

COPPICE
PRIMARY SCHOOL

Schools safer recruitment and selection Policy

Date	Review Date	Endorsed by	Approved by	Link Governor
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Aspire, Believe & Achieve











Policy written by: LBR

London Borough of Redbridge

Schools Safer Recruitment & Selection Policy



Ambitious for Redbridge

Schools' Safer Recruitment and Selection Policy

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Adoption by Governing Body:

School ……

Date of Implementation ……

Signature of Chair of Governors ……

Signature of Head Teacher ……

1. Introduction

1.1 Effective recruitment is fundamental to the School's success. Finding people with the necessary skills, experience, qualifications and attributes will enable the School to deliver its objectives and make a positive contribution to its values and aims.

1.2 This procedure is designed to help appoint the best person for the job. It will also help to ensure that schools recruit a diverse workforce and will help to ensure that the process is cost effective and that safeguarding is integral to the recruitment process.

1.3 The School has a statutory duty to maintain the safety and welfare of children and young people, in accordance with the Government's guidance 'Keeping Children Safe in Education'. The school will implement safeguarding procedures and arrangements throughout the recruitment process

1.4 In accordance with statutory guidance, the School's Governing Body will ensure that at least one person on any appointment panel has undertaken safer recruitment training.

2. Scope

2.1 The Council is the employer of staff based in community and voluntary-controlled schools but the Governing Body and Head Teacher have delegated responsibility for recruiting, selecting and managing staff. In Voluntary-Aided and Foundation schools the Governing Body is the employer.

2.2 For the appointment of Head Teachers and Deputy Heads, the full Governing Body will establish a selection panel. A representative of the Council may also be present to offer advice. Advice should be sought from either the Council's schools Improvement Team or Human Resources. The panel should consider this advice before making any decision.

2.3 For the appointment of other teaching staff and support staff, the Governing Body, after deciding to recruit to the vacant post, will normally delegate this responsibility to the Head Teacher. The Head Teacher may wish to include Governors in the selection process depending on the post.

3. Safer recruitment

3.1 The School will operate a well-planned and structured recruitment process, not only to have the best chance of recruiting the best person for the role, but also to ensure that any information that could be important in determining whether someone is safe to work with children is not missed.

3.2 This can be achieved through:

- Emphasising the School's safeguarding culture through the job description, person specification and advertising, to deter unsuitable applicants

- Using a standard application form which requires a full and complete job history, accounting for any gaps in employment
- Including questions on safeguarding at interview
- Verifying information on any gaps within the applicants job history
- Ensuring that all the necessary pre-employment checks are carried out (see section 18 below)

4. Equality and Diversity

4.1 The School recognises the need to increase the diversity of its workforce in order to reflect the community that we serve. Recruiters need to be fully aware of equal opportunities legislation and understand how discrimination can occur both directly and indirectly in the recruitment process.

4.2 All applications will be considered purely on merit, regardless of age, gender, race, ethnic origin, religion, disability, marital or partnership status, sexual orientation or number of dependants.

4.3 The School should encourage all job applicants to complete an Equal Opportunities Monitoring Form. The School should monitor forms and use this information to measure compliance with the Equalities Act 2010.

4.4 The School should take action where necessary, including positive action, to promote and support diversity in relation to employment opportunities. This includes a guaranteed interview scheme for applicants with disabilities who meet the minimum criteria for the job.

4.5 The School will make necessary reasonable adjustments to enable applicants with disabilities to have fair access to and to participate fully in the recruitment process.

4.6 The School will review its advertisements, job descriptions, person specifications and assessment methods to ensure they are non-discriminatory.

4.7 Recruitment and selection processes will be robust and transparent, with clear audit trails for monitoring purposes.

5. Record keeping and data protection

5.1 Recruiters must comply with the Data Protection Act 1998 for job applicants. Therefore appropriate security measures should be taken to prevent unauthorised or unlawful processing, disclosure, destruction, loss or alteration of information.

5.2 If a letter of acknowledgment is sent to applicants, it should advise them that their application will be kept on file for a certain period of time and will not be disclosed to any third parties without their consent.

