



# TRIMLEY ST. MARTIN

## Safer Recruitment Policy

Updated December 2016

# TSM Safer Recruitment Policy

## SECTION 1

The school is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.

The safe recruitment of staff in schools is the first step to safeguarding and promoting the welfare of the children in education. This can only be achieved through sound procedures, good inter-agency cooperation and the recruitment of competent, motivated employees who are suited to and fulfilled in the roles they undertake.

The school will uphold its obligation under law and our own Equalities Policy to not discriminate against applicants for employment on the grounds of age, sex, sexual orientation, marital status, disability, race, colour, nationality, ethnic origin, religion or creed.

All posts within the school are exempt from the Rehabilitation of Offenders Act 1974 and therefore all applicants will be required to declare (unfiltered) spent and unspent convictions, cautions and bind-overs, and have Enhanced Disclosure and Barring Service clearance.

The school is committed to ensuring people who have been convicted are treated fairly and given every opportunity to establish their suitability for positions. Having a criminal record will not necessarily be a bar to obtaining a position.

### 1.0 When a Vacancy Occurs

#### 1.1 Decide whether to fill the vacancy

When a vacancy arises, you should consider whether or not it is necessary to recruit a direct replacement, taking into account the integrated school development plan and the school's agreed staffing structure. Considerations may include:

- is the job still needed in its present format, for example, are pupil numbers falling, or is a re-organisation of the staffing structure a necessity/possibility?
- what are the school's curriculum needs?
- is there sufficient money in the budget for the post in its current format?
- what are the implications of not filling the vacancy?
- could flexible working arrangements such as part-time or job share be offered?
- would it be better to reallocate tasks to others? If so, those affected should be fully consulted with their workloads taken into account
- are any changes to the job role anticipated which will require additional or different skill sets and will they have any salary/grade implications?
- does the job have an uncertain future - should we be making a temporary or fixed-term appointment? (If so, please see the Code of Practice on Fixed-term Contracts produced by School's Choice [HR](#))
- does the post need to be filled on a temporary basis pending recruitment at a later date?

## 2.0 Appointing a Selection Panel

### 2.1 Responsibility for Appointment

The main staffing functions of the governing body in a maintained school are set out in the [School Staffing \(England\) Regulations 2009](#) (amendments 2014) and supporting statutory guidance on [Managing staff employment in schools](#). Some of this guidance is statutory and governing bodies must have regard to it when exercising their functions under the Regulations.

The governing body of voluntary aided, foundation, trust, and foundation special schools are, in general, the employers of the school's teaching and non-teaching staff (although the LA may employ non-teaching staff directly if the governing body agrees). The LA does not have an automatic statutory right of attendance at appointment proceedings but the governing body may invite the LA to attend and give advice if it so wishes.

The governing body of a maintained school can delegate the power to appoint any member of staff outside of the leadership group (ie. Head teacher, Deputy Head teacher and Assistant Head teacher) to:

- the Head teacher
- one or more governors (with the right of the Head teacher to advise)
- one or more governors and the Head teacher

Other than in exceptional circumstances, governors should delegate the responsibility for appointment decisions and the lead role to the Head teacher. Whilst the Head teacher would normally be responsible for the appointment of all support staff in a school, the governing body may wish to be involved in the appointment process for some senior support staff roles, e.g. Bursars and Business Managers.

### 2.2 Composition of the Selection Panel

Selection panels will vary in size and composition depending on the post. It is important to have all appropriate persons, who are suitably trained and briefed, on the panel but without making it excessively large.

Wherever possible, the panel undertaking any interview should:

- comprise of between two and four members, including the line manager of the vacant position
- be representative of the local community in terms of race and balanced in terms of gender and age
- be representative of the governing body, for example, in the case of Head teacher appointments
- include at least one person who has received up to date recruitment training

(prior to embarking on the process, the panel should be clear as to how the decision will be made, e.g. determine who will have the final say if there is disagreement, or must it be a unanimous decision)

Whilst the involvement of staff governors in selection procedures is to be encouraged, always be mindful of the sensitivity relating to the post being recruited to, in particular their role and decision making capacity within the process. The involvement of a particular staff governor, for example, could lead to a conflict of interests.

### **2.3 The Role of the Selection Panel**

The selection panel will be responsible for all stages of the appointment, from the job description/person specification through to the interview and it is good practice for all members of the panel to attend all meetings relating to that appointment. The selection panel has a duty to

- Shortlist
- interview appropriate candidates
- following the interviews, meet to decide the outcome of the selection process and recommend to the governing body one of the candidates for appointment; and
- where the above recommendation is approved, recommend the applicant to the LA for appointment.

Where a recommendation to appoint is made as outlined above, the LA should appoint the recommended candidate unless he/she fails to meet the requirements relating to qualification, capability and the DSB check.

If the selection panel or governing body cannot agree on a person to recommend, or if the recommended person fails to meet the qualification or capability requirements, the governing body has two options:

- to recommend the second highest scoring candidate; or
- to re-advertise the vacancy

## 2.4 Appointing to Head teacher Posts

The Children, Young People and Families Directorate advises governors throughout the process of appointing a Head teacher and this will include advice on recruitment and selection procedures, salary grading, conditions of service, contracts, job descriptions and person specifications. Participation in and support with shortlisting, interviews and candidates' de-briefing are also offered.

The SCC HR Head teacher Recruitment Administration Service [Headships@suffolk.gov.uk](mailto:Headships@suffolk.gov.uk) has been designed to enhance the service provided to ensure that the minimum workload falls on governing bodies and school staff. This service includes all of the administrative processes at the heart of the recruitment process; including the placing of the advert, compiling the headship details, preparing and responding to requests for application forms and information packs, distributing application forms to panels, arranging interview venues, inviting candidates and requesting references.

