



# Recruitment & Selection Policy

Approved by:	<input type="text"/>	Date:	<input type="text"/>
Last reviewed on:	<input type="text"/>		
Next review due by:	<input type="text"/>		

## 1 **Scope**

The policy applies to the recruitment and selection of all employees appointed by the trust. Relevant parts of the code of practice will also apply to the recruitment of unpaid volunteers.

## 2 **Policy Statement**

The purpose of this policy is to ensure that the recruitment and selection process is carried out in a fair, efficient and cost-effective manner and takes account of relevant legislation.

This policy applies to all those involved in recruitment and selection decisions and reflects the commitment of the trust to:

- recruit the best staff, no matter what their age, sex, race or ethnic origin, disability, sexual orientation or religion or belief;
- aim to make the workforce representative of the community that the school serves and remove barriers to employment for under-represented groups;
- **safeguard and promote the welfare of children and young people;**
- recruit within the law and according to best practice; and,
- treat applicants with dignity and respect.

The trust expects all staff and volunteers to share this commitment.

The trust takes seriously any applicant who provides false information at any stage of the recruitment process. This could result in:

- the applicant being rejected or summary dismissal of the employee if this comes to light after s/he has started work; and
- referral of the matter to the police and/or DfE.

## 3 **Roles and Responsibilities**

- **Trust:** The trust has overall responsibility for all staff appointments. The Trustees are directly responsible for appointments of the CEO, Executive Team, Principals and leadership teams. The trust has delegated responsibility for all other support staff and teacher appointments within the trust to the LAG (responsible for the decision) and Principal (responsible for the action).

- **Person(s) delegated to make appointment decisions:** Their role is to make sure that the recruitment and selection process is carried out fairly and without discrimination. They will:

seek relevant trust approvals to fill the vacant post;

- plan and manage the recruitment process;
- finalise the job description, person specification and advert;
- arrange appropriate selection panels and appoint a chair;
- select an applicant to appoint;
- make an offer of employment to the selected applicant and explain that this is conditional;

- make sure all pre-appointment checks are satisfactory;
  - ensure information is passed to Human Resources promptly and,
  - ensure that children are not put at risk by failing to recruit staff in line with the procedures to safeguard children.
- **Human Resources:** HR will:
    - place adverts and finalise recruitment packs;
    - co-ordinate selection processes ensuring at least one member of every selection panel has completed safer recruitment training;
    - ensure recruitment checks are completed and recorded in line with Keeping Children Safe in Education and statutory requirements in relation to eligibility to work in the UK
    - maintain the recruitment file; and,
    - maintain the single central record of recruitment and vetting checks.
- **Employee Services:** Employee Services will:
    - place adverts in external media at the request of the school;
    - include vacancies in the Council's Customer Service Centre, jobs bulletin and website;
    - carry out pre employment medical checks and,
    - issue, statements of main terms and conditions and confirmation of appointment letters.
- **External agencies:** The school may use advertising agencies to place adverts in external publications and advise schools on preparing effective recruitment adverts.

#### 4 **Legal Considerations**

- **Equalities legislation:** Employers must not discriminate, either directly or indirectly, against people because of their age, sex, race or ethnic origin, disability, sexual orientation or religion or belief. This applies to all aspects of the recruitment process from advertising jobs through to appointing staff. In limited circumstances there can be a genuine occupational requirement (GOR) to advertise for people of a particular age, sex, race or ethnic origin, disabled status, sexual orientation or religion or belief. The Equality Act (2010) prevents employers from asking applicants questions about their health before offering them work or including in a pool of successful candidates.
- **Disabled persons:** An employer must make reasonable adjustments in the recruitment and employment of disabled people. This can include adjustments to recruitment and selection procedures, working arrangements and physical changes to premises or equipment.
- **Safeguarding children:** This code of practice complies with DfE guidance on safer recruitment and selection in education settings.

## **5 Summary of the recruitment and selection process and its application**

A summary of the recruitment and selection process is provided in Appendix 1.

The trust will apply the recruitment and selection process as follows:

- all stages of the recruitment and selection process will apply to paid employees;
- all stages will apply where unpaid volunteers are actively sought and there are candidates about whom there is little or no recent knowledge; and,
- a streamlined process will apply to some stages of the process where a student or parent well known to the school is approached: seeking references, checking to ensure others in the community know of no concerns and can make a positive recommendation, conducting an informal interview to gauge the person's aptitude and suitability, undertaking a children's barred list check and obtaining an enhanced certificate of disclosure from the Disclosure and Barring Service.

The trust will not need to apply the recruitment and selection process where:

- a volunteer is used on a one-off basis, for example accompanying a school trip or helping at a school event, provided that the person is not to be left alone and unsupervised in charge of children; or,
- a volunteer is recruited by another organisation, for example sports coaches from a local club, although the school should obtain assurance from that organisation that the person has been properly vetted.

