an individual risk assessment of the candidate prior to making this decision.

### 10.1.2 Convictions

The Headteacher for school-based appointments and the CEO for Trust-based appointments will be responsible for ascertaining whether a candidate’s criminal record does or does not render them unfit for the post. Posts which are exempt from the Rehabilitation of Offenders Act 1974 (in which case criminal convictions never become “spent”) should be identified as exempt when seeking references.



## **10.2. Occupational Health**

Once the conditional offer of employment has been made, all successful candidates must be complete a Fitness for Work questionnaire. Depending on the particular circumstances of a candidate, a referral to Occupational Health may be required. This may delay the appointment process. In some cases, Occupational Health may declare that a candidate should not be employed on medical grounds. In this event, the offer will be retracted.

Pre-employment health enquiries will only be made for applicants with disabilities for the specific purpose of allowing the Trust to make reasonable adjustments to an assessment that is part of the recruitment process. Applicants will be contacted by the selection panel and informed of the selection process, and checks made of what 'reasonable' adjustments might be required to meet their needs.

## **10.3. Eligibility to work in the UK**

Under the Immigration, Asylum and Nationality Act 2006 it is a criminal offence to employ someone without entitlement or permission to work in the UK. Section 15 of the Act requires all employers in the UK to make basic document checks on every person before they start work to help ensure that they do not employ illegal workers. Employers are also required to recheck documents at least every 12 months if the employee has time-limited leave to enter or remain in the UK. Employers incur a significant fine if they employ an illegal worker. A new offence of knowingly employing an illegal worker can incur an unlimited fine and/or up to five years' imprisonment.

To ensure that recruitment practices are not discriminatory, all short-listed applicants, regardless of their colour, race, nationality, or ethnic or national origin, will be asked to produce original documents as evidence of their right to work in the UK.

Where a preferred candidate requires a Skilled Worker Visa (previously Tier 2 General) status to work for the Trust the Recruiting Manager will contact their Trusts HR provider for advice before an offer of employment is confirmed.

## **10.4. Evidence of qualifications required for the job**

In posts where qualifications are an essential requirement, successful candidates must provide proof in the form of a certificate of achievement, membership number or other documentary evidence that may be relevant. Use may be made of the online service which enables a quick verification of qualifications, induction, and registration status of all teachers, via the DfE – Teaching Agency.

## **10.5. Performance and conduct checks**

For centrally-employed teaching staff, the Trust's HR Provider is able to check whether there is an active disciplinary order or prohibition against them via the DfE – Teaching Agency.

# **11. Commencement of employment**

Prior to commencement of employment and once in receipt of satisfactory pre-employment checks, employment can be confirmed, and the candidate can be sent the following:

- Confirmation of employment and start date.
- Contract of employment.
- New Starter information for payroll.
- Pensions form.
- P46 form.
- Job Description and Person Specification.
- Personal and Pecuniary Interest Form, if applicable.



- The Safeguarding Children Statement.

The Recruiting Manager, or a member of the HR team to whom this task has been delegated, must ensure that the New Starter information is sent to the relevant Finance and HR Teams.

### **Probationary Period**

The performance of new support staff will be rigorously monitored during a probationary period of six months with close attention being paid to learning needs and performance issues. The line manager will read and follow the Trust Probationary Policy in managing the probationary period of a new member of support staff.

New support staff will have a probationary review meeting with their line manager 3 months and 5 months after they commence employment with the Trust. A record of this will be provided to the new member of support staff with a copy held on their personnel file. Advice will be sought at an early stage from the school/business HR provider if there are performance concerns about a new member of support staff.

## **12. Induction**

The Line Manager of the appointee will be responsible for the planning of the induction programme. For Newly Qualified teachers, induction guidance will be provided by the school's Professional Tutor. Further details on induction for Early Career Teachers (ECTs) can be found in the relevant school's ECT Policy.

In accordance with the Keeping Children Safe in Education statutory guidance, new staff will, as part of induction, be given a copy of 'Part one' of that guidance. Where these policies are used, the school will also provide a copy of (or provide access to) the Child Protection Policy, the Code of Conduct and the Guidance for Safer Working Practice for Adults who work with Children and Young People in Education Settings, with the expectation being that these are read fully and thoroughly.

New staff will also receive training in the systems within the school which support safeguarding, including the role of the designated safeguarding lead. A record will be made and kept on personal file of these documents having been provided and/or signposted as part of the induction.

## **13. Evaluation**

It is extremely important to evaluate the success of the recruitment and selection process at each stage to see whether mistakes were made and whether a repetition of them can be avoided in the future. Effective monitoring is essential as a key element to inform the recruitment strategy and is an important tool in fulfilling the responsibility to provide equality of opportunity to all job applicants. Data collected for monitoring should not be used for any other purposes. It is also advisable to monitor where applicants have heard about vacancies in order to identify which source is most effective.

## **14. Data collection and protection**

Special care should be taken regarding all information supplied by job applicants. Data must only be collected that is relevant to the purpose. In addition, any 'sensitive' data should only be collected where the applicant's express consent has been gained. Therefore, the School / Trust should ensure the following steps are taken:

- All information gathered is stored securely and used only for the stated purposes.
- Applications are destroyed when they are no longer needed (it is recommended that this is done after six months).
- Names of unsuccessful applicants should only be kept on file if the applicants have been informed.
- Job applicants should be given a chance to provide an explanation if any checks on their application details produce discrepancies.