All Head teacher (and Deputy Head teacher) vacancies must be advertised in a printed publication circulated throughout England and Wales, such as the Times Educational Supplement and on Suffolk Jobs Direct [www.suffolkjobsdirect.org](http://www.suffolkjobsdirect.org). The exemption here is where a school is subject to a re-structure, for example, where an Infant and Junior school merge to form a Primary School. Where a school is part of a statutory federation, governing bodies may decide to appoint a Head teacher (or Deputy Head teacher) who is already an existing Head teacher at another school within the federation, in which case a selection process would not be necessary.

Any decision not to advertise should only be taken in accordance with the School Staffing (England) Regulations 2009 (Amendments 2014) and where the Governing Body can demonstrate there is a good reason not to and that this does not leave them open to challenge. All decisions should be documented fully, as the governing body will need to demonstrate that it has acted reasonably if it is challenged.

Other appropriate sources of advertising can also be used to supplement the national advertising referred to above.

In terms of process:

- the governing body is reminded to appoint a selection panel of at least three of its members to recruit Head teachers
- the governing body must provide the LA with details of all shortlisted candidates
- the governing body is reminded to include the NPQH as a qualification requirement in the person specification

- the governing body's selection panel recommends an appointable candidate to the governing body for approval
- the LA has a right to attend all relevant meetings of the selection panel and has a duty to give advice that must be considered by the selection panel
- in the case of a church school, the diocese and arch diocese has a right to attend all relevant meetings of the selection panel and has a duty to give advice that must be considered by the selection panel only governors on the selection panel can vote and before making a decision, the governing body has a duty to consider any LA advice; and
- the LA must appoint a candidate recommended by the panel if the governing body approves the recommendation unless the candidate does not meet the staff qualifications requirements.

Where the LA has concerns about the suitability of a candidate, it must write to the selection panel within 7 days. The panel is required to consider the LA's representations and if it proceeds to interview and subsequently wishes to recommend the appointment of that candidate to the governing body, it must respond to the LA in writing. Furthermore, the correspondence must be made available to the whole of the governing body.

Where there is a gap between a Head teacher leaving and his/her replacement starting, the governing body is required to recommend a person to appoint as Acting Head. They can also choose to recommend an acting Deputy Head, if there is a similar situation at the Deputy Head level. The full advertising and interviewing process need not be followed in these instances, however, where there is more than one suitable candidate the appointments procedure must be followed. Upon the recommendation of a suitable candidate, the LA is required to appoint the recommended person, subject to qualifications and medical capability.

### **2.5 Appointing to Deputy Head teacher Posts**

The school's governing body decide how many, if any, Deputy Head teachers the school is to have. With the exception of the LA's right to make representations about unsuitable Head teacher candidates, the procedure for appointing Deputy Head teachers is the same as that for Head teachers.

### **2.6 Other Teaching and Support Staff**

The headteacher will normally take the lead in teacher recruitment and has the right to be consulted and attend all relevant selection meetings of governors. For Suffolk maintained schools, if the appointment is for longer than 4 months, the school must send a specification of the post to be filled to the local authority (via the Learning and Improvement Service) before making an appointment (Regulations 16(2) and 28

and in the DfE publication [School Staffing \(England\) Regulations 2009](#) (Amendments 2014). The County Council is entitled to send a representative to attend and offer advice at all proceedings relating to the selection of a teacher, but will not normally do so as a matter of course.

The governing body may delegate responsibility for recruitment to governors, senior staff and LA representatives, as appropriate.

Good practice would be for the panel to involve a minimum of three people to include the line manager of the vacant post accompanied by at least one of the following; the Head teacher, a Senior Manager within the school or a Governor.

Recommendations to appoint should be made to the LA which is required to appoint the recommended person, subject to conditions concerning qualifications and medical capability.

### 3.0 Writing a Job Description and Person Specification

#### 3.1 Job Descriptions

Everyone applying for a vacant job will want to know what they will be expected to do and the outcomes they will be responsible for. Without that degree of definition and clarity about where the post fits into the school's agreed structure, there is likely to be confusion and disagreement between employer and employee.

The job description should detail the purpose, tasks and responsibilities of the job. When a job is new it would be reasonable to review the job description's accuracy after six months, for example, and on a regular basis thereafter as part of the annual appraisal process. Similarly, an existing job becoming vacant presents an ideal opportunity to review and update the job description and person specification.

Job descriptions for teachers should not contain duties or responsibilities that are outside of those contained within the Conditions of Employment section of the National School Teachers' Pay and Conditions Document. There is also a need to be mindful of the National Agreement in relation to teachers' workload, the contractual changes and the need to address work-life balance issues.

Some points to include when writing an appropriate job description:

- the main purpose of the job : the job description should always be concise and make clear the main purpose of the job, followed by a list of the principal duties that the postholder will be required to perform. It also needs to include the reporting lines, i.e. responsible to and for

- special conditions, e.g. requirement to attend evening meetings , should be included
- the job description should be an accurate outline of the job role. Employees who have been misled by a job description are unlikely to stay for long
- the job description should include the post’s responsibility for promoting and safeguarding the welfare of children/young persons
- it is helpful to commence each duty with an ‘action verb’ that conveys the level of authority and responsibility attached to the job, eg. ‘to manage’ a budget implies a higher level of responsibility than ‘to monitor’ a budget; and

the list of duties should be carefully worded to avoid unlawful discrimination

- *Remember* - the job description plays a key role in the ‘selling’ of a job vacancy to prospective applicants. Furthermore, a good job description assists with the induction, training and performance management processes.

### 3.2 Person Specifications

Compiling a person specification allows an employer to profile the ideal person to fill the job. A person specification should be prepared which sets out the skills, aptitude, knowledge and general abilities that are required to do the job. These should be defined as either 'essential' or 'desirable' criteria:

**Essential criteria** are attributes that the postholder *must* have in order to carry out the job effectively. For example, a Head teacher must have Qualified Teacher Status and NPQH awarded or registered for NPQH (unless already a Head teacher).

**Desirable criteria** are attributes that will enhance job performance but do not necessarily mean that those lacking such attributes should be excluded from consideration.