## **6 Approval to Fill Vacant Post**

Approval must be obtained from the Executive Team by completing the Staffing Authorisation Form before steps are taken to fill a vacant post on either a temporary or permanent basis.

## **7 Define the vacancy**

- The following details need to be clear before starting the recruitment process:
  - the job role;
  - whether teaching or support staff terms and conditions apply;
  - the pay and grading of the post;
  - hours and work pattern
  - the duration of the contract to be offered to the appointed applicant.

## **8 Define the scope of the recruitment process**

- All vacancies will normally be advertised to external applicants. This promotes open competition, avoids indirect discrimination and attracts a wider field of applicants to select from.

- The school will restrict the recruitment process for a vacancy in the following circumstances:
  - where there is an existing employee at the school who must be considered for redeployment because s/he is under notice of dismissal or at risk of dismissal on grounds of redundancy, ill-health, capability, conduct (except gross misconduct), contravention of a statutory enactment or for some other substantial reason and the vacancy may be suitable alternative employment;
  - where the school structure review process has decided that the appropriate method of appointment to the post is “ringfencing” or “slotting in”.
  
- The school can choose to restrict the recruitment process for a vacancy in the following circumstances:
  - where the vacancy can be filled without advertising by converting an employee’s contract from fixed-term to permanent
  - where the vacancy can be filled without advertising by transferring an employee from another post within the school at the same grade (if more than one person is interested in transferring, a selection interview should take place);
  - where an employee asks to “step down” to a lower-graded job;
  - where a post is already covered by job sharing and one of the **no adverse criminal record**;
  - **additional recruitment vetting requirements, e.g. overseas criminal records checks if applicable, Children’s Barred Persons List check, Prohibition/EEA/GTCE Prohibition List check (teachers and cover supervisors/SAHL/HLTA’s);**
  - **satisfies requirements for DfE registration (qualified sharers leaves as the remaining sharer can be offered the option of holding the post full-time; or,**
  - where a vacancy arises within six months of the same or an identical one having been filled as the school may appoint one of the previously unsuccessful applicants without advertising the position, as long as the applicant meets all of the essential conditions.
  - where the Executive Team feels that it is in the best interest of the MAT

## 9 Define the job description

- The job description is a statement of the purpose and responsibilities of the post. The delegated person(s) must ensure it is up-to-date before the post is advertised. Trust approval must be sought where it is proposed to make any changes to the job description, person specification or grade.
  
- The job description must include:
  - the title of the post;
  - the grade;
  - the payscale/grade/range and any additional payments that apply;

- the post to which the holder is responsible;
- the posts for which the holder is responsible;
- the job purpose or main function;
- the main duties and responsibilities;
- the post's responsibility for promoting and safeguarding the welfare of children and young people, ; for example Promote the safeguarding and welfare of children and young persons the postholder is responsible for, or comes into contact with. Be aware of school policies and other guidance on the safeguarding and promotion of well being of children and young people. Take appropriate action where required.
- a statement about the school's commitment to safeguarding children and young people, for example "We are committed to safeguarding children and young people and expect all staff and volunteers to do the same";

#### 10 **Decide if this vacancy has a genuine occupational requirement (GOR)**

- In certain circumstances it is a genuine occupational requirement (GOR) to advertise for people of a particular age, sex, race, sexual orientation, disability status, religion or belief.
- These circumstances are likely to be rare within community schools but, if you consider that a GOR may apply, contact Human Resources who will advise the criteria for a GOR is met.

#### 11 **Define the person specification**

- The person specification describes the skills and abilities needed to carry out the post. The delegated person(s) must ensure it is up-to-date before the post is advertised. It cannot be amended once the recruitment process has begun.
- The person specification must only contain criteria that:
  - are objective, fair, measurable and do not discriminate unlawfully; and,
  - genuinely affect job performance and can be justified.
- The person specification must not include, unless there is objective justification to do so:
  - specific formal qualifications that are not necessary to do the job;
  - a specific number of years of experience (it should be defined in terms of quality, level and type);
  - age as a condition or as an indicator of experience or maturity; or,
  - physical requirements that could exclude people with disabilities.
- The following requirements must be included in the person specification for posts in schools:
  - teaching posts only); and
  - Section 128 Check for Trustees, Leaders and those engaging in 'management/leadership duties.'

The Trust's safeguarding statement must be included on all recruitment adverts and in application packs as follows " Gosforth Group Schools are committed to safeguarding and promoting the welfare of children and young people in all our schools and expects all staff and volunteers to share this commitment. We are fully committed to ensuring that consistent effective safeguarding procedures are in place to support families, children and staff at school.