5.3 Recruitment records, whether kept in hard copy or electronic format, should be retained for no longer than 6 months after the recruitment exercise where possible. The statutory period during which an unsuccessful applicant may bring a discrimination claim arising from the recruitment process is 3 months but it is

possible for this period to be extended by the tribunal in exceptional circumstances.

5.4 Information about successful applicants' criminal convictions collected during the recruitment process should be deleted once this has been verified by the DBS. The School need only keep a record of whether a DBS check had a satisfactory or unsatisfactory result.

5.5 Whilst notes should be kept during the recruitment process (e.g. during interviews) these notes may constitute personal data and would be disclosable to an applicant as part of a subject access request.

6. What to do when a vacancy first arises

6.1 The arrangements made for recruitment and selection must be appropriate to the needs of the job, the nature of the vacancy and the job market. They must be lawful and follow good practice. Before preparing to fill a post the Head Teacher/Governing Body should:

- Consider whether the post still required or needed in its present form.
- Decide what type of contract is appropriate.
- Revise or prepare the Job Description and Person Specification.
- Consider who will be involved in the recruitment process.
- Draw up a clear and realistic timetable for recruitment, taking account of advertising media.
- Decide how to attract candidates.

7. Deciding on the contract required

'Contracts' of Employment and 'Written Statements'

7.1 A **'contract' of employment** exists when an employer and employee agree the terms and conditions of employment. This is often shown by the employee starting work on the terms offered by the employer. Both are bound by the agreed terms.

7.2 A contract need not be in writing, but employees are entitled to a **'written statement of the main particulars'** of their employment, more commonly called the 'written statement'.

Permanent contracts

7.3 The most common type of contract is a permanent, open-ended one (i.e. with no end date). The assumption is made that the contract will continue indefinitely, although provision is made for termination by notice by either party.

Temporary and fixed term contracts

7.4 Temporary contracts are those which cover a temporary appointment where the termination of the appointment is decided by an event, the actual date of which cannot be predetermined. Usually a temporary contract does not have a specified end date.

Temporary contracts should be used:

- To cover sickness absence
- To cover paid/unpaid leave where the end date is not known
- To cover maternity leave
- To cover a temporary reduction in the hours of a member of staff
- To cover a short term temporary increase in workload

7.5 An employee on a temporary contract has a right to receive a minimum period of notice before the contract ends. The minimum statutory notice period is one week for each complete year of continuous service or the period specified in the contract.

7.6 Fixed term contracts are those which cover a temporary appointment, or particular funding arrangements where the actual date of termination is known. An end date must be specified.

Fixed Term contracts should be used:

- Where specific funding arrangements mean there is a finite date
- To cover a period of paid / unpaid leave where the end date is known
- To cover a secondment when an end date is known
- To cover a vacancy where an appointment has been made but the appointee has not been able to take up the post immediately

7.7 Fixed term contracts normally end automatically when they reach their agreed end date. There is no need to give notice to the employee of the contract reaching its end date. However, if a fixed-term contract is not renewed, this is considered to be a dismissal and the employee may have accrued employment rights. It is therefore advisable to discuss the end of the contract with the employee in advance.

7.8 If a fixed-term contract lasts two years or more and it is not renewed, by reason of redundancy, the employee has a right to a redundancy payment.

7.9 Fixed-term or temporary contracts should only be used:

- Where there is a need for work for a specific task or project **and/or**
- To cover absence for a limited time only **and/or**
- Where there is time-limited funding for a post

7.10 All fixed-term and temporary positions, including those of 6 months or less, should be advertised externally and recruited to using the School's recruitment procedure.

7.11 The Head Teacher should regularly monitor and review all current fixed term and temporary contracts to determine:

- The business case for engaging each employee on a fixed-term or temporary contract
- The length of continuous employment for each employee
- The number of extensions, renewals or continuous contracts given to each employee
- Whether there is a need for the work to continue beyond the current contract period

7.12 Fixed term and temporary contracts should not normally be of more than 12 months duration and should be terminated with the appropriate notice.

7.13 If there is a need for employment to be extended beyond 24 months, the post should be advertised and recruited to on a permanent basis. Any employee on fixed-term contracts for 4 or more years will automatically become a permanent employee, unless the employer can show there is a good business reason not to do so. Head Teachers may seek advice from an HR Employment Relations Adviser regarding the renewal of fixed term contracts.