Some points to include when writing a person specification:

- only include criteria that are relevant. The use of unjustified criteria may be both misleading and amount to unlawful discrimination, eg. the use of criteria such as ‘energetic’ or ‘physically fit’ is difficult to measure as well as potentially discriminatory. The use of criteria that discriminate directly or indirectly on age grounds should also be avoided, e.g. “young”, “mature” unless this can be objectively justified.
- similarly, only ask for experience that can be objectively justified. Be mindful that relevant experience could also be obtained outside of the working environment, e.g. voluntary work

- do not set qualification requirements unnecessarily high as they may result in the appointment of a person who will quickly become dissatisfied with the job. Furthermore, it may also reduce the field of applicants; and
- indicate your method of assessment, e.g. by application form, interview, test.

In addition to the candidate's ability to perform the duties of the post, the interview will also explore issues relating to safeguarding and promoting the welfare of children. It is recommended that you include the following points in the person specification:

- motivation to work with children and young people
- ability to form and maintain appropriate relationships and personal boundaries with children and young people
- emotional resilience in working with challenging behaviours
- attitudes to use of authority and maintaining discipline

*Also include in all person specifications the following:*

- this post will require an Enhanced DBS
- if the applicant is currently working with children, on either a paid or voluntary basis, his/her current employer will be asked about any disciplinary offences relating to children including "time expired" offences, whether the applicant has been the subject of any child protection concerns, and the outcome of any enquiry or disciplinary procedure.

Advice and guidance on preparing job descriptions and person specifications, as well as related grading matters. It is particularly advisable to seek guidance on the grading of support posts in view of the possible equal pay implications.

Under no circumstances should the person specification be completed or revised after the selection panel has had access to the applications.

#### **4.0 Writing an Advertisement**

Composing the advertisement is a critical element of the recruitment process, given the importance of projecting the school in the best possible light in what is an extremely competitive market.

Advertisements will vary considerably according to the job role and the media to be used, but the following checklist will be appropriate to most jobs:

- job title
- job location
- salary and any other benefits
- information about the school
- hours of work
- type of contract, permanent, fixed term, temporary, etc
- reference to the school's progress in relation to the remodelling agenda, ie staff workloads and work/life balance
- main purpose or responsibilities of the job
- main criteria sought in the successful applicant
- the procedure for applying, including an address, telephone number, e-mail address and named contact person
- dates of interviews and tests (where appropriate)
- the post is subject to an Enhanced CRB Disclosure
- a realistic closing date – a minimum of 2 weeks from the date of publication is recommended
- logos and website addresses for the school and Suffolk County Council
- a statement of commitment to equality of opportunity

Ensure that the wording of the advertisement encourages applications from all suitable candidates irrespective of gender, race, disability, age, religion and marital status. Also ensure that the contents, particularly salary and other benefits, are accurate.

The advertisement should also include school's commitment to safeguarding and promoting the welfare of children and young people and that it expects all staff & volunteers to share this commitment.

You should avoid the following:

- gender-specific language, eg Headmaster, Groundsman.
- language that suggests that race will be a consideration in filling the job, e.g. asking for English as a first language or a UK education.
- language that might discourage applications from disabled people, e.g. that applicants should be 'fit and energetic'.
- pictures or graphics that might be interpreted as indicating any of the above intentions.
- language that discourages applicants from a particular age range or reference to a preferred age range (unless it can be objectively justified)
- Jargon; and

- superfluous detail or misleading information.

It is important that all documentation, i.e. job descriptions, person specifications, information to applicants, is appropriate and of a high quality since this whole process is a marketing and public relations exercise. A culture of professional openness, where maximum information about the post and the school is made available to all potential applicants, is to be encouraged.

In your information to prospective applicants you should include a copy of your school Safeguarding Policy/Procedure and that all candidates, if shortlisted, must bring in proof of identity.

## 5.0 Placing the Advertisement

**5.1** The process of advertising a vacancy needs to be undertaken carefully so as to ensure the best response whilst achieving best value at the same time. The object is to attract a sufficient selection of good quality candidates. Suffolk HR will arrange for the vacancy to be advertised, using the benefit from discounts with frequently used publications as well as the expertise of their advertising agency.

Media used for such advertisements will include:

- \* *national press* – advertising in the national press is expensive but likely to produce a good response. National publications catering for ethnic minority groups can also be used. Remember that all Head teacher and Deputy Head teacher vacancies must be advertised in a printed publication circulated throughout England and Wales
- \* *specialist and professional journals* – often less expensive than the national press, these journals, which include religious publications and ethnic press, can guarantee to reach specific groups of potential applicants for specialist and professional vacancies
- \* *internet* – an expanding recruitment medium which will target people who are computer literate and have access to the web at their home, place of study or work. Whilst this is a cost effective option, it should not be used exclusively.
- \* *local newspapers, radio* – used for less specialised jobs, or to target groups in a particular locality, advertisements in the local media can often produce a good response
- \* *school noticeboard* - this may be suitable for certain vacancies, eg midday supervisors

## 6.0 Shortlisting Applicants

It is essential that the same selection panel should both shortlist and interview candidates. When shortlisting:

- keep a record of the meeting of the panel; detailing who was present, points raised, decisions reached
- if any applicants who meet the essential criteria and are employees of the County Council and at risk of redundancy, they should be given priority consideration at this stage. It must be stressed that they must meet the minimum essential criteria
- each application must be measured against the essential criteria set out in the person specification and being mindful of the method of assessment identified
- internal candidates are not guaranteed an interview and must also meet the minimum essential criteria
- if the number of candidates meeting the essential criteria is too large, desirable criteria should be used to reduce the field to a manageable size
- in reading applications, always be vigilant looking out for any unexplained gaps in the employment history or uncertainties over names used; and
- it is helpful to use a standard form for recording the reasons why candidates have, or have not, been shortlisted with clear reference being made to the criteria set out in the job description and person specification.

Candidates who have not been shortlisted should be informed in writing, unless they have already been informed that those not receiving a response by a specified date should assume that they have not have been shortlisted.

