

SEARCH Education Trust
Recruitment and Selection Policy

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Related policies, documents and guidance

- Equality and Diversity Policy
- Grievance Policy
- Disciplinary Policy

Definitions

- Where the word 'Trust' is used in this document it refers to SEARCH Education Trust.
- Where the words 'Governing Body' are used they refer to the Local Governing Body of an individual academy/ school within the Trust.
- Where the words 'Senior leadership Team (SLT)' are used they refer to the Executive Team (Central Directors), CEO and Heads of School
- Where the word 'Head teacher' is used it refers to both Head teachers and Heads of School where applicable.
- Where the word Recruiting Manager is used, it refers to the persons responsible for the implementation of these policies and the appointment of staff within their academy/ school or department.

SEARCH Education Trust Values and Principles

We work **for Children and for Schools** and we run on the principle of **by Schools for Schools** listening to the needs of each local school and its leadership in order to create excellent educational provision and **success for all**.

The Trust works to the values and principles of:

Subsidiarity – the Central Trust performs only those functions which are better undertaken together to improve quality, efficiency and sustainability.

Empowerment – of schools and young people to overcome the disadvantages resulting from background, personal circumstances or characteristics; helping them to become leaders and courageous advocates of justice, fairness and equity.

Autonomy – which is aligned and accountable within a framework of shared understanding and which balances freedom and independence, with unity of purpose.

Resilience – the ability to adapt and recover quickly from challenging situations and see problems as opportunities to build something better.

Community – a focus on people working together for the good of each other, celebrating difference and diversity and seeing the humanity which unites us all.

Honesty – the quality of being open and transparent which enables good listening, fosters mutual trust and supports good decision making.

1. Policy Statement and Objectives

- 1.1. The Trust is committed in safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.
- 1.2. The Trust aims to ensure that recruitment effectively and efficiently supports the provision of high quality education to all children. The school's objective in carrying out recruitment is to fill vacancies with people of the highest quality, cost effectively and without undue delay, whilst adhering to principles of fairness and equality.
- 1.3. No employee, potential employee or applicant will be unlawfully disadvantaged on the grounds of age, race or ethnicity, disability, gender and marital status, gender reassignment, sexual orientation, religion or belief.
- 1.4. SEARCH Education Trust is committed to:

- Developing and promoting the school;
 - Appointing on merit;
 - Being open and transparent
 - Valuing all individuals involved in the recruitment process;
 - Valuing existing staff and helping them realise their potential;
 - Giving appropriate and proper consideration to all applicants;
 - Working towards developing a workforce that in its diversity can provide an appropriate and professional education to the children;
 - Actively engaging with under-represented sectors of the community where possible;
 - Using flexible working arrangements, where appropriate, to encourage a diversity of applicants;
 - Ensuring that assessment techniques and tests are free from any bias that might unlawfully discriminate; and
 - Giving consideration to making reasonable adjustment all stages of the recruitment process for applicants with a disability.
- 1.5. This policy and procedure considers relevant legislation and guidance including Keeping Children Safe in Education: Statutory guidance for schools and colleges as updated, the Education (Independent Academy Standards) Regulations 2014, Working together to safeguard children: A guide to interagency working to safeguard and promote the welfare of children, Equality Act 2010 and the Data Protection Act (DPA) 2018.

2. Scope and Principles

- 2.1. This policy provides a consistent approach to recruitment and selection of staff and volunteers in the school, integrating equality objectives and providing a framework to assist schools in meeting their legal obligations.
- 2.2. As a Trust it is vital that we create a culture of safe recruitment and adopt recruitment and selection procedures that help deter, reject or identify people who might abuse children. All the Trust's policies and procedures are therefore underpinned by the Keeping Children Safe in Education: Statutory guidance for schools and colleges to ensure safer recruitment is paramount at every stage of the recruitment and selection processes.
- 2.3. SEARCH Education Trust (the Trust) is the employer of the staff in SEARCH schools. It is important that all staff maintain an ongoing culture of vigilance. While following safer recruitment practices is a key part of this, it also extends

beyond and must be reinforced through induction practices and a wider 'safeguarding culture' within each academy/school.

- 2.4. The School Staffing (England) Regulations 2009, as amended, require that at least one person on any selection panel has undertaken safer recruitment in Education training. The Trust will facilitate appropriate training and support those key staff with the responsibilities under this policy involved in recruitment and selection activities. Ofsted will request evidence as part of their inspections that this requirement has been met. For Trust schools, best practice would be to have at least one person on any appointment panel who has undertaken safer recruitment training.
- 2.5. If a member of staff involved in the recruitment process has a close, personal or familial relationship with an applicant they must declare this as soon as known. This person must not participate in the recruitment and selection process unless in exceptional circumstances and with the written authorisation of the Trust's Human Resources Director. If the Human Resources Director is the person in question, then they must obtain written authorisation from the Trust's CEO.
- 2.6. There is a legal duty on all public bodies to actively promote equal opportunities, eliminate discrimination, promote positive attitudes to disabled people and to take account of disabilities and the Trust acts in accordance with this.
- 2.7. As a Trust we seek to recruit the right candidates for each role. Selection will be based on applicants' abilities and individual merit as measured against predetermined selection criteria; with decisions being made without regard to ethnicity, gender, age, disability, sexual orientation, belief, pregnancy and maternity, gender reassignment, marriage and civil partnership. These are protected characteristics under the Equality Act 2010.

