The Beacon
Pupil Referral Unit

Recruitment and Selection for Maintained Schools and Academies

worcestershire county council

WORCESTERSHIRE CHILDREN FIRST

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Introduction and scope

This policy on recruitment and selection applies to the appointment of all staff (including Headteachers) to maintained schools and academies in Worcestershire. Governing Bodies of voluntary aided schools which have adopted the relevant Diocesan Schools Commission or National Society guidance documents should use those documents. Support and advice is available from HR Consultancy for Schools in this case, as well as from The Diocesan Schools Commission for Catholic schools and the Diocesan Board of Education for Church of England schools.

Safeguarding and Safer Recruitment

Worcestershire County Council is committed to safeguarding and promoting the welfare of children and young people and expects all school employees and volunteers to share this commitment.

The safeguarding of children and young people must be central to every stage of the recruitment and selection process.

A Safer Recruitment Process

Those responsible for recruitment need to ensure that:

- time is set aside for planning the process;
- there are clear Job Descriptions and Person Specifications for every post within the school, which state the boundaries and expectations of the role and include a statement of the post holder's responsibility for safeguarding;
- clear messages about safeguarding are sent to candidates from the outset. All recruitment documentation, starting with the job advert, **must** include an explicit statement confirming the school's commitment to the safeguarding of children and young people, as well as the requirement for successful applicants to undertake a Disclosure & Barring Service (DBS) check.

  The following example may be used:

  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 successful applicant will be required to undertake an Enhanced Disclosure via the Disclosure & Barring Service.

- only application forms are used, not CVs;

- appropriate online searches are undertaken on all shortlisted candidates, for safeguarding suitability, as part of the due diligence

- references are obtained, before interview wherever possible, which include specific enquiries about the applicant's background in relation to safeguarding, and ensure that references are given proper weight and consideration in the selection process;

- as a minimum, the selection process involves a face-to-face interview and where possible another appropriate method (role-play, presentation, teaching a lesson, participating in activities with children under observation, etc.

- probing questions are asked at interview to assess candidates' motives, attitudes and behaviours, as well as skills and experience, including questions that cover safeguarding issues;

- there is an ongoing culture of vigilance in the school through effective induction and regular discussion;

- ensure that panel members are familiar with the principles of Safer Recruitment. For maintained schools it remains a **statutory requirement** that at least one member of the panel has undertaken Safer Recruitment training and is recommended for academies. Some schools use the NSPCC (https://learning.nspcc.org.uk/training/safer-recruitment) and there are a number of other providers.

Equal Opportunities and avoiding Discrimination

You should ensure that every applicant, whether internal or external, is treated fairly throughout the recruitment process and that they are assessed against selection criteria which relate ***only*** to the requirements of the job. Selection criteria must comply with the Equality Act 2010 and relevant codes of practice and should not be unnecessarily restrictive in terms of other factors, e.g. qualifications.

The Equality Act 2010 prohibits:

- direct discrimination
- indirect discrimination
- harassment
- victimisation

A robust and clear recruitment and selection process will give all applicants a fair opportunity to be considered for the post, irrespective of his/her age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex or sexual orientation. These are known as 'protected characteristics'.