Agency workers

7.14 Agency workers (e.g. supply teachers) are not employees of the School. The primary responsibility for carrying out identity checks, Disclosure and Barring Service (DBS checks), where required, and any other security checking, rests with the agency concerned. However, the School should request evidence from the agency that the necessary checks have been completed and verified.

7.15 In accordance with the Agency Workers Directive, the Head Teacher should ensure that appropriate entitlements under the Directive are made available to agency workers and may d refer to the Council's Agency Workers Checklist and/or contact the Council's HR Agency Contracts Team for further advice.

Casual workers

7.16 Casual workers are not employees of the School; they are workers who are engaged on an 'as and when' basis. They should not have regularised work patterns or hours and should not be engaged on a continual basis.

7.17 The School will only engage casual workers when appropriate, for example where the work is variable / seasonal or where it is impossible to predict demand due to external factors.

7.18 There will be no mutuality of obligation between the School and casual workers, i.e. once work is offered by the School, the casual worker will have the option of accepting the offered work, but will be under no obligation to do so. Equally, there will be no obligation on the School to offer any work and certainly no guarantee

that any work will be provided.

7.19 Casual employees can accrue employment rights in certain circumstances, so the Head Teacher should ensure that casual contracts are only used when the requirement is truly casual i.e. short term, intermittent and with no mutual obligation to offer or accept work.

7.20 The Head Teacher is responsible for monitoring casual workers' hours and working arrangements to ensure that their status does not inadvertently change to that of employee. Further advice is available from HR Employment Relations.

8. Job description and person specification

8.1 The Head Teacher/Governing Body should ensure that they are clear about the content of the job and the attributes the job holder needs to undertake it. The Job Description and Person Specification are therefore an essential part of the preparation for recruitment.

8.2 The job description should clearly state:

- The main duties and responsibilities of the post
- The individual's responsibility for promoting and safeguarding the welfare of children and young persons that they are responsible for or come into contact with.

8.3 The person specification should set out:

- The minimum education/qualifications for the post
- The minimum experience/knowledge/skills requirements
- Special conditions (e.g. the holder of a driving licence)
- Any other requirements needed to perform the role in relation to working with children and young people.

Note: the person specification is the basis for short listing and choosing the successful candidate. All the requirements in the person specification should have a demonstrable link to the job description.

9. The selection panel

9.1 The Head Teacher should establish who will be involved in the shortlisting and who will be on the selection of panel. To ensure consistency, it is recommended that panel members are involved throughout the selection process.

9.2 There is a statutory requirement for at least one panel member to have had Safer Recruitment training.

9.3 For the appointment of a Head Teacher, Deputy and Assistant Heads (if applicable), the full Governing Body will establish a selection panel. A representative of the Council may also be present to offer advice. The panel will consider this advice before making any decision.

10. Redeployment

10.1 The School is committed to minimising compulsory redundancies and redeploying employees who are at risk of redundancy. One way of achieving this is to redeploy employees at risk to other jobs within the school or other schools.

10.2 In these circumstances employees are given priority consideration and would not compete in the normal way with external candidates. However, they would still have to demonstrate that they meet all of the essential requirements of the Job Description and Person Specification through the School's selection process.

10.3 When considering redeployment opportunities, the Head Teacher should follow the advice set out in the School's Reorganisation, Redeployment and Redundancy Policy and Procedures.

11. Advertising the post and attracting candidates

11.1 The purpose of the advertising method is to:

- Attract a pool of suitably qualified applicants.
- Dissuade those who are not qualified from applying.
- Present the school as a good potential employer.
- Make clear the requirements of the post.
- Meet the legal requirements of good recruitment practice.

11.2 The normal practice should be for all posts to be advertised externally and internally. However there may be some exceptions according to the circumstances e.g. appointments of less than 6 months, where practical, may be advertised internally only. Appointments over 6 months should be advertised internally and externally.

11.3 All adverts should detail the following (where appropriate):

- Job title.
- Salary (or rate of pay) including allowances.
- Hours of work.
- Where the post will be located.
- Outline of essential requirements of job i.e. skills, qualifications, experience.
- Statement about the schools commitment to safeguarding and promoting the welfare of children and young people.
- Closing date for receipt of applications.
- Expected interview dates.