3 Responsibility and Accountability

- 3.1 The Trust's Human Resources department is responsible for the development and update of this policy ensuring recruitment and selection that are compliant, fair and safe.
- 3.2 The Headteacher or appropriate senior leadership member is responsible for the implementation of these policies and procedures and the appointment of staff within their academy/school or department, in line with the scheme of delegation.

3.3 Safeguarding and promoting the welfare of children is everyone's responsibility. Everyone who comes into contact with children and their families has a role to play.' (Keeping Children Safe in Education).

3.4 For the purposes of the procedure, the term Recruiting Manager will be used.

4 Key Legislation, Policy and Guidance

The Recruitment and Selection Policy is underpinned by:

4.1 Legislation specifying employment rights

- Employment Rights Act 1996
- Employment Act 2002
- Fixed Term Employee Regulations 2002
- Part-time Workers Regulations 2000 (Amendment) 2002
- Education Act 2002
- Equality Act 2010
- School Staffing (England) Regulations 2009/2680
- Education (Independent School Standards) Regulations 2014

4.2 Equality legislation

4.2.1 Equality legislation covers all aspects of the recruitment and employment process and protects applicants with "protected characteristics" against discrimination.

"Protected characteristics" are:

- age;
- disability;
- gender reassignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race;
- religion or belief;
- sex; and
- sexual orientation

4.2.2 The Equality legislation applies to everyone, including:

- Employees;
- workers who are not employees but who work under a contract for services;
- applicants for jobs;
- volunteers;
- agency workers;
- contract workers;
- trainees undertaking or seeking vocational training; and
- students

4.2.3 The Equality Act 2010 is supported by a Code of Practice which sets out good employment practice and guidance on how to ensure compliance with legal requirements. Although not legally binding, the Code will be taken into account by Employment Tribunals as evidence of good employment practice. The Code of Practice can be found on the Equality and Human Rights Commission website, and will be amended from time to time.

4.2.4 In addition to the other forms of discrimination set out in the Equality Act, people with a disability, as defined in the Equality Act 2010, are protected from:

- unfavourable treatment by the Trust due to something connected with their disability – this differs from direct/indirect discrimination because there does not have to be anyone to compare the treatment of the disabled person with; and
- a failure by the Trust to make “reasonable adjustments” – these must be made if a disabled candidate is placed at a substantial disadvantage, i.e. anything that is not minor or trivial, by any aspect of the recruitment process. What is reasonable will depend on the effectiveness of the adjustment in overcoming the disadvantage and the ability of the employer to make the required changes. Changes may have to be made to the recruitment process, duties, working practices and terms and conditions of employment, even when that involves treating disabled people more favourably.

4.2.5 It is also unlawful to discriminate against employees, job applicants and trainees because of their age.

4.3 Legislation and guidance for the protection of children

- Children Act 1989

- Education Act 2002
- Children Act 2004
- Rehabilitation of Offenders Act 1974
- Working together to safeguard children
- Keeping children safe in education

4.4 Legislation, policy and guidance giving rights of access to information at all stages of the recruitment process

- Data Protection Act 2018
- Freedom of Information Act 2004
- National Conditions of Service

4.5 The Trust reserves the right to appoint to posts, or provide an extension of contractual duties without advertising or providing an opportunity for applications to be submitted in circumstances where the Trust deems it appropriate and justifiable.

5 Identification of a vacancy

5.1 Definition

A vacancy can arise when:

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

On identifying a vacancy, recruiting managers should consider the following:

- Whether the vacant post is still necessary.
- How the post will be funded.
- Whether the post is established or outside of the agreed budget or structure.
- Whether the Job Description for the post needs updating. If so, the post should be re-evaluated or whether a new Job Description is required for a new post.
- The safeguarding requirements
- Whether the post is appropriate for flexible working.
- Whether the post could provide an opportunity for secondment or an apprenticeship.
- Whether the post is suitable or appropriate for redeployment purposes in accordance with the Reorganisation and Redundancy Policy
- Which kind of contract should be offered e.g. fixed term or permanent and will the role be term time only or year round.
- Whether the recruitment process should be external or internal only.

5.2 Organisational change

Where vacancies have arisen as a result of organisational change, the Reorganisation and Redundancy Policy will apply in the first instance. Prior to advertising the vacancy, recruiting managers should interview redeployees, for any posts for which they meet the minimum job requirements or posts which will be a step promotion and which could constitute suitable alternative employment for them.