- The person specification must identify the method that will be used to assess applicants against each of the criteria. The recruitment process must involve an interview that uses information collected from other sources, for example, a job application form, references and so on. It is not essential, but strongly recommended, that at least one other method of assessment, such as a lesson observation, occupational test, work sample or practical job-related exercise, is used to give unbiased information.

## **12 Plan the recruitment exercise**

- The delegated person(s) should identify the key timescales for the different stages of the recruitment process and allow sufficient time at each stage so that safeguarding requirements are met. For example, the process must allow references on short-listed candidates to be obtained before interview.
- Applicants should be given advance notice of the planned interview dates in the advert or application pack.
- In the case of a teaching appointment, the plan may need to consider resignation dates in case the selected applicant is already employed as a teacher. These are:
  - Autumn Term: 31 October (30 September for Principals)
  - Spring Term: 28 February (31 January for Principals)
  - Summer Term: 31 May (30 April for Principals).

## **13 Prepare the job advert**

- Except as detailed in the 'Define the vacancy' section above, all vacancies will be available to both external and internal applicants. The delegated person(s) must prepare an advert, decide the publications it is to be placed in and the closing date (usually two weeks later).
- The delegated person(s) should liaise with Human Resources regarding placement and content of the advert. All advertisements must include the safeguarding statement as outlined in Section 11.

## **14 Decide the content of the application pack**

- People enquiring about a job must receive:
  - the job advert;
  - an application form;
  - the job description and person specification;

- the safe recruitment form that includes information about the pre-appointment checks that will be made on the short-listed and appointed applicants; and
- any additional information about the school or job that the delegated person(s) decide to provide.

The job application form is divided into three sections. Part A covers personal details, part B covers experience, qualifications and skills, and part C covers equality monitoring. CV's cannot be accepted under any circumstances.

## 15 **Set up the recruitment file**

The HR team must set up a recruitment file and update it during the recruitment process. It must be retained for 12 months and include copies of the following:

- job description, person specification and any additional information provided to applicants;
  - a written record of the reasons for a Genuine Occupational Requirement (if this applies);
  - job advert;
  - application forms;
  - safe recruitment form;
  - equality monitoring forms;
  - record of shortlisting decisions;
  - interview notes and a record of the decisions made and reasons why;
  - test results and other forms of assessment (if this applies);
  - reference request letters and references received;
  - rejection letters; and
  - all other correspondence relating to the appointment.
- Additional documentation for the appointed applicant is set out in the 'Offer of employment and pre-appointment checks' section below.

## 16 **Handling applications**

### 16.1 **Sending out applications**

- Candidates should download the application pack including the application form from the website. Paper copies will be available on request

### 16.2 **Receiving and acknowledging applications**

- When the application form is returned HR will remove part C (equalities monitoring). The equal opportunities form is used for monitoring purposes only and must not be seen by anyone involved in the selection process.
- HR should scrutinise the application form and safe recruitment form to ensure that they are fully completed. Incomplete forms should not be accepted and returned to the applicant for



completion.

- Completed forms should be returned by the closing date. HR will contact the delegated person(s) to ask if they will accept any applications received after the closing date. Late applications should not be accepted once the short-listing process has started.
- The trust/academy will not acknowledge application forms or contact people who have not been short-listed due to the costs involved.

### **16.3 Alternative formats**

- Disabled people may choose to apply for jobs in Braille, on audio tape or in large print. Advice on these formats is available from Human Resources.
- An applicant who cannot fill in a job application form themselves (for example, because of reading or writing difficulties or a disability) will still be considered, unless this is directly relevant to the job. In such cases, they may get help to fill in the form.

### **16.4 Applicant's relationship with a trustee, or senior staff**

- An applicant must tell us about any relationship with a trustee, or senior staff in the trust/academy where they are applying for a post
- Staff must tell HR/the CEO I in writing about their relationship to an applicant for a job in the school.

### **16.5 Canvassing**

- Any applicant who canvasses (tries to use their relationship to gain an advantage in the recruitment process) or allows someone to canvass on their behalf will be disqualified.
- Unless they are related to or have a close personal relationship with someone applying for a job, trustees, and employees are allowed to act as referees for an applicant for a post in the same trust. If they are involved in the recruitment process (short-listing or interviewing) it must be an employment reference, not a personal reference.

### **16.6 Declaring outside interests and other employment**

Teaching staff graded U1 and above and support staff graded N7 and above may not carry out any other business or take up any additional employment without the permission of the Trust.