Applicants who believe they have been unlawfully discriminated against have the right to complain via an Employment Tribunal and, therefore, all notes should be kept for at least 6 months following the date of the interview. Furthermore, it is good practice to provide feedback to applicants when requested and such notes will help you in that process.

## 7.0 Checking for References and Qualifications

### 7.1 References

In accordance with the practice for all posts having access to children and young people, references should be requested as soon as candidates have been shortlisted for interview. These should be sought in an appropriate manner and subsequently used in a fair and agreed way by the selection panel throughout the process. Those candidates who have hitherto indicated that they do not want their referees to be contacted should now be asked to give permission to do so. References that have been obtained prior to the interview allow any issues of concern raised by the reference to be explored further with the referee and taken up with the candidate during the interview if necessary.

A new reference should be obtained in respect of each appointment irrespective of the fact that a reference relating to the same candidate may have been obtained for an earlier vacancy. References should be obtained from the candidate's current or most recent employer.

The application form should request both professional and character references, one of which should be from the applicant's current or most recent employer. Additional references may be asked for where appropriate. For example, where the applicant is not currently working with children, but has done so in the past, a reference from that employer should be asked for in addition to that from the current or most recent employer if this is different. Careful consideration need to be given to applicants who have been working as a locum or with an agency on a series of temporary contracts. The need to ask for additional references, i.e. the last permanent employer should be considered.

References should contain objective verifiable information and in order to achieve this, a reference pro-forma with questions relating to the candidate's suitability to work with children should be provided. The use of telephone references is not good practice and should be discouraged. In situations where a reference is not provided in time, this should not prevent the candidate's application from going forward if s/he meets the criteria.

The referee should be asked to confirm whether the applicant has been the subject of any disciplinary sanctions. Furthermore, the referee should be asked whether the applicant has had any allegations made against him/her, concerns raised relating to either the safety or welfare of children and young people, or about the applicant's behaviour towards children or young people.

Details about the outcome of any concerns or allegations should be sought. The references should be checked carefully with the application form to identify any possible discrepancies.

If the applicant claims to have specific qualifications or experience relevant to working with children which may not be verified by a reference, the facts should be verified by making contact with the relevant body or previous employer, and any discrepancy explored during the interview.

Reference requests should include a copy of the job description, person specification and any other relevant information. They should also indicate the date by which a reply is required. It is helpful to ask specific questions of the referee, covering areas such as:

- the capacity in which they know the applicant
- dates of employment
- standard of work
- previous contact and work with children • the applicant's absence record.
- whether there is any outstanding action or sanction in connection with conduct or capability; and
- the applicant's suitability for the post applied for

Where the response from the referee appears unclear, or questions asked remain unanswered, clarification must be sought.

No offer of appointment - verbal or written - is to be made prior to receipt of suitable references. Where references have not been received, it is suggested that you inform the 'successful' candidate that you are interested in pursuing the candidate's application and now wish to seek references. There may be occasions when references are not forthcoming for whatever reason and, in this case, a candidate should be given the opportunity to provide the details of an alternative referee.

In order to make an offer, two satisfactory references must be received, one of which is the current or most recent employer. Where the candidate is a school or college leaver, the reference should be from that educational establishment.

## **7.2 Qualifications**

It is essential that all qualifications that are relevant to the job should be checked before any appointment is made. The most convenient means to do this is to ask shortlisted candidates to bring their original documents with them when invited for interview.

## **8.0 Selecting an Applicant**

### **8.1 Preparing for Interview**

Be mindful that the interview stage is another area where allegations of unfair or discriminatory treatment can arise and therefore care should be taken here to ensure that all processes are fair and justifiable.

Firstly, it is good practice to offer the opportunity for candidates to visit the school prior to the interview process.

All candidates invited for interview should be given sufficient time to make arrangements to attend the selection process and to carry out any preparatory work required beforehand, ensuring that they have access to all the required information. A minimum of seven days prior notice is recommended. Where the interview process for a teaching post is to include observed teaching, it is good practice for full and clear details of the teaching task(s) and the evaluation process to be given to the candidates as far in advance as possible.

Candidates should be informed of claimable expenses and the method for submitting claims (costs associated with recruitment are charged against the school's delegated budget).

Candidates should also be asked whether they have any particular requirements for the selection process relating to disability and if they would like to visit the school prior to the interview. All practicable steps should be made to accommodate any such need.

Candidates should be reminded that, if successful, their qualifications and suitability to work with children will need to be thoroughly checked.

Before the selection process, each member of the panel should receive:

- a timetable for the process which allows sufficient time for each interview
- a list of the candidates to be assessed; and
- copies of the completed application forms and a job description and person specification

and then decide:

- who will chair the panel
- the role that each member of the panel will play
- the core questions to be asked of the candidates.
- the sequence and structure of the process
- the desired responses to the questions and how these relate to a scoring matrix; and
- how the assessment of the candidates will be conducted

A score sheet pro-forma can be found in **Section 15.0** of these guidelines.

## 8.2 The Interview

The aims of an interview are to:

- determine the suitability of the candidates for the post based on objective information and in relation to the job description and person specification
- ensure that all candidates receive the same 'pre-selection' information and that they each enjoy a fair opportunity to present themselves
- ensure that all candidates receive a clear picture of the organisation and the expectations of the role
- maintain the school's image as a good employer; and
- provide the opportunity for candidates to ask questions.

It is important that interview questions relate to the selection criteria stated on the person specification in order that the candidate's answers can be assessed and rated. It is perfectly acceptable to ask specific questions to clarify and supplement the information provided in the candidate's application form. An interview panel must, for example, seek clarification on any apparent employment gaps or where dates of employment do not tally, particularly where the postholder will have access to children.