5.2.1 Suitable alternatives for redeployees

Redeployees are employees who:

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

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

5.3 Secondments and acting up

Where a vacancy exists, a number of options can be used to fill the post i.e. secondment, acting up and on a permanent basis. Where the position is a permanent vacancy it must be advertised throughout the School following the recruitment procedure in the interest of fairness.

5.3.1 Secondment

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

The seconded employee is entitled to return to their substantive post (or, in exceptional circumstances, to a comparable post of equal grade and status) at the end of their time in secondment.

Advice should be sought from the Trust's Central HR team

5.3.2 Acting up

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

Before the recruitment campaign can commence, the Job Description and Person Specification must be either created or updated for existing roles. The job description may need to be re-evaluated if necessary.

5.4 Create the Job Description and Person Specification

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

The Job Description and Person Specification should also include the safeguarding requirements and responsibilities of the role, i.e. to what extent will the role involve contact with children and will they be engaging in regulated activity relevant to children.

In consultation with the Headteacher, the Recruiting manager should draft the Job Description and Person Specification. Contact the Trusts Central HR team for template Job Description.

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

Written effectively it helps:

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

Note: Support staff: Job Description and Person Specification should be written for every post and evaluated through the job evaluation scheme for pay purposes. For more information, please contact the Trust's HR team.

Teaching staff: Teaching job descriptions should be written for the post and be in line with the conditions of service and framework of professional standards for

teachers as set out in the School Teacher's Pay and Conditions Document, as amended from time to time. Teaching roles do not need to be evaluated.

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

5.4.1 Job evaluation

The job descriptions for all support staff who are on local government terms and conditions must be evaluated in accordance with the agreed School's job evaluation scheme. New posts or posts where the roles and responsibilities have significantly changed will be evaluated prior to the initiation of a recruitment process.

6 Candidate attraction

Candidate attraction is how the school will use tools and techniques to attract potential candidates to fill a role. This normally means advertising roles but schools can also employ other techniques to supplement this such as using social media, employee referrals or using agencies. However, candidates are attracted to a role, they should always go through the same selection process so all candidates can be fairly compared and are subject to the appropriate pre-employment checks.

6.1 Advertising vacancies

The normal practice should be for all posts to be advertised internally and externally concurrently. However, there may be some exceptions according to the circumstances, for example:

- Appointments of less than six months, where practical, should be advertised internally and considered for external advertising
- The role is business critical and there may be suitable internal candidates.

It is the responsibility of the School to make sure that the advertising of any vacancies should support Equalities Act 2010 by ensuring that:

- All vacancies are advertised internally and, where appropriate, externally via Internal bulletins, and external media.
- The content of advertisements complies with anti-discrimination legislation

- Where possible, advertisements are placed in media sources that will support the School's aim to develop a skilled and diverse workforce
- Any advertising opportunity will be used to the fullest advantage to promote the School and the Trust as a whole and the benefits of working with the Trust.

6.1.1 Job advert

The job advert should include the following:

- Key information: job title, location, salary and benefits
- Information about the school including its values and aspirations and being part of a Trust
- Give a brief description of the role
- Any key skills, abilities and behaviours needed for the role
- The school's commitment to equality and diversity
- How and when to apply

In line with the Keeping Children Safe in Education guidance, the advert should also include:

- the school's commitment to safeguarding and promoting the welfare of children and make clear that safeguarding checks will be undertaken;
- the safeguarding responsibilities of the post as per the job description and personal specification;
- and whether the post is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020.

6.2 Eligibility to apply for vacancies

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

7 Selection

7.1 Application form

All applicants should complete the Trust's/ schools application form, via the recruitment platform used by the Trust.

Where a role involves engaging in regulated activity relevant to children, schools should include a statement in the application form or elsewhere in the information provided to applicants that it is an offence to apply for the role if the applicant is barred from engaging in regulated activity relevant to children.

Applicants should be asked to sign a declaration confirming the information they have provided is true. Where there is an electronic signature, the shortlisted candidate should physically sign a hard copy of the application at the point of interview.

Note: CVs should not be accepted under any circumstances

7.2 Selection Panel

The Recruiting Manager will normally be the Panel Chair. The selection panel will be responsible for the shortlisting of applicants, the interviewing and if required, further testing of candidates.

In all cases, it is recommended that the panels for both shortlisting and interviews should consist of **at least two people** and should be as diverse as possible. It is recommended that those who shortlist carry out the interview for a consistent approach.

The panel should possess sufficient knowledge of the School and the post in order to objectively assess the suitability of each candidate.

At least one member of the selection panel should be safer recruitment trained.

7.3 Shortlisting of applicants

Shortlisting will always be carried out with an agreed panel as outlined above.

In order to ensure fair and effective shortlisting, only those criteria listed on the Person Specification can be used and recorded on a shortlisting grid. It is unfair and unethical to introduce new criteria at this stage. In all cases, candidates selected for an interview must meet the essential criteria listed in the Person Specification of the Job Description.