## **17 Short-list applicants**

## 17.1 Short-listing process

- Applications should be short-listed by at least two people who will be involved in the final interview panel. As far as possible, the people short-listing for each post should be a reasonable balance of men and women.
- All applications should be scrutinised to ensure that the information provided is consistent and does not contain any discrepancies. Any gaps in employment should also be identified. Any anomalies or discrepancies or gaps in employment should be noted and consideration of the totality of these may influence whether the applicant is short-listed.
- The people creating the short-list review each application form and assess that applicant against the person specification for the post. Any applicant who does not meet the minimum essential conditions should not be included on the short-list. A record of each decision should be made on the **short-listing form**.
- The delegated person(s) are responsible for the security and confidentiality of the application forms.
- The short-listing form should be returned, together with the application forms of the successful and unsuccessful applicants, to HR.
- It is policy to interview all disabled applicants who meet the essential requirements for the post. HR is responsible for reviewing the short-listing form against the equalities monitoring forms (which were separated from the application forms on receipt) to identify any disabled applicants who have not been short-listed. The delegated person(s) responsible for short-listing will add to the short-list any disabled applicants who meet the essential conditions.

## 17.2 Contacting short-listed applicants

- HR will check if any of the short-listed applicants have asked for special interview arrangements on the application form and make the necessary arrangements.
- HR will send a letter to the short-listed applicants inviting them to an interview and request that they bring the following information with them to interview.
  - Qualification Certificates
  - Proof of eligibility to work in the UK
  - Safe recruitment form
  - Original DBS form where they are registered for the update service
  - Relevant identification documents to allow DBS checks to commence if successful

### 17.3 Self-Disclosure of Criminal Convictions – Safe Recruitment Form

- In line with the Rehabilitation of Offenders Act (as amended in 2013 and 2020), all applicants are required to declare any convictions, cautions, bindovers they may have that are not ‘filtered.’
- Short-listed applications will be sent the self-disclosure form with the invite to interview where they have not already completed this.
- This must be returned prior to the interview or the interview will be withdrawn.

### 17.4 Take up references and verify facts

- All short-listed applicants must provide two referees, one of which must be the current or most recent employer. References must be requested direct from the referee. References provided by the applicant or open references addressed “to whom it may concern” will not be considered.
- References will only be accepted from a senior person in an organisation with authority to provide an employment reference. In schools this will be the Principal or a suitable senior member of staff.
- Written references will be requested before the final selection stage and made available to the people carrying out the interview. HR will email the referees and enclose the reference request form, job description and person specification.
- In exceptional circumstances it may not be possible to obtain references prior to interview, either because of delay on the part of the referee or because the candidate strongly objects to the current employer being approached at this stage but that will be the aim in all cases. It is up to the delegated person(s) to decide whether to agree to a candidate’s request to approach their current employer only if s/he is the preferred applicant after the interview.
- If a short-listed applicant claims to have some specific qualification or previous experience that is particularly relevant to the post that will not be verified by a reference, the delegated person(s) should telephone the relevant previous employer and ask for written confirmation of the facts.
- The Trust reserve the right to request additional references in order to comply with safer recruitment requirements, for example where an applicant is not working with children but has done

previously.

## **18 Interview and assessment**

On the day copies of all of the documents candidates are required to bring to the interview as outlined at 17.2 should be checked and verified. Photocopies should be taken and each copy should be signed and dated by the person checking the documentation.

### **18.1 Interview panel**

- At least one person on every interview panel must have had formal training in safer recruitment.
- The interview panel must include the delegated person(s) making the appointment. One-to-one interviews are not acceptable and, as far as possible, the panel should have a reasonable balance of men and women.
- People other than the delegated person(s) can be on the interview panel. This may include people external to the school, for example, where there are partnership arrangements in place. Their role should be viewed as advisory and only the delegated person(s) can make the final decision on appointing staff.
- The panel must meet before the interviews to:
  - agree their interview questions to assess the relevant criteria on the person specification; and,
  - consider the issues to be explored with each candidate based on the information provided in the application form, safe recruitment form and references.
  - Ensure at least one question is asked that assesses motivation, commitment and attitudes towards working with and safeguarding children and young people.

### **18.2 Conducting the interview**

- All applicants must be asked a series of standard questions. It is acceptable to follow up the standard questions with related questions to make sure the applicant has the opportunity to demonstrate their knowledge or to expand on the information they have given on their application form. The interview panel must always ask for information about previous employment where relevant and get satisfactory explanations for any gaps in employment or discrepancies in the information provided. Information provided must be recorded on the interview record form.
- The selection process for all posts in schools must include an assessment of each applicant's suitability to work with children. Appropriate questions must be asked at interview to assess this including the applicant's:

- attitude towards children and young people and their motivation to work with them;
- ability to form and maintain appropriate relationships and personal boundaries with children;
- emotional resilience in working with challenging behaviours; and,
- attitudes to discipline.