In addition, the interview panel should be aware that interviewees have the right to access their interview notes and therefore any opinions noted must be based on fact. Candidates have the right to request feedback on the status of their application at any stage of the recruitment process.

### **14.1. Records and monitoring**

All records in relation to recruitment and selection exercises must comply with the provision of the Data Protection Act 1998. Records will be kept relating to all applicants, candidates interviews and new appointees in respect of:

- Internal applicants.
- External applicants.
- Grade (of vacancy).
- Gender.
- Disability.
- Age.
- Race/ethnic origin.

### **14.2. Analysis**

The School / Trust will analyse recruitment data to identify trends in relation to the above factors for evidence of disparate impact. Data will also be analysed for budget projection purposes and to identify service improvements.

## **15. Summary of roles and responsibilities**

### **15.1. Recruiting Manager**

As Recruiting Manager, you must adhere to the deadlines agreed and submit paperwork on time, otherwise you may affect the overall recruitment timescales. It is your responsibility to:

- Discuss the vacancy with the Headteacher/CEO (to ensure it is necessary and all alternatives have been considered and agree details of the campaign and the timescales).
- Approve the final version of the job advertisement.
- Arrange the Selection Panel and the contact person for interviewees on the Interview day; book rooms/equipment.
- Shortlist candidates for interview, in consultation with other members of the Selection Panel.
- Prepare questions and selection tests for the interviews.
- Conduct interviews, select the successful candidate and complete the interview paperwork.
- Provide feedback to unsuccessful candidates.
- Authorise references received for the successful candidate.
- Agree a start date and time for the new employee and inform relevant colleagues.
- Ensure the New Starter Form is sent to Payroll.
- Prepare for the employee's first day and induction programme.

The Recruiting Manager is accountable for their recruitment campaign and must take action as appropriate to ensure that the recruitment campaign is conducted appropriately and to the highest standard.

### **15.2. Human Resources**

The Trust's HR Provider will:

- Assist with writing job descriptions and person specifications, evaluating job descriptions and person specifications and advising on salary where appropriate.



- Advise on contractual obligations.
- Provide advice on creating adverts, application packs and placing adverts.

## Key Legislation, Policy, and Guidance

This policy is underpinned by:

- Legislation specifying employment rights
- Equality Legislation
- Legislation and guidance for the protection of children
- Legislation, policy, and guidance giving rights of access to information at of all stages of the recruitment process.
- Keeping Children Safe in Education

The Equality legislation applies to everyone, including:

- employees including apprentices;
- workers who are not employees but who work under a contract for services
- applicants for jobs;
- volunteers;
- agency workers;
- contract workers;
- trainees undertaking or seeking vocational training
- students/pupils.

## 16. Further information

In addition to the material in the toolkit, please refer to: Keeping Children Safe in Education.

### Signposting to other Policies:

Equality & Diversity Policy  
 Equality in Employment Policy  
 Disciplinary Policy  
 Probation Policy  
 Data Protection Policy

## 17. Summary of changes

Document control		
Date	Section(s)	Update(s)
27/02/23	Section 1	Page 3 – final two paragraphs in this section added to highlight the priority of suitable adults being employed with reference to Keeping Children Safe in Education.
27/02/23	Section 2	Page 3 – bullet points and paragraph added to outline the Trust's approach and importance fairness, equality and diversity.
27/02/23	Section 2	Page 4 and 5 – Vision page 4 added and paragraph emphasising the importance of Trust's values on page 5.
27/02/23	Various	Policy applies to 'volunteers' too.



27/02/23	Various	Policy refers to 'HR Provider' throughout.
27/02/23	Section 6.3	Added: The job description for the vacant post will be reviewed to ensure it reflects the requirements of the post. If there is no job description, one will be produced.
27/02/23	Section 6.3	Added: <ul style="list-style-type: none"> <li>• The advert should be based on the details of the job description and the agreed selection criteria in the person specification</li> <li>• Be clear and precise to attract more candidates to seek more detail</li> <li>• Avoid any gender, age or culturally specific language or implication, e.g., for teaching posts, wording specifically targeting Early Career Framework or MPS Teachers must not be used as this may imply that a younger person is required.</li> <li>• Include the statement: "We are committed to safeguarding and promoting the welfare of children and young people and expect all staff and volunteers to share this commitment."</li> </ul>
27/02/23	Section 6.3	DFO changed to CFO
27/02/23	Section 7.2	Reference to no CVs, application form only added. Paragraph on KCSiE added.
27/02/23	Section 8.2	Added: Questions that will be asked to candidates.
27/02/23	Section 9.1	Paragraph on OTT added.
27/02/23	Section 10	Disqualification under the Childcare Act 2006 details added.
27/02/23	Section 10.1	References section updated.
27/02/23	Section 10.2	Added: Pre-employment health enquiries will only be made for applicants with disabilities for the specific purpose of allowing the Trust to make reasonable adjustments to an assessment that is part of the recruitment process. Applicants will be contacted by the selection panel and informed of the selection process, and checks made of what 'reasonable' adjustments might be required to meet their needs.
27/02/23	Section 10.3	Eligibility to Work in the UK updated.
27/02/23	Section 11	Probationary Period added.
27/02/23	Section 12	Induction section updated.
27/02/23	Section 15.2	Human Resources completed updated.
27/02/23	Section 16	Signposting to other policies added.