The candidate's attitude toward children and young people in general should be tested and also their commitment to safeguarding and promoting the welfare of children in particular. The following areas should be explored with applicants in the interview:

- their motivation and reasons for working with children
- their attitudes and behaviour about control and punishment
- their perceptions about the boundaries of acceptable behaviour towards children
- their ability to form and maintain professional relationships
- their personal belief systems, including attitudes to, perception of and sensitivity to sexual images of children
- their understanding of safeguarding children

### **Suggested questions in this area :**

- *safeguarding children is an important part of our work. Can you give some examples of how you would contribute to making the organisation a safer environment for children?*
- *Tell me about a time when a child or young person behaved in a way that caused you concern. How did you deal with this and who did you involve?*
- *Why do you want to work with children? What do you think you have to offer? Give an example of how children have benefited from contact with you?*

Panel members should also be reminded that all notes taken should be as objective as possible. Under the Data Protection Act 1998 (2003), the potential exists for interviewees to see the notes made about them.

Interviewing arrangements should include the following:

- informal seating arrangements that put candidates at ease. An interview 'across a desk' can impose a barrier
- comfortable lighting arrangements. The candidate should not be facing bright lights or strong sunlight
- thoughtful refreshment arrangements – if the panel have coffee, offer the same to candidates; and
- freedom from interruptions – place a sign on the door and divert the telephone.

Possible supplements to the selection interview may include:

**Presentations** – these can demonstrate an individual's ability to research a topic and present it concisely and effectively to a targeted audience. These are often used where the postholder will be expected to address groups or to present information as part of the job role.

**Controlled group** – teachers can be asked to prepare specific tasks in their subject for a group.

**'In tray' exercises** – often used for clerical or administrative roles, these can demonstrate an individual's ability to prioritise and use their time efficiently.

**Observed group discussions** – commonly used for more senior posts, these demonstrate personal and interactive skills. They can be helpful in assessing a candidate's communication skills, ability to influence or suitability for team working. Observers should, however, be trained in, and have an understanding, of the process of observation.

**Practical tests** – these are suitable where jobs require specific skills that can be readily assessed, e.g. numeracy, keyboard skills etc. Any tests chosen should be relevant to the job description and person specification. The test should, as far as possible, be a task the applicants would normally face in the job role.

**Psychometric tests** – these can measure technical skills, general intelligence, aptitudes and personality. Tests must only be conducted, and the results interpreted,

by qualified assessors. This type of selection process is expensive and usually confined to senior management positions.

Be mindful that any one of these tests thought through and properly prepared will require you to take time and resources to actually put into place if they are to be effective. Remember to include these alternative methods on the person specification and the criteria to which they are related.

It is important to be clear about the weighting that each activity will carry. For example, the interview may count towards 50% of your scoring a candidate, whilst the other activities combined may make up the remaining 50% of the scoring. If the candidates are meeting a group of staff, think carefully how this will be managed and how it will be fed back to the selection panel. There is the potential for discriminatory practice here if due care is not taken.

### **8.3 Making a Decision**

Panel members should separately score the candidates using the matrix score sheet. **See Section 15 pro-formas.** They should then share their scores with other panel members and discuss their reasons for reaching this score. This discussion should result in a jointly agreed score for each candidate.

Notes taken during the selection process should be collated and matched against the criteria set out in the person specification. Always remember that under the Data Protection Act 1998, candidates may have access to these notes.

Even though it is important that any appointment will complement an existing team in the pursuit of its objectives, it is important not to select a candidate based on vague general conclusions and because they would 'fit in'. Selection on this basis could attract an accusation of discrimination.

If the panel is not able to decide on a candidate because of lack of suitability, do not be afraid to refrain from making an offer of appointment. Long term, it is far better to try again rather than make the wrong appointment for the sake of filling the vacancy quickly.

After making a selection, references should also then be examined as a means of confirming the panel's decision and therefore it is important to have satisfactory references. An appointment should only be made where the references confirm the candidate's suitability and there are no outstanding disciplinary proceedings or

allegations. If the references are not satisfactory, there will be a need to follow them up and seek clarification.

## 9.0 After the Selection Process

### 9.1 Informing the Successful Candidate

The successful candidate may have been given an oral offer at the end of the selection process. This should be followed up by letter or by e-mail as soon as possible.

It is important to be very clear about the conditions upon which the offer is made, e.g. subject to medical clearance, receipt of satisfactory references, proof of qualifications, criminal records checks, eligibility to work in the UK.

### 9.2 Informing Unsuccessful Candidates

It is important to inform unsuccessful candidates and the best way of doing this is by telephone. This can be followed up by a letter or e-mail. In all but exceptional circumstances this should be done within five working days.

Unsuccessful candidates should normally be offered the opportunity to discuss their performance in the selection process if they wish and constructive feedback provided.

Recruiting managers should aim to leave unsuccessful applicants feeling that they have been treated fairly and with a favourable impression of the school.

### 9.3 Informing HR

Schools should give HR details of the successful candidate as soon as possible by completing the new employee forms. It is helpful to provide the documentation to HR via these forms as early as possible due to the payroll deadlines and to ensure that new employees are paid accordingly. Examples of these proformas can be found in **Section 15.0**

### 9.4 Keeping Recruitment Records

In order to comply with the Data Protection Act 1998 (2003), all personal data obtained in the course of the recruitment process (applications, references, interview notes, test scores, etc.) with the exception of data which is transferred to the appointee's personal file, should be kept in a secure place for a period of six months and then systematically destroyed.

## 10.0 Checking Eligibility for Employment

Each new appointee should be given an appointment pack which contains details of all checks. Please see **Section 10.4** for eligibility to work in the UK. It is important that casual and sessional staff are also subject to the appropriate checks detailed below and that these are completed prior to taking up appointment.

### **10.1 National College for Teaching & Leadership**

It is a legal requirement that all qualified teachers should be registered with the National College for Teaching & Leadership before starting employment.

### **10.2 Disclosure and barring service (DBS checks)**

The DBS is responsible for administering three types of checks:

- Standard: a check of the Police National Computer (PNC) records of convictions, cautions, reprimands and warnings
- Enhanced: a check of the PNC records as above, plus other information held by the police that is considered relevant by the police
- Enhanced with barred list information: for people working in regulated activity with children. This adds checks of the DBS Children's Barred List to the enhanced check.