Advice to be taken from HR regarding appropriate questions for roles that have limited direct contact with children

- The interview panel must discuss the safe recruitment form with each applicant, even if no convictions have been declared. The delegated person(s) must consider the requirements of the 'Code of Practice on the Disclosure of Criminal Convictions'.
- Where there is a discrepancy or concern about the information provided by a referee, the interview panel must discuss this with the applicant. If references have not been received before the interview, the applicant must be asked at interview if there is anything s/he wishes to declare or discuss in light of the questions that have been put to the referee.
- The interview panel must use an interview record form to record the questions asked and to summarise each applicant's answers. It must show how each applicant has met (or not met) the person specification. Interviewers should summarise the evidence presented by the applicant.
- At the end of the interview, the panel should discuss the responses given by each applicant and agree who best meets the person specification and the reason why. A summary of their decision must be recorded on an applicant assessment form. This must have enough detail to make sure that the reason for the decision is clear in case of any future challenge about the recruitment process.

### 18.3 **Other forms of assessment**

- Observing applicants as part of the formal assessment process is an ideal opportunity to assess how they deal with children and young people. This may be by observing a lesson or through a structured task that directly involves children, young people, parents and carers or other stakeholders in the recruitment process. The delegated person(s) must make sure that they are effectively briefed on their role within the process.
- Reasonable adjustments must be made for disabled persons where the assessment method would put them at a disadvantage. The applicant may need to complete tests or presentations in alternative formats, be allowed more time or have a support worker.

- Information in relation to relevant Covid-19 risk assessments should be shared with candidates prior to interview, and appropriate adjustments will be made for candidates with characteristics that make them more susceptible to adverse effects of Covid-19, ensuring a fair process.

#### 18.4 **Contacting interviewed applicants**

- The delegated person(s) must make arrangements to tell short-listed applicants the outcome of their application as soon as possible. Applicants with a sight or hearing difficulty must be contacted in the appropriate way, for example, a phone call or in Braille for people with a sight difficulty or by letter or minicom for people with a hearing difficulty.
- Both internal and external applicants may ask for feedback on how they performed during the interview. If asked, the delegated person(s) should make arrangements for this to happen.

### 19 **Offer of employment and pre-appointment checks**

#### 19.1 **Conditional offer of employment**

- HR will send out a **conditional** offer of employment to the successful candidate. Any offer of appointment will be made on the condition that the applicant satisfactorily meets all of the pre-appointment checks required by the post. These are listed in Appendix 2. Human Resources will oversee the appointment process to ensure that the checks have been carried out, decide whether the outcome is satisfactory and ensure that school's single central record is updated.
- There is a duty to make reasonable adjustments for disabled people. Disabled applicants should be asked about workplace adjustments only if they are selected for the job. The job offer should be on the condition that reasonable adjustments can be made.

#### 19.2 **Documentation requirements**

- HR and/or the delegated person must take to all reasonable steps to check that the following documents are original and valid, and be satisfied that the applicant is the person named in the document before copying for the selected applicants:
  - identity documents including photographic evidence;
  - the specific proof of identity documents required for an application for an enhanced certificate of disclosure from the Disclosure and Barring Service;
  - the specific proof of identity documents required to show the right to work in the UK or any documents required to submit an application for entry clearance or leave to

- remain in the UK under the points based immigration system; and,
    - certificates, diplomas or letters of confirmation for the academic qualifications that the applicant has stated on their application form.
  - As soon as a conditional offer of employment is made HR must ask Employee Services to arrange for Occupational health clearance to be sought. Employee Services must notify HR of the outcome when this is comes back.
- Once **ALL** pre-employment checks relevant to the post as listed at Appendix 2 have been completed HR must sign the appointment/changes instruction form before it is sent to Employee Services at Newcastle City Council. A cover email should list and confirm that all pre-employment checks relevant to the role have been satisfactorily completed as follows:
  - Identity – document & date
  - Right to work – document & date
  - DfE Teacher Status, Prohibition & EEA check completed: date
  - Section 188 check - date
  - Occupational Health cleared: date cleared
  - Barred List check done: date
  - DBS certificate seen: date
  - DBS Clearance Date: date
  - DBS Certificate no: number
  - DBS Level: level
  - Overseas checks N/A or details
  - Academic Qualifications checked: date
  - Satisfactory references received – yes
- HR will send the appointment/changes instruction form to Employee Services with a copy of:
  - the appointed applicant’s application form;
  - references received;
  - the safe recruitment form;
  - proof of identity documents obtained;

The employee appointment/changes form should confirm the key terms and conditions of the post. It should also include start date (as long as all checks have been received) and starting salary;

Copies of these documents must also be kept on the individual’s personal file.