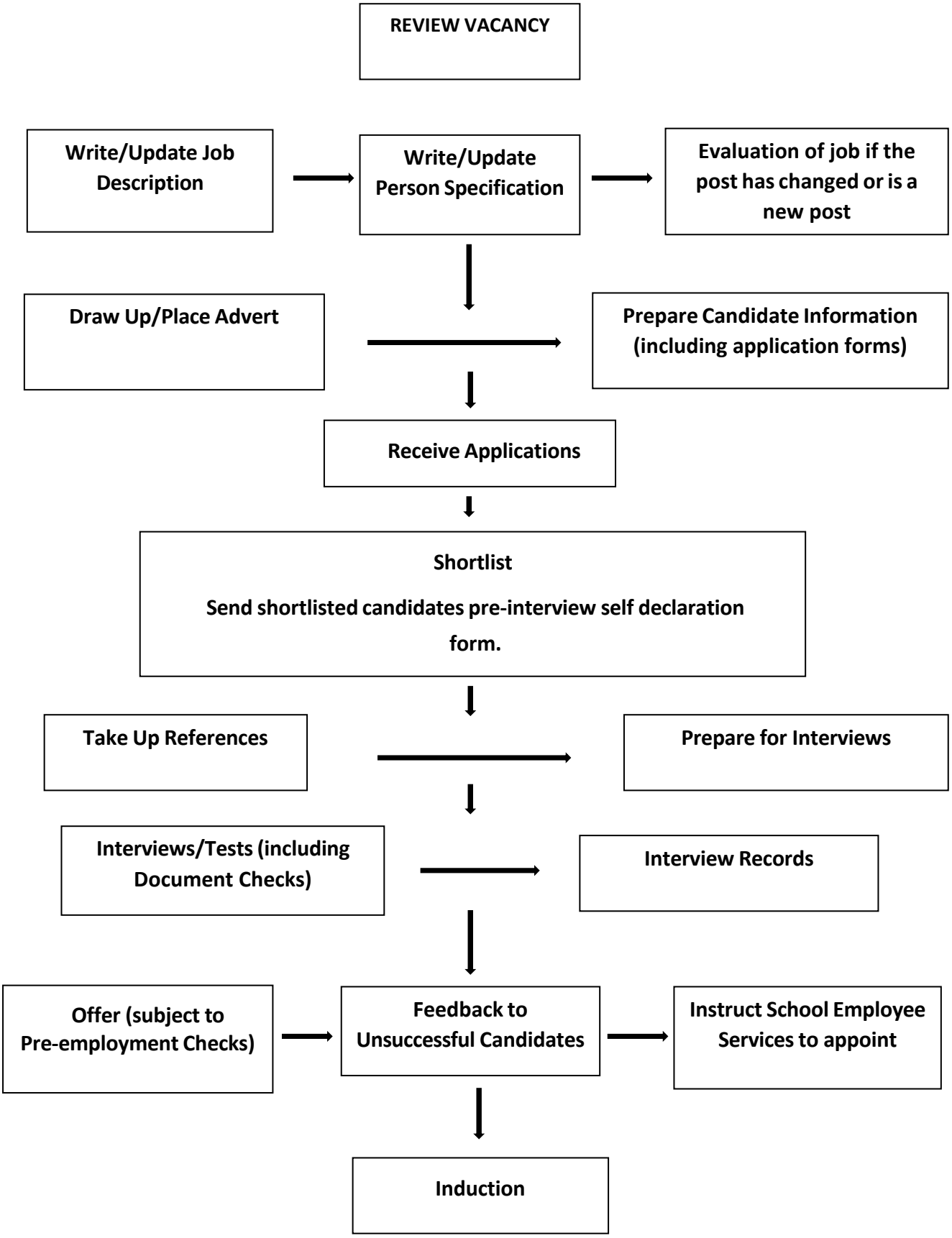
More information on protected characteristics is in the recruitment and selection guidance at section 1.

Other relevant legislation

The Rehabilitation of Offenders Act 1974 states that a conviction is said to be 'spent' if it did not carry a sentence excluded from the Act and there are no further convictions during a specified period. In most situations, a person is not required to reveal spent convictions.
However, posts in schools are exempt from the Act and a statement explaining this is included in the pre-interview self-declaration form for shortlisted candidates.

Please refer to the Recruitment and Selection Guidance document for further information in Section 2.

Recruitment and Selection



Recruitment Process – key steps

- Identify who will be on the appointment panel. This will depend on the post but should involve the direct line manager of the post and may involve one or more Governors. For maintained schools, the staffing regulations require that Governors must be involved in the appointment of a Headteacher and Deputy Headteacher but can delegate the recruitment of other staff to the Headteacher. It is often useful for Governors to be part of the appointment process where there are internal applicants.

- Establish a timetable for the appointment process, bearing in mind notice periods and set resignation dates for Teachers and Headteachers.

- Contact your School Improvement Adviser (in relation to Head and Deputy posts) and the Diocesan Schools Commission/Diocesan Board of Education if appropriate.

- Check that the post is still required and the implications for the school budget.

- Draw up a Job Description or review the existing one.

- Draw up a Person Specification or review the existing one.

- Check that the application form will elicit the information needed.

- Advertise.

- Shortlist.

- Undertake online checks for shortlisted candidates

- Request references for shortlisted candidates.

- Carry out pre-employment checks.

- Arrange for short-listed candidates to visit the school, if applicable to the post.

- Where appropriate for teaching posts, arrange to observe candidates teach in their current schools.

- Invite to interview.

- Hold interviews and make selection decision.
- Make offer of employment to the selected candidate.

The **essential steps** in terms of pre-employment checks are summarised in the checklist in the recruitment guidance documents at Appendix 4.

Reviewing the vacancy

Any vacancy or new post provides the opportunity to review the role and the way it fits in to the overall staffing structure of the school. When someone resigns, you should review the role to decide whether a 'like for like' replacement is necessary. If it is, the Job Description should be reviewed to ensure that it accurately reflects the key purpose and responsibilities of the role. Refer to the guidance for further information on the job description and person specification (section3)

If you are considering a fixed-term or variable hours contract, please refer to the guidance document 'Fixed-Term and Variable Hours Contracts In Schools' Fixed-Term and Variable Hours Contracts.docx. You may wish to discuss the implications of such an appointment with a member of the HR Consultancy for Schools team.