- Contact details and process for obtaining an Application Form.

11.5 All Head Teacher appointments must be advertised nationally.

11.6 The Head Teacher is recommended to advertise the School's vacancies on the Council's Redbridgei website, which is a cost-effective way of reaching the potential workforce within the Borough.

12. Responding to applications

12.1 Applicants should be provided with as much information about the job and the School as is reasonably possible in order to both inform them and attract them to apply. Therefore, as a minimum a recruitment pack (either online or paper) should comprise of the following:

- Application Form
- Job Description
- Person Specification
- Covering letter
- School prospectus (or other details, including the School's current position e.g. Ofsted reports, restructuring, new building etc.)
- Copy of the School's Equality and Diversity Policy
- Copy of the Disclosure and Barring Service guidelines

12.2 The covering letter should thank applicants for their interest in the post, detail the closing date for applications and confirm the expected interview date. It should also advise that if they have not received a response within two weeks of the closing date, that they should assume that they have not been shortlisted. Applicants should be advised that references will be taken up for shortlisted candidates prior to interview unless the applicant has indicated on their application that they do not wish their current employer to be approached prior to interview (see 12.5 below).

12.3 CVs should not be accepted in place of application forms, as information regarding an applicant's history can be hidden and it is critical that all gaps in employment are accounted for.

12.4 Any CVs sent in response to specific job advertisements should be acknowledged but applicants should be sent a recruitment pack and advised that a standard application form must be completed.

12.5 Application forms should include a section to ask applicants whether they agree to references being taken up prior to interview. If an applicant has indicated they do not wish their current employer to be contacted prior to interview, and the applicant is shortlisted, this must be discussed at interview and the applicant reminded that all offers of employment are conditional upon satisfactory references being received.

12.6 Application forms should include a section for candidates to declare any former or current relationship to a Councillor, School Governor or member of staff.

12.7 Failure to disclose such a relationship may disqualify the applicant. Any applicant who directly or indirectly seeks the support of the Head Teacher, Councillor or School Governor for any appointment within the School should be disqualified.

12.8 Where it is disclosed that there is, or has been, a relationship between a member of the recruitment panel and an applicant, that panel member should withdraw from the remainder of the recruitment process.

12.9 Where an applicant has been invited to visit the School or for an informal chat with anyone involved in the recruitment process, the Head Teacher should endeavour to ensure that this does not influence the recruitment decision.

13. Equalities monitoring

13.1 The analysis of recruitment monitoring data will help inform the School and on the success of recruitment activities and highlight areas for improvement, for example to increase the diversity of applications made.

13.2 The School should ensure that Equalities and Diversity monitoring forms are separated from the application forms before shortlisting. Individual monitoring forms are collected in relation to a particular vacant post and kept separately for monitoring purposes for a period of 6 months.

14. Shortlisting

14.1 Shortlisting should not begin until after the closing date and should be undertaken by a minimum of two members of the selection panel.

14.2 The Head Teacher/Governing Body has a responsibility to make sure that:

- Candidates are shortlisted only against agreed criteria from the person specification using information contained in the application.
- A record of the shortlisting process is made.
- The final selection can be justified.
- Applicants are advised promptly that they have been shortlisted by inviting to interview.

14.3 Any criminal record disclosed by an applicant should not be taken into account at the short-listing stage. The criteria used for short-listing must be the same for all candidates and must relate to the job description and person specification only.

15. Inviting candidates to interview

15.1 It is recommended that applicants should be advised if they are selected for interview at least 5 school days before it is to take place. Consideration should be given to extending this period where the selection process includes other exercises, for example the preparation of presentation materials.

15.2 References should be taken up prior to interview, unless an applicant has indicated on their application that they do not wish their current employer to be contacted at this stage. If this is the case, this must be discussed with the applicant at interview and the applicant reminded that all offers of employment are conditional upon the receipt of satisfactory references.