A DBS certificate must be obtained from the candidate before or as soon as practicable after appointment. A separate barred list check must be made if an individual is to start work in regulated activity before the DBS certificate is available. A person may not be employed to work with children or young people if they are barred by the Disclosure and Barring Service, i.e. their name appears on DFE Barred List.

In addition, information regarding convictions, cautions, reprimands or warnings provided as part of a DBS check may suggest that the person offered an appointment is unsuitable for that post. Schools should actively follow up on progress with applications. Once received, applicants must bring their DBS certificate into school to be checked, both in terms of contents and authenticity.

Alternatively, if the applicant has subscribed to it and gives permission, the school may undertake an online update check through the DBS Update Service. Individuals can join the DBS Update Service when applying for a new DBS check, which will allow them to re-use this check when applying for similar jobs. Please note that the Update Service does not mean that the DBS check is universally portable. With the individual's consent, schools can go online and carry out a free, instant check to see if a new certificate is required: [www.gov.uk/dbs-update-service](http://www.gov.uk/dbs-update-service).

In circumstances where a positive disclosure is received (i.e. a conviction or caution is present on a DBS certificate), advice should be sought from the designated HR caseworker who will support the school through the risk assessment process and also provide advice on the appropriateness of the individual's appointment.

### 10.3 Disqualification by Association

Under the Childcare (Disqualification) Regulations 2009 and in line with Disqualification by Association Guidance February 2015, made under the Childcare Act 2006, individuals may be disqualified from providing certain early and later years childcare or being directly concerned with the management of that provision, where they are included in the Children's Barred List, have committed certain violent and sexual criminal offences or because of certain orders or determinations made in relation to the care of children, childcare and private fostering.

Schools are required to ensure relevant staff (including those undertaking training in schools (both salaried and unsalaried), casual workers and volunteers) are made aware of the legislation, including that they may be disqualified 'by association' where they live in the same household as a disqualified person or in a household in which a disqualified person is employed. Schools must ensure they do not knowingly employ a person who is disqualified.

The following categories of staff are covered by the legislation:

- **Staff who work in early years childcare.** This covers the age range from birth until 1 September following a child's fifth birthday and includes education, childcare and any supervised activity during or outside of school hours.

The DfE statutory advice states those providing education, childcare or supervised activity during school hours to children above reception age are not covered by the legislation.

- **Staff providing certain later years childcare.** Relevant later years provision is defined as childcare provided by the school outside of school hours for children above reception age but who have not attained the age of 8. This does not include education or supervised activity for such children during school hours (including extended school hours for co-curricular learning activities, such as the school's choir or sports teams) but does apply to before school settings, such as breakfast clubs, and after school provision.
- **Staff who are directly concerned in the management of such early or later years provision.**

Staff such as caretakers, cleaners, drivers, transport escorts, catering and office staff, who are not employed to directly provide childcare, are not covered by the legislation. The DfE statutory advice explains, "Similarly most staff that are only occasionally deployed and are not regularly required to work in relevant childcare will not automatically come within the scope of the legislation. Schools and local authorities should exercise their judgement about when and whether such staff are within scope, evaluating and recording any risks and control measures put in place, and taking advice from the school or authority's HR provider, Local Authority

Designated Officer (LADO), safeguarding lead officer or adviser when appropriate. A record of the assessment should be retained on the employee's personnel file." Where the legislation is relevant to the role, it is recommended schools ask applicants to complete a staff self-declaration form prior to commencing work. It is recommended that this is requested early on in the recruitment process, to allow time for consideration of any positive declaration. Although an individual can usually apply for a waiver of disqualification, they may not work in relevant childcare or the management of such provision while a waiver application is being considered.

The criteria for disqualification under the 2006 Act and 2009 Regulations include:

- a. Inclusion on the Disclosure and Barring Service (DBS) Children's Barred List;
- b. Being found to have committed certain violent and sexual criminal offences against children and adults which are referred to in regulation 4 and Schedules 2 and 3 of the 2009 Regulations (note that regulation 4 also refers to offences that are listed in other pieces of legislation);
- c. Certain orders made in relation to the care of children which are referred to in regulation 4 and listed at Schedule 1 of the 2009 Regulations (*in relation to England, the only relevant order for these purposes is a Care Order under the Children Act 1989, or equivalent under previous legislation*);
- d. Refusal or cancellation of registration relating to childcare\*, or children's homes, or being prohibited from private fostering\*\*, as specified in Schedule 1 of the 2009 Regulations;
- e. Living in the same household where another person who is disqualified lives or is employed (disqualification 'by association') as specified in regulation 9 of the 2009 Regulations;
- f. Being found to have committed an offence overseas which would constitute an offence regarding disqualification under the 2009 Regulations if it had been done in any part of the United Kingdom.

The above list and the DfE statutory advice are not comprehensive. Further details about the specific orders and offences which will lead to disqualification are set out in the 2009 Regulations: [The Childcare \(Disqualification\) Regulations 2009](#). And [Disqualification Under The Childcare Act June 2016](#)

## 10.4 Teacher Prohibition Order checks

The Secretary of State may decide to impose a Prohibition Order on a teacher following a finding by the National College for Teaching and Leadership (NCTL) of “unacceptable professional conduct”, “conduct that may bring the profession into disrepute” or a “conviction, at any time, of a relevant offence.” A prohibition order is a lifetime ban, although in some circumstances the teacher may be able to make a request to have it reviewed after a specified period of time, and interim orders may be issued pending consideration of a case by the NCTL.

Schools are required to check that a candidate to be employed as a teacher is not subject to a prohibition order issued by the Secretary of State. This check will be undertaken by Schools HR Team when receiving any teaching appointment instruction. The school will be notified of the outcome of the check by email. Alternatively, schools can check for any Prohibition Order using the Employer Access Online service: <https://www.gov.uk/teacher-status-checks-information-for-employers>. The Prohibition Order check will also identify any prohibitions and sanctions made by the General Teaching Council for England (GTCE) before its abolition at the end of March 2012, and provide information about any teacher qualifications held and whether induction has been passed.