### 19.3 Identifying a start date

- The selected candidate must not be confirmed in post or start work until all the pre-appointment checks in Appendix 2 are

satisfactorily completed.

- The only exception is that the delegated person(s) do have discretion for an individual to start work before the enhanced certificate of disclosure is received from the Disclosure and Barring Service, subject to certain conditions. These are set out in KCSIE. If this discretion is used, the Principal must sign a declaration form confirming that these conditions are met and send this to Human Resources for Trust approval. This discretion should only be used if absolutely necessary and in exceptional circumstances.

#### 19.4 **Starting salary**

- The arrangements for starting salaries are set out in the school's 'Pay Policy for Teachers and Support Staff'.
- In the case of teaching staff the starting salary is the appropriate point on the payscale for the post. This is determined by the rules set out in the School Teachers' Pay and Conditions Document and the discretions within the trust's pay policy. Employee Services may need to undertake a salary check with another authority.
- In the case of associate staff, the starting salary is usually the lowest point of the grade for the post. Exceptions are allowed in certain circumstances, for example, where the employee would not otherwise receive an increase in pay.

#### 19.5 **Confirming the appointment**

- Employee Services will check all pre-employment checks have been completed. Once ALL pre-employment checks are satisfactorily completed they will write to the selected applicant to issue an appointment letter and statement of main terms and conditions.
- A record of all pre-appointment checks will also be retained on the employee's personal file in Employee Services.

#### 20 **Equalities monitoring**

- HR is responsible for collating equalities monitoring information on applicants and appointments.

#### 21 **Complaints**

- If anyone applying for a job believes that they have been unlawfully discriminated against during any part of the recruitment and selection process, they have the right to make a complaint within three months. Internal applicants within the trust should submit their complaint under the formal stage of the trust's 'Grievance Procedure', which will be



investigated within the timescales set out in that procedure. External applicants should submit their complaint in writing to the chair of the trust, which will be investigated within a reasonable timescale.

- If a complaint that an applicant has been unlawfully discriminated against is upheld, the solution offered will usually be for the person who made the complaint to re-join the selection process. Examples of solutions are:
  - if an applicant is not included on the short-list and there is no justified reason for this, they may be put on the short-list for the job or for another appropriate vacancy;
  - if the questions asked at the interview are considered to be unfair, the applicant's suitability may be reassessed and another interview arranged for that job or another appropriate vacancy;
  - if it is found that the person making the complaint was the best person for the job, they may be offered either that job or another appropriate vacancy;
  - if it is found that the trust/academy has failed to make a reasonable adjustment for a disabled person who has been made a conditional offer of appointment and the post is still vacant, the adjustment will be made with an offer for that job; or,
  - if it is found that the trust/academy has failed to make a reasonable adjustment and the post applied for has been filled, arrangements will be made to interview the disabled person for another suitable vacancy and to make reasonable adjustments if the person is selected.

## 22 Relationship with other policies and procedures

- **Policy and Procedures for Making Appointments and Contractual Changes:** This sets out the circumstances when it is appropriate for schools to offer permanent or fixed-term contracts to appointed applicants.
- **Code of Practice on Disclosure of Criminal Convictions for Schools:** This explains the requirements for all staff appointments (as well as agency staff, governors and third parties).

Record of Published Versions/Revisions	
Date	Status

## **Appendix 1 – Summary of Recruitment and Selection Process**

1. Define the vacancy
  - a. job role
  - b. pay and grading
  - c. hours and weeks to be worked
  - d. duration of the contract
2. Define the scope of the recruitment process
  - a. is it appropriate to restrict the recruitment process?
3. Define the job description
4. Decide if this vacancy has a Genuine Occupational Requirement (GOR)
5. Define the person specification
6. Plan the recruitment exercise
  - a. timescales for advert, closing date
  - b. who will be involved and responsibilities
  - c. resources needed
7. Prepare the job advert
  - a. text of advert
  - b. publications and dates
  - c. closing date
8. Decide the content of the application pack
9. Set up the recruitment file
10. Handle applications
11. Short-list applicants
12. Contact short-listed applicants
13. Take up references and verify facts
14. Interview and assessment
15. Make conditional offer of employment
16. Undertake ALL pre-appointment checks
17. Confirm the appointment

## Appendix 2 – Pre-Appointment Checks

### Overview

- Pre-appointment checks are key to ensure that children are safeguarded and the risk of harm from those who are in contact with them is minimised.
- Everyone selected for appointment to a teaching or associate staff post in a maintained school must satisfy checks on:
  - identity;
  - criminal convictions;
  - Barred Persons List check;
  - the right to work in the UK, or gain entry clearance or the right to remain in the UK under the points based immigration system;
  - academic qualifications;
  - a minimum of two references;
  - previous employment history; and,
  - medical fitness.
- Teachers must also be registered with the Department for Education (DfE) and have qualified teacher status, except in limited circumstances.