All applications should be scrutinised to ensure that they are fully completed, that the information provided is consistent and does not contain any discrepancies, and to

identify any gaps in employment and explore all potential concerns. Reasons for obvious gaps in employment, a history of repeated changes of employment without any clear career progression, or a mid-career move from a permanent to a temporary post should be fully explored and verified.

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

In line with the Keeping Children in Education guidance:

- shortlisted candidates will be asked to complete a self-declaration of their criminal record or information that would make them unsuitable to work with children. Self-declaration is subject to Ministry of Justice guidance on the disclosure of criminal records, further information can be found on GOV.UK. Please refer to the 'Criminal Convictions Disclosure Form' which is available on the HR portal.
- Trust HR will carry out an online search on shortlisted candidates as part of the due diligence, to help identify any issues that are publicly available online.

Once the short list is agreed, the shortlisted candidates should be contacted to invite them to interview, confirming the date and time, format for the day and any preparation required. In line with GDPR requirements Candidates should be asked to only bring with them a photographic identification documentation to confirm their identity.

Online searches

In accordance with KCSIE the Trust will undertake online searches on shortlisted candidates (**online searches**).

The online searches the Trust carries out may include searches of internet search engines, websites and other media platforms.

Online searches may be carried out at the shortlisting stage or after an offer of employment has been made (but prior to work commencing). The Trust will not carry out online searches as part of its initial sift of applications.

The Trust will determine how it approaches online searches on a case by case basis. However, all applicants for a role at the Trust will be treated consistently with regard to online searches.

Wherever possible online searches will be undertaken by a person who will play no other part in the appointment decision. In carrying out online searches the Trust is looking for any publicly available information about an applicant that:

- may be relevant to their suitability to carry out the role for which they have applied;
- may be relevant to their suitability to work at the Trust or in an education setting;
- is of a safeguarding nature; and/or
- may have an impact on the Trust's reputation.

Any information generated from online searches will be entered in an 'Online search results record'. Where online searches are undertaken on shortlisted applicants any relevant information generated will be provided to the interview panel for discussion with shortlisted applicants at interview. Where online searches are undertaken on the successful applicant only any relevant information generated will be discussed prior to employment commencing. All offers of employment will be conditional upon the Trust being satisfied that the successful applicant is suitable to work at the Trust in light of any information generated from online searches.

In evaluating any online information for relevance the Trust will use the following criteria:

- whether the information is relevant to the position applied for;
- whether the information is relevant to the applicant's suitability to work at the Trust or in an education setting;
- whether the information could have an impact on the Trust's reputation;
- whether the information calls into doubt the applicant's willingness or ability to uphold the Trust's commitment to safeguarding and promoting the welfare of children;
- the length of time since the information became publicly available and whether the applicant's circumstances have changed since the information was published;
- whether the information reveals a pattern of concerning behaviour; and
- the relevant circumstances and the explanation(s) offered by the applicant.

For successful candidates, the Trust will retain information generated through online searches for the duration of the individual's employment and in accordance with its Retention of Records Policy after employment ends.

For unsuccessful candidates, the Trust retains the information generated from online searches for six months from the date on which they are informed their application was unsuccessful, after which it will be securely destroyed.

7.4 Reasonable adjustments

The Recruiting Manager should check if any of the candidates require any reasonable adjustments for the interview or any test arrangements. Where candidates have indicated that they have a disability which requires a reasonable adjustment to be made, they should be asked in advance how the process can be made more accessible for them and timely plans must be made for adjustment.

7.5 Interviews

7.5.1 Pre interview checks

The purpose of seeking references is to obtain objective and factual information to support the selection panel's decisions. References will always be sought and obtained directly from a senior person employed by the referee, not via the candidate themselves. Open references for example addressed 'To whom it may concern' should not be relied upon except in circumstances where this can be justified.

References shall always be obtained from the candidate's current employer and, where a candidate is not currently employed, verification of their most recent period of employment and reasons for leaving should be obtained from the school, college, local authority or organisation at which they were employed. If the candidate's recent employment did not involve working with children, they should provide a second reference from a relevant employer from the last time they worked with children, if possible.

References must ideally be received prior to interview. The purpose of seeking references is to obtain objective and factual information to support appointment decisions. References should be scrutinised, and any concerns resolved satisfactorily, before the appointment is confirmed, including for any internal candidate. Obtaining references before interview, would allow any concerns they raise to be explored further with the referee and taken up with the candidate at interview

For internal candidates, one reference may be accepted, and this would usually be from their current line manager. If the line manager is also the Recruiting Manager on the interview panel then an alternative referee should be sought.

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

Any information about past disciplinary actions or allegations will be considered carefully when assessing the candidate's suitability for the post. Further advice can be sought from Trust Central HR Team.

Where electronic references are received it is essential that we verify that they originate from a legitimate source.

Shortlisted candidates must be asked to only bring photographic identification documentation with them to interview. Photocopies should be taken and the person reviewing must verify by adding their signature, name, position and date.