From 18 January 2016, schools can use the [Employer Access \(AE\) online service](#) to identify restrictions imposed by all authorities in the European Economic Area (EEA).

This service is in addition to the teacher prohibition pre-appointment checks. Restrictions imposed by another EEA authority do not prevent an individual from taking up teaching positions in England. However, schools should consider the circumstances leading to the restriction when considering a candidate’s suitability. The EA online service explains how to get information about EEA restrictions.

The EA online service is due to be updated in late February to include a separate EEA sanction list. In the meantime schools should access the ‘teachers prohibited from the profession’ list to check EEA authority restrictions in force.

Schools can’t use the general search function to identify these restrictions. The EA online service will only identify EEA sanctions made after 18 January 2016.

## 10.5 Medical Procedures

Legislation requires that the Local Authority (LA) should be satisfied with the health and physical capability of any employee who will have regular contact with children.

All employees will, therefore, be required to provide a medical statement of fitness when first appointed to the service of the LA by completing a pre-employment questionnaire. The questionnaire is in two parts; if the employee answers ‘yes’ to any of the questions in part 1, then they are required to answer further questions in part 2. Further investigation is carried out by the Occupational Health Adviser and

advice given regarding the individual's fitness for work. The LA is responsible for obtaining this report.

Where there are doubts about an applicant's fitness to work in a school, the LA will discuss the matter with the Head teacher and/or Chair of governors before any decision is made.

## **10.6 Eligibility to Work in the UK**

### Law on preventing illegal working - Checking documentation

Under the Immigration, Asylum and Nationality Act 2006, employers are required to verify an employee's right to work in the UK before employment begins. (From 15 May 2014, an employer who hires someone who is not entitled to work in the UK can be subject to a civil penalty of up to £20,000 for each person found to be working illegally, or a prison sentence of up to two years.)

It is recommended that schools complete right to work checks at the interview stage of the recruitment process. Schools are encouraged to use the Home Office's [Right to work checklist - November 2014](#) when checking documents.

Schools can ensure they do not discriminate by treating all applicants in the same way. No assumption should be made about a person's right to work in the UK or their immigration status on the basis of their colour, nationality, ethnic or national origins, accent or length of time they have been resident in the UK.

Under the changes, you must now ask all of your potential employees to provide:

- **one** of the original documents included in List 1 of the Home Office's listing of approved documentation OR
- **two** of the original documents in the combinations given in List 2 of the Home Office's listing of approved documentation.

There is no longer the need to ask your potential employee to produce documents from both List 1 and List 2.

Whilst a DBS check considers any criminal record in the UK, it cannot currently assess criminal records held overseas. Therefore, the school will ask any candidate who has lived outside of the UK for more than 6 months in the past 5 years, to obtain a criminal record check from the country they lived in. This is commonly referred to as a 'Certificate of Good Conduct' but has many different names including Certificate of Clearance and Certificate of no Criminal Conviction. The candidate will need to obtain a Certificate of Good Conduct in addition to a DBS check.

The application process for criminal records checks or 'Certificates of Good Conduct' varies from country to country. Candidates will have to apply in the country or to the relevant embassy in the UK.

Candidates may also wish to contact the police authorities in the area in which they stayed and should request that the Certificate of Good Conduct is issued in English or obtain a certified translation of the certificate.

### **Work Permits**

Please remember that, if you are considering employing someone who is not a national of a European Union country, you will have to check first of all whether they are eligible to work in the United Kingdom. Anyone who is eligible to work here will have the appropriate entry stamps in their passport. If they do not, they will need a work permit, which should be applied for before the person takes up work. There is a very useful website

**[www.workpermits.gov.uk](http://www.workpermits.gov.uk)** which gives a great deal of information, including an Employers' Section containing examples of the various entry stamps issued by immigration officers.

It is extremely important that the correct documentation is checked and care is taken when verifying the candidate.

**Pre-employment checks** - Schools are required to compile a single, central record of completed recruitment and vetting records. The central record must state whether checks have been completed and include the date on which each check was completed and by whom. Ofsted do check that the correct record system is in place and that it is sufficiently robust.

### **11.0 Planning Induction**

Now that an appointment has been made, the induction programme for the new appointee needs to be planned well in advance of the appointment date. Induction sessions should not be held during lunch breaks or outside of normal directed time.

The induction of all newly appointed staff must include an introduction to the school's safeguarding policies and procedures. This should include being made aware of the identity and specific responsibilities of those staff with designated safeguarding responsibilities.

New staff members must receive health and safety induction. In addition, they must be provided with information about safe practice and given a full explanation of their role and responsibilities and the standard of conduct and behaviour expected. They should also be made aware of the school's personnel procedures relating to disciplinary issues and the relevant whistle blowing policy.

The programme of induction should also include attendance at safeguarding training at a level appropriate to the member of staff's work with children.

Head teachers/Managers should ensure that staff are adequately and appropriately supervised/supported and that they have ready access to advice, expertise and management support in all matters relating to safeguarding.

The overall induction process is likely to span a period of weeks, or even months, depending upon the job involved. Although not exhaustive, and in no particular order, the following checklist outlines items that may need to be included in an induction programme:

- introductions to new colleagues
- timetable
- duty systems
- the layout of the school
- safeguarding procedures
- health and safety information including fire evacuation procedures
- classroom practice including the school's behaviour policy
- diary meetings and other known commitments
- continuous professional development
- issuing of security pass, identity badge, keys etc
- transport arrangements, including car parking
- ICT and telephone facilities
- details of how to join a trade union and the name of local representatives

It is also helpful to check with the new member of staff that they have received the following:

- arrangements for paying salaries (ensure that details for payment into a bank or building society
- details of the pension scheme; and
- a written statement of particulars of employment