A standard application form should be used so that you can obtain a common set of core data from all applicants and should include a declaration by applicants that the information they have submitted on the form is true and accurate. CVs and letters of application must not be accepted because these will only contain the information the applicant wishes to present and may omit relevant details.

Standard application forms are available for schools and academies to use. They are available on HR SharePoint: for the teaching form Academy Application form - TEACHING, updated Sept 2022.docx, for the support staff form Academy Application form - SUPPORT STAFF, updated Set 2022.docx
Schools and academies may choose to use their own forms, or, in the case of Voluntary Aided schools, those available from the Diocesan Schools Commission or the Diocesan Board of Education, as appropriate.

Attracting candidates

Advertising

The guidance provides further information about what should be included in a job advert

School Employee Services can arrange to place adverts for vacancies in on WMJobs. The adverts form New Advert Request Form as at April 2021.doc should be completed and sent to WCCschooladverts@liberata.com.

Information for candidates

It is important to ensure that potential applicants find the application process straightforward and positive. You can help by providing concise, clear and relevant information so that people can make an informed decision about whether to apply for your post or not. What to include in the pack can be found in the guidance.

Any information made available to job applicants needs to be accurate and clear and contribute towards encouraging suitable individuals to apply to work at your school and deterring unsuitable people.

Shortlisting

At least **two** people should be involved in shortlisting. This should include the Headteacher/manager responsible for the post and other(s) taking part in the selection process. All candidates should be assessed equally against the criteria contained in the Person Specification without exception or variation. An example shortlisting form is included in the Recruitment and Selection guidance document in appendix 1

Further information is contained in the guidance

Online checks

On-line checks should be completed for all shortlisted candidates (teachers and support staff) for the purpose of safeguarding suitability. This search should be about suitability to work with children only. Care must be taken to avoid unconscious bias and any risk of discrimination. Only information which is relevant and of concern should be shared with the appointment panel. The Single Central Record must now record that an on-line check has been carried out for any new appointments, agency staff and contractors from 1 September 2022. Refer to Recruitment & Selection Guidance, appendix 7 for further information.

References

More detailed guidance is contained in the HR document 'Employment References Guidance' References.docx

It is recommended that schools use the example a pro-forma template for referees to complete. See the guidance document 'Employment References Guidance' References.docx
If you feel that the main reference is inadequate you should not employ the individual: please seek advice from the HR Consultancy for Schools team if you have concerns about the content of any references, you receive.
When asked to provide references, schools should ensure the information confirms whether they are satisfied with the applicant's suitability to work with children and provide the facts (not opinions) of any substantiated safeguarding allegations but
should not include information about allegations which are unsubstantiated, unfounded, false, or malicious.

It is advisable that at least one member of the recruitment panel reviews the references to ensure that appropriate references have been sought and that they are satisfactory.

Please see the model reference request form for teachers contained in the guidance document 'Employment References Guidance' References.docx

Pre-employment checks

Prior to an appointment being made the following checks should be completed (refer to section 4 in the Recruitment and Selection Guidance for more information:

- Identity check – best practice is to check the name on a person's birth certificate but where this isn't available refer to Government guidance for more information

Basic check ID checking guidelines from 1 July 2021 - GOV.UK (www.gov.uk)

- Enhanced DBS check including a Children's barred list for those engaged in regulated activity with children. Any declarations on the Pre-interview self-declaration form should be cross-checked with the DBS certificate

- Right to work in the UK, including EU nationals

- Further checks on people who have lived or worked outside the UK

- Academies and Free Schools must ensure that a person taking up a management position is not subject to a section 128 direction made by the Secretary of State. This also applies to Maintained school Governors

- All schools must check that an applicant carrying out teaching work to include Teaching Assistants (who plan or deliver lessons) are not subject to a prohibition order issued by the Secretary of State or any sanction or restriction imposed (that is current) by the GTCE before abolition in March 2012.

- Verify professional qualifications – TRA (Teacher Regulation Agency) Employee Access Service should be used to verify QTS, completion of teacher induction or probation

- For Early Years posts and wrap around care for children up to 8 years old, applicants should not be disqualified to work with children under the 2018 Childcare Disqualification Regulations

Single Central Record

The school **must** keep a Single Central Record, referred to in the School Staffing (England) Regulations 2009 as "the register". The Single Central Record must cover all staff who work or volunteer at the school. Confirmation that these checks (including on-line checks for shortlisted candidates) have been carried out along with the date the check was undertaken/ obtained must be logged on this record for all employees of the school.

Please refer to the recruitment and selection guidance for further information in section 5

Interviewing and selection

Preparation for the interview

The purpose of the interview is to gain information from candidates on which to base sound and fair appointment decisions, i.e. assessing each candidate against the objective selection criteria. Further information on preparing for an interview can be found in the Recruitment and Selection guidance at section 6 as well as an interview record form in appendix 2.