In line with GDPR requirements candidates are not required to declare any convictions they may have at application stage. Selected candidates for interview must complete a Criminal Convictions Declaration prior to selection interview.

The Trust is under no obligation to provide an applicant a copy of a confidential reference upon their request, where by means of a Subject Access Request or otherwise pursuant to Schedule 2, Part 4, Paragraph 24 of the Data Protection Act 2018.

7.5.2 Preparing interview questions

The Recruiting Manager is responsible for compiling relevant competency-based interview questions. All interview questions asked must be relevant (and seen to be relevant) to the job.

Suitability to work with children, young and vulnerable people

Depending on the amount of contact with children, young and vulnerable people, the interview questions may need to explore issues relating to safeguarding and promoting the welfare of children.

In accordance with the guidance defined in 'Keeping Children Safe in Education', the interview questions must also explore:

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

7.5.3 Conducting the interview

To ensure fairness each candidate should receive the same interview experience, the only exception being where reasonable adjustments have been agreed. The panel will be assessing the candidate and the candidate will be assessing the School/ Trust as a potential employer.

It is therefore advisable to ensure that candidates are made aware at the beginning of the interview:

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

The panel should also:

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

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

The panel should follow the interview questions as set out on the Candidate Assessment Interview Form. Depending on the responses given, supplementary questions may be asked. These and the subsequent answers should be noted on the Candidate Assessment Interview Form.

Obvious gaps in employment or any history of repeated changes of employment without any clear career progression should be fully explored and reasons verified.

As references will have been obtained prior to the interview, ask the candidate if there is anything they would like to declare or discuss in light of the requirement for a DBS check and the questions that will be put to their referees.

Discuss the circumstances of any declarations either at interview or in a separate meeting.

Depending on the amount of contact with children, young and vulnerable people, the interview may need to explore further issues relating to safeguarding and promoting the welfare of children.

Note: It is not the Trust's policy to pay travel expenses incurred by candidates invited to interview

7.6 Selection tests

Appropriate and effective selection tools and processes will be used and a range of selection methods will be considered in order to test candidates' suitability for the role. Selection tests can be designed to assimilate certain aspects of the role and test how the candidate performs in those scenarios. Examples can be in-tray exercises, presentation skills or an observed teaching lesson.

It is important that these exercises are designed so the candidates can be scored against the criteria in the job description and can be used alongside the interview to assess the candidate's suitability for the role.

All candidates will be notified in advance of any test procedures.

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

8 Decision to appoint

The decision is based on the amalgamation of the individual interview score sheets and any selection testing results. The highest scoring candidate should be offered the post, providing minimum acceptable standards have been met.

If there are two or more candidates who are closely matched in scoring following the selection stage, the recruiting manager may decide to carry out an additional stage of the selection process such as a second interview. The panel members of a 2nd stage interview can be different to the 1st stage interview but any additional interviews should be consistent for all candidates.

If none of the candidates are considered suitable, thought should be given to reviewing the advertising/shortlisting/interviewing process and/or the Job Description itself and if necessary re-advertising the vacancy.

If the post is re-advertised without material changes to the Job Description, previous applicants may still apply.

The emphasis for filling a post should be on putting the “right person” in the job and not the person being available at the “right time”. Candidates should be appointed based on their ability to do the job for which they were interviewed and not because of the need to fill the post.

Interview records for unsuccessful candidates must be retained for a period of six months following the interviews. Records for successful candidates will be filed on their Personal file.

9 Making a conditional offer

9.1 Unsuccessful applicants

The School will notify unsuccessful applicants verbally and in writing. If feedback is requested, a Panel Chair should provide a valid reason why the candidate was not successful and feedback to support the unsuccessful candidate to identify areas for development. Candidate details will be kept on file for six months.

Note: Documentation relating to the applicants will be treated with the utmost confidentiality and in accordance with the Data Protection Act (DPA) 2018. Applicants will have the right for feedback from the Recruiting Manager after the interview and to access documentation held on them in accordance with the DPA, including shortlisting and interview notes.

9.2 Offer of employment

A contract comes into effect once a verbal offer has been made and accepted. A member of the interviewing panel should make the offer verbally, followed up by a written conditional offer of employment issued via HR. The successful applicant should receive a verbal offer as soon as possible and no later than 5 working days after the interview followed up in writing within seven working days stipulating that appointment is subject to satisfactory employment checks.

Written offers of employment will only be produced by HR upon receipt of all required documentation and authorisation by the Headteacher.

This must include:

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

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

- Job Description and Person Specification
- Pre- employment health questionnaire
- Declaration of business interests form
- HMRC New starter form
- DBS application information

This approach will guarantee:

- A structured approach to recruitment across the Schools.
- Auditable outcomes of recruitment campaigns.
- Individual file management.

All offers will be conditional upon the School/Trust receiving all relevant pre-employment checks.