## 12.0 Appointment Process - Checklist

<b>Action</b>	<b>Name of person responsible</b>	<b>Target date</b>
Decide on the need to fill the vacancy taking into account curriculum, organisational and budgetary aspects		
An appropriate and representative selection panel identified		
Relevant job description and person specification written		
Timescale drawn up – agree shortlisting and interview dates, venue and associated arrangements		
Application packs (including job description, person specification and monitoring forms) prepared and available		
Additional information sheets for applicants prepared as appropriate		
Candidates invited for interview		
Additional information sheets for applicants prepared as appropriate		
References requested		
Interviews held		
Successful applicant informed		
Unsuccessful candidates informed		
Notes taken at the shortlisting and interview stages retained		

<p>Appropriate appointment pack issued to successful candidate (Part A of the Medical Statement of Fitness form contained in the pack to be completed by the school first). It is advisable to issue this pack immediately after contacting the successful candidate to ensure medical and police checks are completed before the person takes up their post.</p>		
<p>Teaching staff appointments – copy of application form with form and Salary</p>		
<p>Support staff appointments – send copy of application form to HR</p>		
<p>Equal Opportunities monitoring summary sheet completed and forwarded with the monitoring sheets to <u>HR</u></p>		

## 13.0 Personal File Records

The school (from 2008) will retain the following information, which will make up part of the personal file for the successful candidate:

- Application form
- References
- Proof of identification
- Proof of academic qualifications
- Evidence of medical clearance from Occupational Health (where applicable)
- Evidence of the DBS clearance (certificate reference number)
- Certificate of Good Conduct (where applicable to DBS checks)
- Positive Disclosure Review sheet (maintained if applicable/agreed)

### 13.1 Single Central Record

In line with DfE requirements, the school will keep and maintain a single central record of recruitment and vetting checks. The central list will record all staff who are employed at the school, including casual staff, supply staff whether employed directly or through an agency, volunteer, governors who also work as volunteers, and those who provide regular additional teaching or instruction for pupils but who are not staff members (e.g.: regular specialist workshop leaders).

The central record will indicate whether or not the following have been completed:

- Identity checks
- Qualification checks for any qualifications legally required for the job
- Checks of right to work in the UK
- DBS Enhanced Disclosure and Children's Barred List Check
- Further overseas records where appropriate

It shall also indicate who undertook the check and the date on which the check was completed or the relevant certificate obtained.

In order to record supply staff provided through an agency on the record, the school will require written confirmation from the agency that it has satisfactorily completed the checks described above. The school does not need to carry out checks itself except where there is information contained within the disclosure.

## 13.2 Volunteers & Regulated Activity

The school welcomes the active involvement of parents, volunteers and members of the local community in school life. Parents and carers frequently help at school and on trips and outings on an occasional basis to support the curriculum, closely supervised by a member of staff.

These helpers are not considered to be engaged in regulated activity and are not subject to the Safer Recruitment Procedures.

Guidelines for parents helping in school are provided in the Volunteer Behaviour Policy and guidance.

The school uses the following steps when deciding whether a new volunteer will be supervised to such a level that they are not in regulated activity:

- Consider whether the worker is doing work that, if unsupervised, would be regulated activity. If the worker is not, the remaining steps are unnecessary;
- Consider whether the worker will be supervised by a person in regulated activity, and whether the supervision will be regular and day to day
- Consider whether the supervision will be reasonable in all circumstances to ensure the protection of children

All volunteers engaged in regulated activity are subject to the Safer Recruitment Procedures set out above.

All volunteers in regulated activity receive an induction (including Safeguarding and Health & Safety Policies and procedures and Staff Behaviour Policy) and ongoing supervision with a key teacher or line manager

## 14.0 Frequently Asked Questions

**Q.** A member of staff wishes to withdraw their resignation whilst still in employment. Can this be done?

**A.** The withdrawal of notice is at the discretion of the Head teacher (the governing body in the case of the Head teacher). There is no obligation to accept a withdrawal of notice. In considering the request, be mindful of previous decisions where similar situations and circumstances have arisen, or indeed, how the decision may impact on future occasions.

**Q.** Should all members of a selection panel take notes during the interview?

**A.** Yes, this is particularly important at the decision-making stage. Remember to advise the candidate that you will be writing during the interview; usually the person asking the questions will be unable to take comprehensive notes as they will be maintaining eye contact and listening.

**Q.** A shortlisted candidate is unable to attend the interview date/time. Am I obliged to re-arrange the interview?

**A.** No, However, you may be able to accommodate the request, for example, where the interviews are being held over a number of days. This would be at your discretion and you are not obliged to re-arrange the interview. If, as a reasonable employer, you do re-arrange an interview date, always be mindful of other similar requests and your ability to facilitate them. You should not use this as an opportunity to deliberately exclude a candidate. Where timescales are tight, for example, it may be helpful to include the planned interview dates in the advertisement in order to pre-warn candidates.

**Q.** Having advertised my post, I received only one application. This person meets the essential criteria outlined in the person specification but I was hoping to interview a number of candidates in order to measure against them.

What should I do?

**A.** Since your applicant meets the essential criteria, then he/she should be interviewed. Applicants should be measured against the person specification, not other applicants. It is, therefore, perfectly feasible to interview only one applicant.

**Q.** I am in the process of writing a person specification and would like to include the following criteria: “Must be able to work under pressure” and “Able to handle stressful situations”. Can I do this?

**A.** It is advisable not to include such criteria since these are subjective, difficult to measure and potentially discriminatory. You would be advised to identify the specific skills required, for example, “Ability to manage a diverse workload and to work to competing deadlines” or “To deal sensitively with persons who may be upset or difficult.”

15.0 Pro-Forma

PRESENTATION / INTERVIEW SCORESHEET

Panel Member.....

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Candidate:

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Please indicate your assessment of the candidate’s response to each of the items on the agenda by ticking the appropriate box. Scores will be allocated as follows:

Excellent (5 points), Good (4 points), Adequate (3 points), Poor (2 points), Not addressed (0 points)

Criterion	E	G	A	P	N	Comments


Are there any other relevant comments that you would like to make in respect of the candidates presentation/interview? What are their main strengths and weaknesses?