Interview questions

The interviewing panel will need to meet in advance to agree questions, the role of each interviewer and the sequence of the questions. **These questions must be asked of every candidate, but interviewers may, and indeed should, ask supplementary questions of any candidate if that is necessary to elicit clear information and clarify any missing information in the application form or gaps in employment.**

Any information about past disciplinary action or allegations should be considered in the circumstances of the individual case.

Pupils/students should be involved in the recruitment process in a meaningful way.

Observing short listed candidates and appropriately supervised interaction with pupils/students is common and recognised as good practice

All information considered in decision making should be clearly recorded along with decisions made.

Further information on interview questions can be located in the recruitment and section guidance document in section 7.

Selection tests

Selection tests may be used in conjunction with a formal selection interview but must not be used in isolation as a selection method. Please refer to recruitment and selection guidance for further information in section 8

Making an offer

Schools must adhere to the requirements of the statutory guidance document 'Keeping Children Safe in Education'
Keeping children safe in education 2023 (publishing.service.gov.uk) In addition, please refer to the detailed guidance in Section 6 above.
Any offer of appointment made to a successful candidate, including one who has lived or worked abroad, must be conditional on satisfactory completion of the following pre-employment checks, i.e. **before** the individual starts work:

- DBS
- two satisfactory references
- medical fitness.

Schools and academies have a duty to ensure that a relevant activity is only carried out by a person if he/she has the mental health and physical capacity to carry out that activity.

Employers can make an offer of employment conditional on obtaining satisfactory answers to medical enquiries without being in breach of the provisions in the Equality Act 2010 (see Section 3 above).

Medical clearance process

The initial Applicants Health Declaration (MRF1) - Jun 2021 (1).doc forms issued and checked by the school. If nothing is declared on this form, the applicant is cleared to start work.

Where there is doubt about an applicant's fitness to work following receipt of the completed MRF1 form, the school should issue the revised Applicants Health Declaration (MRF2) - Jun 2021 (1).doc form to the applicant for completion. The completed form should be returned to the school. The manager should then arrange for this to be forwarded to wccses@liberata.com

You should not allow the applicant to start work until medical clearance has been received from Occupational Health.

Feedback to unsuccessful candidates

Be prepared to give the unsuccessful candidates feedback if they ask for it: You may wish to offer feedback as a matter of course, allowing candidates to opt out. Feedback should relate to the requirements of the job and be based on the Person Specification.

Many people value feedback as it can help them address any aspects of their interview performance in readiness for future interviews. Make sure that feedback relates specifically to the job and the person and try to be specific about areas of weakness or where development is needed.

Record-keeping

Records must be kept of applicants, shortlists and appointed candidates to enable a response to be made to any claims of unlawful discrimination. The selection panel must be able to demonstrate why candidates were or were not shortlisted or appointed by reference to the Job Description/Person Specification, notes taken during the selection process and interview record forms (see model at Appendix 2). All records should be kept for 6 months.

Employment documentation

Offer letters and contracts of employment

Once you have made a verbal offer to the successful candidate you may confirm the offer in writing. The letter should reiterate that the offer of appointment is subject to satisfactory completion of the pre-employment checks described in Section 6 above. A suggested format is in the recruitment and selection guidance at appendix 3.

School Employee Services (or your provider) will process the appointment and issue the appropriate contract of employment by the first day of employment. You will need to provide the following information:

- start date
- hours of work
- pay scale
- end date (if the contract is for a fixed term)
- reason for fixed term/temporary contract
- a copy of the original application form
- DBS application form
- Probation period (support staff).

Please use the pro-forma Liberata New Starter Form v1 1.pdf

Note: A verbal offer is still a binding offer of employment in law and a candidate should be made aware that it is subject to the pre-employment checks detailed in Section 6.

Induction

A well-planned and thorough induction programme is a crucial aspect of any recruitment and selection process and should be treated as part of the process.

Further information on Induction can be found in the Recruitment and Selection guidance at section 9 and a checklist in appendix 4

Early Career Teacher induction

Guidance is available on HR SharePoint ECTs - Induction for Early Careers Teachers.docx

Volunteers

DBS checks should be carried out on all volunteers in schools and academies, and satisfactory references must be obtained before an individual starts voluntary work. An example reference request form for volunteers is included in the HR document 'Employment References Guidance' References.docx

Appointing a new Headteacher

All of the above guidance is good practice in all recruitment situations, including appointing a new Headteacher. However, it is worth bearing in mind some important aspects for Headteacher recruitment. Specific guidance is available in recruitment and selection guidance at section 10.

Policy History

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