10 Pre-employment checks

All pre-employment checks should be complete prior to the successful candidate starting employment. Candidates should not begin employment without all checks being clear (for exceptions see section 10.2):

Teacher Services is a free service to check the record of a teacher school's have employed or are considering employing.

Please see Appendix B for further guidance on recruiting candidates who have lived or worked outside the UK.

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

- Two satisfactory references covering at least 5 years of the candidates most recent work experience (see 10.1 for more information).
- Verification of the applicant's identity. (The guidance states that the process of identity checking is made up of 5 parts: 1 – get evidence of the claimed identity, 2 – check the evidence is genuine or valid, 3 – check the claimed identity has existed over time, 4 – check if the claimed identity is at high risk of identity fraud, 5 – check that the identity belongs to the person who's claiming it). Identification checking guidelines can be found on the GOV.UK website
- Obtain (via the applicant) an enhanced DBS certificate (including barred list information, for those who will be engaging in regulated activity);
- Obtain a separate barred list check if an individual will start work in regulated activity before the DBS certificate is available;
- Verify the candidate's mental and physical fitness to carry out their work responsibilities. A job applicant can be asked relevant questions about disability and health in order to establish whether they have the physical and mental capacity for the specific role
- Verify the person's right to work in the UK. If there is uncertainty about whether an individual needs permission to work in the UK, then prospective employers, or volunteer managers, should follow advice on the GOV.UK website.
- If the person has lived or worked outside the UK, make any further checks the school/Trust consider appropriate (see Appendix B);
- Verify professional qualifications, as appropriate. The Teacher Services' system should be used to verify any award of qualified teacher status (QTS), and the completion of teacher induction or probation.

- Declaration of Personal and Pecuniary Interest (where required).
- Verification of professional status, where required.

In addition:

- Schools must ensure that a candidate to be employed to carry out teaching work is not subject to a prohibition order issued by the Secretary of State, or any sanction or restriction imposed (that remains current) by the GTCE before its abolition in March 2012; and
- Independent schools, including academies and free schools, must check that a person taking up a management position is not subject to a section 128 direction made by the Secretary of State.
- satisfactory completion of the probationary period;
- a declaration by the applicant that they are not disqualified under the Childcare Act 2006.

If any of the above checks are not satisfactory, the offer may be revoked. Where this is necessary, written reasons will be supplied.

All pre-employment checks will be confirmed in writing, documented and retained on the employee's Personnel file. Where they are unsatisfactory or there are any discrepancies in the information provided, these must be followed up with advice from Trust HR.

If a candidate is found to be on the DBS Children's Barred List, the Headteacher will be informed by the Trust HR Team via the DBS and this person will not be able to be employed.

If a candidate has an unclear DBS Disclosure, Trust HR will be informed by the DBS Team. They must discuss the circumstances with the Headteacher and the applicant, and decide whether to continue with the offer of employment. The ultimate decision will be made by the Headteacher.

Childcare Disqualification: DfE statutory guidance: Disqualification under the Childcare Act 2006.

People who have been convicted of certain offences are disqualified from providing childcare under the Children Act 2006 and the Childcare (Disqualification) Regulations 2018.

These arrangements apply to staff working with young children in childcare settings. This includes:

- **Early years** - Staff who provide any care for a child up to and including reception age. This includes education in nursery and reception classes or any supervised activity (e.g. breakfast clubs or after school's clubs provided by the school) both inside school the normal school day and outside of school hours.
- **Late provision (for children under 8)** - Staff who are employed in childcare provided outside of the normal school day but who have not attained the age of 8. This does not include education or supervised activity for children above reception age during school hours (including extended school hours for co-curricular learning activities, such as the school's choir or sports teams) but it does include before-school settings, such as breakfast clubs, and after school provision.
- Staff who are involved in the management of early or later years' provision are also covered by this legislation.

Further information can be found in the DfE Statutory Guidance on Disqualification under the Childcare Act 2006 <https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006>

Under the legislation a person is disqualified if they are found to have committed an offence which is included in the 2018 regulations (a 'relevant' offence). The list of offences and orders that result in disqualification is included in the guidance by the DfE (set out in tables in Appendices A and B).

For new employees an up to date enhanced DBS certificate will help the Trust establish whether offences committed by individuals are relevant offences and the Trust must make the appropriate checks for staff who have lived or worked overseas (see Appendix A).

10.1 References

Every effort must be made to obtain references for all shortlisted applicants before they are interviewed. The Trust/School should seek permission from the candidates before they approach the candidate's references.

There are occasions when a candidate will request "no contact with current employer unless they are preferred candidate after interview" Although the

recruiting manager may accede to such a request, it is **not recommended as good practice**.

Further information on obtaining references is available in the Keeping Children Safe in Education guidance

10.2 Criminal records

Candidates who have access to children and vulnerable people will normally not be employed until a clear DBS Disclosure is received. In exceptional cases, candidates may commence employment prior to DBS clearance provided there is no unsupervised access to children or vulnerable people, and following a clear check of the DBS Children's Barred List. The Headteacher is responsible for the final decision.