Teachers and those involved in ‘Teaching Activity’ will also be subject to a DfE Prohibition List check.

Posts with responsibility for management/leadership will also be subject to a Section 128 (prohibition from working in management positions with schools) check.

- Additional checks may be necessary for newly appointed staff who have lived outside of the UK.
- The delegated person(s) must ensure that information on pre-appointment checks is included in the school’s single central record of recruitment and vetting checks.
- The delegated person(s) must report the facts to the police, Local Authority Designated Officer and/or the DfE and Disclosure and Barring Service where:
  - the selected applicant is found to be on the Barred Persons List, Prohibition List or the DBS disclosure shows s/he has been disqualified from working with children by a court;
  - an applicant has provided false information in, or in support of, his/her application;
  - there are serious concerns about an applicant’s suitability to work with children; or
  - there are medical grounds for barring a person from working with children.

The delegated person(s) should notify the DfE where they have refused employment, paid or unpaid, to an individual on the basis of the DBS disclosure information and where s/he does not already appear on the Children’s Barred List.

## **Identity**

- The delegated person(s) must make sure that the selected applicant is who they claim to be. Proof of identity such as a birth certificate, driving licence or passport combined with evidence of address must be seen. Some form of photographic identity should be seen except where for exceptional reasons none is available.
- Proof of identity is also required for an application for a certificate of disclosure from the Disclosure and Barring Service and to confirm the selected applicant has the right to work in the UK.

## **Criminal Convictions**

- The delegated person(s) must ensure that the selected applicant does not have an adverse criminal record. All new staff appointed to the schools workforce need an enhanced certificate of disclosure from the Disclosure and Barring Service under the School Staffing (England) (Amendment) Regulations 2006.
- The procedure for obtaining a disclosure and deciding whether it is satisfactory is set out in the 'Code of Practice on Disclosure of Criminal Convictions for Schools'. This includes the need to check proof of identity to make an application to the Disclosure and Barring Service (DBS) for an enhanced certificate of disclosure. There is a list of acceptable proof of identity documents (which is different to the list of acceptable proof of identity documents required for the right to work in the UK below).

## **Barred Persons List Check**

- The delegated person(s) must ensure that the selected applicant is not barred from working with children.
- The Barred List is a confidential document kept by the Department for Education which contains the names, dates of birth, National Insurance numbers and, in the case of teachers, the teacher reference numbers, of people who have been stopped or restricted from working in certain jobs by the Secretary of State. A Children's Barred List check is required for all posts within the trust given that they are classed as in 'Regulated Activity' as defined within Keeping Children Safe in Education. The enhanced certificate of disclosure from the DBS will contain details of whether the person is included on the Children's Barred List. Where the decision is taken to start employment where the DBS check is not complete, the Children's Barred List check must be complete and confirmed as clear prior to starting employment.

## **DfE and Prohibition List Check**

- All teaching staff (including unqualified teachers) are required to be registered with the DfE. Employee Services will verify this with the DfE and conduct a Prohibition List check prior to the employee starting work.

In addition those working in teaching activity such as Support Assistant Higher Level's/Personal Coaches/HLTA's will also be required to be registered and

subject to a Prohibition List check.

## **Section 128 check**

All those in management positions are required to have a section 128 check to ensure that they are not prohibited or restricted from taking part in the management of an independent school including academies. This includes, but is not limited to employees in management positions and Trustees.

## **Right to work in the UK**

- Human Resources will work with the designated person to ensure that the selected applicant has the right to work in the UK .
  - HR/the delegated person(s) must make sure that the documents presented as proof belong to the selected applicant, and that they allow the applicant to do the type of work they are being appointed to do. If an applicant gives two documents which have different names, ask them for a further document to explain the reason for this, such as a marriage certificate, a divorce decree, a deed poll or statutory declaration.

The proof of eligibility to work in the UK will either show an ongoing right to work in the UK (List A) or it will show an entitlement to work in the UK for a limited period only (List B). The lists of **acceptable documents for providing right to work in the UK can be found at <https://www.gov.uk/prove-right-to-work>.**

- - If you appoint someone who provides the specified documents from List B you must make repeat checks at least once every 12 months to ensure the employee can still work legally in the UK.

**Further advice is available from Human Resources on right to work eligibility.**

## **Academic qualifications**

- HR/the delegated person(s) must always check that the person selected has actually got the academic or professional qualifications that are legally required for the post and should check any others that they claim they have on their application form. During recruitment vetting, original certificates/letters confirming qualifications from awarding bodies, must be provided, copied, signed to verify and held on personnel files. . If original documents are not available, the school must ask to see a properly certified copy.