15.3 Letters or e-mails inviting applicants to interview should include the following information:

- The specific selection arrangements, including the name/position of the panel members.
- Location and time of the interview.
- Timetable/programme for the interview and selection process.
- Details of any pre interview preparation or tasks required of candidates.
- Information regarding the availability of equipment e.g. computer display, flip chart.
- A contact name and telephone number.
- Map and car parking arrangements.
- A request for details of any special requirements that will enable candidates to participate fully in the selection process e.g. signer for hearing-impaired applicants.
- The requirement to bring any certificate of qualifications essential for the post.
- The requirement to produce identification and if necessary any documents relating to the applicants right to work in the U.K

16. The selection process

16.1 Selection decisions should be based on a range of selection tools. These will include application and interview and may also include work-based exercises such as an observed lesson, presentations or psychometric tests. References should be sought on all shortlisted candidates before interview and scrutinised carefully so that, where any questions have not been answered or any issues of concern arise, clarification can be sought from the referee and these can be explored further with the candidate at interview.

16.2 References should always be requested directly from the referee and schools should not rely on open references, for example in the form of 'to whom it may concern' letters. Schools should be aware that individuals have the right to see their employment references.

16.3 The Head Teacher/Governing Body will determine the selection methods to be used. They should also ensure that:

- Panel members have the relevant documentation
- Arrangements are in place for candidates with a disability (where a reasonable adjustment has been requested)
- Selection activities are closely linked to the Job Description and Person Specification
- The structure of the interview is appropriate to the post to be filled and that a range of suitable questions have been prepared
- Interview notes are taken by panel members
- Panel members assess candidates against the criteria in the Person Specification at the end of the interview process
- An accurate record of the selection decision must be kept and any rating system must be justifiable

16.4 If criminal convictions have been declared by the candidate at application, or are subsequently disclosed through the DBS check, the Head Teacher may contact the Council's Safer Recruitment Team for advice.

16.5 If a candidate has declared a relationship with someone already employed by the school, then all recruitment decisions should have regard for ensuring that no conflict of interest arises. In particular, it is advisable that no member of staff is directly responsible for the management of someone with whom they have a personal relationship.

16.6 The recruitment process is a two way process in which the Head Teacher/Governors assess the candidate and the candidate can assess the school as a potential employer. It is therefore advisable to ensure that the candidates:

- Are advised about the selection process and methods
- Understand how they will be assessed
- Are given sufficient opportunity to ask questions
- Are given an honest but positive impression of the job and the School
- Are advised on how and when they will be informed of the selection outcome.

17. Making a conditional offer of appointment

17.1 The successful applicant will receive a verbal offer no later than 5 working days after the interview, except in exceptional circumstances which will, wherever possible, be explained to the candidates.

17.2 An offer letter confirming the appointment should be issued within 3 working days of the verbal offer. It must be clearly stated that the offer is conditional upon pre-employment checks and the receipt of satisfactory references.

17.3 If there is anything of concern in a reference this must be discussed with the applicant prior to confirmation of a verbal offer.

17.4 Before confirmation of a verbal offer for teaching posts the school will check if a qualified teacher is registered with the General Teaching Council.

17.5 Unsuccessful candidates should be advised no later than 3 working days after the successful applicant has accepted the post. They will be offered feedback on their interview.

17.6 Application forms for all applicants, accurate records of interview decisions on the standard form plus any other notes, lesson observation notes, test results (where appropriate) and references for shortlisted candidates should be retained for at least 6 months after the interview has occurred.

18. Pre-employment checks

18.1 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 necessary pre-employment checks.

When appointing new staff, the School must:

- Verify a candidate's identity. Identification checking guidelines can be found on the GOV.UK website;
- Obtain a certificate for an enhanced DBS check which will include 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 or college consider appropriate
- Verify professional qualifications, as appropriate.

19. Rehabilitation of offenders

19.1 The Rehabilitation of Offenders Act 1974 provides that if a convicted person completes a specific period without being convicted of further offences the conviction may be regarded as being 'spent'. These sentences do not have to be revealed and may not be used as grounds for exclusion from employment.

19.2 However, jobs that involve work with children and vulnerable adults are exempt from the provisions of the Act. In practice this means that for all school-based posts, applicants are required to disclose any criminal convictions when applying for a post.

19.3 Disclosure of convictions, either by the applicant or as a result of the DBS check, will not necessarily exclude an individual from employment. Employment decisions should have regard for the nature of the offence committed. In all cases where criminal convictions are disclosed advice should be sought from the Council's HR Safer Recruitment Team.