10.3 Conviction

The Headteacher will be responsible for ascertaining whether a candidate's criminal record does or does not render them unfit for the post.

Posts which are exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020 (in which case criminal convictions never become "spent") should be identified at the start of the recruitment campaign and should be confirmed in the job advert.

10.4 Occupational Health

Once the conditional offer of employment has been made, all successful candidates must be cleared by Occupational Health before confirmation of appointment can be made. Depending on the particular circumstances of a candidate, Occupational Health may require a personal appointment with the candidate to ascertain fitness for work. This may delay the appointment process.

In some cases, Occupational Health may declare that a candidate should not be employed on medical grounds. In this event, the offer will be retracted

10.5 Eligibility to work in the UK

The Trust/school has a responsibility under the provisions in s.21 of the Immigration, Asylum and Nationality Act 2006 to check before they start, that an individual has the right to work in the UK.

As an employer, the Trust/School is required to make basic document checks to make sure it does not break the law by employing illegal workers. Guidance on checking a job applicant's right to work is available on the GOV.UK website

See also Appendix A – Recruit teachers from overseas

10.6 Evidence of qualification required for the job

In posts where qualifications are an essential requirement, successful candidates must provide proof in the form of a certificate of achievement, membership number or other documentary evidence that may be relevant.

For centrally-employed teaching staff, you can contact Trust HR who have access to an online service which enables a quick verification of qualifications, induction and registration status of all teachers, via the DfE –Teaching Agency.

10.7 Performance and Conduct checks

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

11 Commencement of employment

11.1 There is a statutory responsibility to give new employees written details of the main terms and conditions of employment from day one of their contract. This is known as the Statement of Particulars.

The type of contract and the terms and conditions of employment will be clear and appropriate for the category of job and the needs of the service. If the contract is temporary the reason for this must be written in the contract. Examples of reasons for temporary appointments are available from Trust HR.

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

Confirmation of employment and start date.

- Contract of employment.
- New Starter forms for payroll.
- Pensions starter form.
- P46/HMRC Starter form
- Job Description and Person Specification.
- Personal and Pecuniary Interest Form, if applicable.
- The Safeguarding and Child Protection Policy

12 Induction

- 12.1 Headteachers/ Line managers should make appropriate induction arrangements for all newly appointed staff and shall include safeguarding and child protection training. An Induction checklist is provided by Trust HR.
- 12.2 Within the Statutory guidance, Keeping Children Safe in Education there is a minimum requirement for Induction that new staff will read part one of the guidance
- 12.3 For early career teachers, please refer to the DfE's guidance: Induction for newly qualified teachers

13 Probationary period

- 13.1 The performance of all new staff will be rigorously monitored during the contractual probationary period with close attention being paid to learning needs and performance issues. (See probation policy for more details)

14 Volunteers

- 14.1 Recruitment of volunteers will be in line with this policy and all appropriate recruitment checks should be made on volunteers as would be done for substantive, fixed term and temporary staff.

15 Remuneration

- 15.1 It is normal policy for support staff to be appointed to the minimum of the grade. However, it is recognised that starting salaries may need to be offered above the minimum in certain circumstances, e.g. to take account of current salary levels, experience or qualifications.
- 15.2 Teachers' remuneration will be in line with the Trust's pay policy, which correlates with the School Teachers' Pay and Conditions Document.

16 Evaluation

It is extremely important to evaluate the success of the recruitment and selection process at each stage to see whether mistakes were made and whether a repetition of them can be avoided in the future.

Effective monitoring is essential as a key element to inform the recruitment strategy and is an important tool in fulfilling the responsibility to provide equality of opportunity to all job applicants. Data collected for monitoring should not be used for any other purposes.

It is also advisable to monitor where applicants have heard about vacancies in order to identify which source is most effective.

17 Data collection and protection

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

Therefore, the School should ensure the following steps are taken:

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

In addition, the interview panel should be aware that interviewees have the right to access their interview notes and therefore any opinions noted must be based on fact.

Candidates have the right to request feedback on the status of their application at any stage of the recruitment process.

17.1 Records and monitoring

All records in relation to recruitment and selection exercises must comply with the provision of the Data Protection Act 2018 and the General Data Protection Regulation (GDPR).

Records will be kept relating to all applicants, candidates' interviews and new appointees in respect of:

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

Refer to the Data Protection Policy for more details

18 Summary of roles and responsibilities

18.1 Recruiting manager

As Recruiting Manager, you must adhere to the deadlines agreed and submit paperwork on time, otherwise you may affect the overall recruitment timescales

It is your responsibility to:

- Discuss the vacancy with the Headteacher (to ensure it is necessary and all alternatives have been considered, and agree details of the campaign and the timescales).
- Approve the final version of the job advertisement.
- Arrange the Selection Panel and the contact person for interviewees on the interview day; book rooms/equipment.
- Shortlist candidates for interview.
- Check if any of the shortlisted candidates require any reasonable adjustments and ensure that these are arranged.
- Prepare questions and selection tests for the interviews.
- Conduct interviews, select the successful candidate and complete the interview paperwork.
- Provide feedback to unsuccessful candidates.
- Authorise references received for the successful candidate.