## **References**

- The delegated person(s) must make sure that at least two satisfactory references are received for the selected candidate, one of which must be from the current or most recent employer. The references must be scrutinised and any concerns resolved satisfactorily before the appointment is confirmed.
- If the applicant is not currently working with children but has done so in the past, the delegated person(s) should contact their previous employer to make sure they are suitable to work with this group.

- Employment references will only be accepted from ‘appropriate persons.’ In a school setting, this will be the Principal or member of the Senior Leadership Team. Outside of a school setting, this should be someone in senior management position with delegated authority to provide a reference as the employer.
- Personal references will not be accepted, except in exceptional circumstances, i.e. where the applicant/employee has no previous employment history.
- The reference request should remind the referee that they have a responsibility to ensure that the reference is accurate, that relevant factual content of the reference may be discussed with the applicant and they may be subsequently contacted for clarification of any part of a reference. As all posts in schools involve working with children it should ask:
  - about the referee’s relationship with the applicant, for example, the nature of any working relationship, how long the referee has known the applicant and in what capacity;
  - whether the referee is satisfied that the person has the ability and is suitable for the post based on the criteria in the person specification;
  - whether the referee is completely satisfied that the candidate is suitable to work with children and, if not, for specific details of the referee’s concerns and the reasons for these.

Where the referee is the applicant’s current or previous employer in work with children, it should also ask:

- confirmation of the applicant’s current post, employment dates, position held, salary record;
  - specific verifiable comments about the applicant’s performance history and conduct;
  - details of any current disciplinary procedures the applicant has been subject to in which the disciplinary sanction is current;
  - details of any disciplinary procedures the applicant has been subject to involving issues related to the safety and welfare of children or young people including any in which the disciplinary sanction has expired and the outcome of those; and,
  - details of any allegations or concerns that have been raised about the applicant that relate to the safety and welfare of or behaviour towards children or young people and the outcome of those concerns, for example whether the allegations or concerns were investigated, the conclusion reached and how the matter was resolved.
- If the delegated person(s) telephone the referee for more information, a written record should be made and attached to the reference received from that referee.
  - The reference should be compared to the application form to ensure that the information provided is consistent. Any discrepancy in the information should be taken up with the applicant.

References returned by email must be verified either by telephone call to the referee, or by retaining a copy of the email.

- Any information about past disciplinary action or allegations should be considered by the delegated person(s) in the circumstances of the individual case. Cases in which an issue was satisfactorily resolved some time ago or an allegation was unfounded or did not require formal disciplinary sanctions, and in which no further issues have been raised are not likely to cause concern. More serious or recent concerns or issues that were not resolved satisfactorily are more likely to cause concern. A history of repeated concerns or allegations over time is also likely to give cause for concern.

### **Previous employment history**

- The delegated person(s) must discuss previous employment history with applicants at interview and ensure that there is a satisfactory explanation for any gaps in employment.
- If an applicant for a teaching post is not currently employed as a teacher, the delegated person(s) should also check with the school, further-education institution or local education authority at which they were most recently employed to confirm details of their employment and their reasons for leaving.
- The General Teaching Council for England (GTCE) may also be able to confirm details of a registered teacher's previous employment history.

### **Medical fitness**

- Anyone appointed to a post involving regular contact with children or young people must be medically fit. The delegated person(s) should consider advice from the City Council's Occupational Health service.
- The selected candidate will be asked to complete a confidential medical questionnaire. This is assessed by Occupational Health and s/he may be asked to attend Occupational Health in person to assess their fitness for that particular post.

### **Attendance Record**

The Equality Act prevents employers from asking any health related questions before a job offer is made. Successful applicants will be asked for details of their absence record on the EAS11 Employee Details Form. The delegated person(s) must be satisfied that this is acceptable before a final offer is confirmed

### **Additional checks for staff who have lived outside the UK in the last 5 years**

- DBS Disclosures will not generally show offences committed by individuals whilst living abroad. Therefore in addition to an enhanced DBS Disclosure, if an applicant has worked or lived overseas in the previous 5 years where possible you should get a check of the applicant's criminal record from the relevant authority in that country or additional checks such as obtaining certificates of good conduct from relevant embassies or police forces are necessary. The DBS provides an overseas information service and provides

details of the sort of criminal record information which new employees may be able to get from their home countries.

- If it is not possible to get this information within a reasonable time scale, the delegated person(s) must take extra care in taking up references and carrying out other background checks. For example, additional references should be sought and references followed up by telephone as well as letter.

Teaching staff who have lived or worked outside the UK may also be required to provide proof of their past conduct as a teacher as issued by the professional regulating authority in the country which the applicant has worked – where available, or be subject to additional reference checks confirming conduct in that country.

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