- Agree a start date and time for the new employee and inform relevant colleagues.
- Prepare for the employee's first day and induction programme.

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

18.2 Human Resources

The HR team will:

- Assist with writing job descriptions and person specifications, evaluating and advising on salary where appropriate.
- Give advice on contractual obligations.
- Provide advice on creating adverts, application packs and placing adverts.
- Place adverts on behalf of the School on the Trust website and other recruitment platforms

Appendix A: Recruiting staff that have lived or worked overseas

Any Schools within the Trust who are considering applications from teachers who are not UK or Irish nationals will need to check if the individuals will need sponsoring under the points based immigration system.

SEARCH Education Trust has a sponsorship licence and can sponsor visas for overseas staff on behalf of a school. Please contact Trust HR for further advice.

The DfE have provided further information on sponsoring teachers from overseas and other types of visas that do not require sponsorship in the recruit teachers from overseas guidance.

Pre-employment checks

Individuals who have lived or worked outside the UK must undergo the same checks as all other staff in schools (as outlined in Section 10). This includes obtaining (via the applicant):

- an enhanced DBS certificate (including barred list information, for those who will be engaging in regulated activity) even if the individual has never been to the UK

In addition, schools and colleges must make any further checks they think appropriate so that any relevant events that occurred outside the UK can be considered (i.e. Certificate of Good conduct/ references).

- criminal records checks for overseas applicants - Home Office guidance can be found on GOV.UK; and for teaching positions
- carry out additional checks for teaching roles, which may include information about their past conduct, for example, by checking documents issued by overseas teaching authorities – The Trust will consider this evidence together with other information which have been obtained through other safer employment checks.

Although sanctions and restrictions imposed by another regulating authority do not prevent a person from taking up teaching positions in England, schools and colleges should consider the circumstances that led to the restriction or sanction being imposed when considering a candidate's suitability for employment.

Where available, such evidence can be considered together with information obtained through other pre-appointment checks to help assess their suitability. Where this information is not available schools and colleges should seek alternative methods of checking suitability and or undertake a risk assessment that supports informed decision making on whether to proceed with the appointment.

Checking a job applicants right to work

Guidance on checking a job applicant's right to work is available on the GOV.UK website

Further information can be found in DfE Guidance: Recruit teachers from overseas.

Appendix B: Volunteers

Volunteers are also seen by children as safe and trustworthy adults, and as such it is expected that schools apply the same safeguarding principles when recruiting volunteers to work with children in line with this policy.

The criteria for when a recruitment process for a volunteer is required should be applied with common sense and the process may need to be adapted to cater for particular roles and sensitivities. For example, if a parent volunteer is one of a group helping out on a one-off occasion such as a day trip, a sports day or another school event, with a reasonable level of supervision, there is no need for a formal recruitment and selection process, or for a DBS certificate.

On the other hand, if the volunteer is going to have an ongoing role that involves regular contact with children, or means that the person will be on the premises when children are present regularly or frequently, the same recruitment process should be adopted as would be used to recruit a paid member of staff filling a similar role.

There are certain circumstances where schools and colleges may obtain an enhanced DBS certificate (not including barred list information), for volunteers who are not engaging in regulated activity. This is set out in DBS workforce guides, which can be found on GOV.UK.

Employers are not legally permitted to request barred list information on a supervised volunteer as they are not considered to be engaged in regulated activity.

The process might need to be presented differently, or adapted to be more informal, but the principal safeguards and features of the recruitment and selection process should be the same.

In those cases, the process should include:

- Information about the organisation's commitment to safeguarding children.
- Completion of an application or 'registration' form.
- Obtaining reference.
- A face-to-face interview
- Pre-employment checks similar to those which would be applied in the case of paid employment including a DBS certificate and, if the volunteer will be in regulated activity, a check of the DBS barred list.
- Evidence of right to work in the UK

When volunteers are recruited from another institution, the School should obtain evidence and assurance from the institution that the person has been subject to a proper recruitment process that includes the necessary safeguards.

Interviews

Safeguarding principles should also apply when interviewing volunteers, but it is important to make interviews more informal than for paid staff. They should be very much a two-way process about selling the volunteer role to them. However, this does not mean that the interview should not probe into candidates' attitudes and motives and their suitability for work with children. This is even more important for candidates who may have no previous experience of working with children.

Schools should ensure volunteers are given a clear induction programme which includes their responsibilities for safeguarding, what is and what is not acceptable behaviour towards children, what to do if they believe there is a safeguarding concern and what reasonable steps they can take to avoid creating concerns themselves.

Volunteers should be given a code of conduct document.

Further information on volunteers can be found in the Keeping children safe in education guidance.