

# Recruitment and Selection Policy

## **Adoption Arrangements and Date**

All statutory policies in the Trust are ultimately the responsibility of the Trust Board. To enable it to discharge this responsibility appropriately and in collaboration with the constituent schools, the Trust Board will

1. set a full Trust wide policy,
2. set a 'policy principles' document (a framework within which Headteachers develop a full and appropriately customised policy),
3. or delegate to Headteachers or LGBs the power to develop their own policy.

<b>Review Body:</b>	<b>Pay &amp; HR Committee</b>	<b>Adopted:</b>	<b>28 January 2022</b>
<b>Leadership Grp Responsibility:</b>	<b>Human Resources Director</b>	<b>Date of next review:</b>	<b>27 January 2025</b>
<b>Policy Type:</b>	<b>Non-statutory</b>	<b>Review period:</b>	<b>3 years</b>

**This is a Level 1 Policy against the Trust Governance Plan.**

## **1 Introduction**

Tenax Schools Trust believes that staff are the most important of our resources, and it is only through the appointment and retention of exceptional teaching and support staff that we can achieve the best possible learning outcomes for the children and young people in our schools.

Our recruitment policy is built on the following principles:

- Tenax Schools Trust is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share that commitment.
- The Trust seeks to attract the best possible applicants for its posts, who are in sympathy with the Trust and schools' ethos and distinctive educational aims.
- The appointment process will deter prospective applicants who are unsuitable to work with children and take all possible steps to identify and reject those applicants.
- Our appointments process is transparent and appropriate to the level of the post
- Jobs are advertised nationally, locally, within the Trust, or individual schools depending on the circumstances.
- Applications must always be made in writing.
- The appointments procedure takes due regard of the guidance and regulations contained in Keeping Children Safe in Education, the Education (Independent School Standards) (England) Regulations 2014, which also includes Academies and Free Schools, the Trust Equal Opportunities policy and the Equality Act 2010. This policy also takes account of the Trust's responsibilities under the Data Protection Act 1998, General Data Protection Regulations 2018 and the relevant UK Immigration legislation.

## **2 Ethos**

Our Trust is a place where everyone should be able to flourish in a loving and hospitable community. Everyone is equal and we treat each other with dignity and respect. Each employee, in all their unique difference should be able to thrive, irrespective of physical appearance, age, gender, race, religion, ethnicity, socio-economic background, academic ability, disability, sexual orientation, marital status or gender identity. The individual identity of each school is valued equally, whether of faith designation or none.

## **3 Scope**

This policy applies to the recruitment and selection of all staff within Tenax Schools Trust, whether schools, centrally employed staff, or the Trust's associated entities.

All employees involved in any stage of the recruitment, selection or administration of these processes should be aware of and adhere to the contents of this policy.

## **4 Identifying vacancies**

Vacancies may arise through Trust/school growth, or as a result of the resignation or retirement of an existing staff member. On receipt of a resignation, the Headteacher, in consultation with CFO or HR Director where required, will assess the need to replace the role, giving consideration to the duties and hours of the

post and any other known changes anticipated. Posts will not automatically be replaced on a like-for-like basis. Posts that were not included in the approved budget for the year, or any post that takes the staffing cost beyond 85% of GAG funding, must be agreed by the Chief Financial Officer prior to advertising.

## **5 Recruiting Managers/Panels**

It is expected that the recruitment of Trust posts will be managed by the line manager to the post advertised, with support from HR or other relevant stakeholders as required. In schools, the Headteacher is normally responsible for the recruitment of staff, but may delegate this to suitably experienced staff, such as Head of Department or the line manager of the post.

As a minimum, at least one member of any recruitment panel must have had relevant safer recruitment training from a provider approved by the Trust. All panel members must be made aware of the contents of this policy and their responsibilities under relevant employment legislation.

Where the recruiting manager or member of the panel has a close personal or family relationship with an applicant, they must declare this as soon as they are aware of the application. Where possible, the recruiting manager or panel member should recuse themselves from the appointment process. Where this is not possible, the recruiting manager should seek advice from Human Resources, and where appropriate an additional member of staff should be appointed to the selection panel.

## **6 Advertising**

A Candidate Information pack should be compiled, and contents will depend on the nature and seniority of the role but may include:

- Welcome letter from the Trust CEO
- Headteacher letter
- Job description and person specification
- Guidance notes for candidates, including closing, shortlisting and selection dates. This will also include details of the pre-employment checks and safeguarding criteria for the post.
- School/area information

Posts will be advertised using media appropriate to the grade and the needs of the school. Where a post relates to an additional responsibility and will not result in additional headcount for the school, the post will be advertised in school only. Other posts should be advertised internally at Trust schools, using the school/Trust websites and using either local or national advertising media as appropriate to the grade and nature of the role.

All adverts will include the statement below:

*Tenax Schools Trust is committed to safeguarding and promoting the welfare of all children and young people and all applicants are expected to share this commitment. All appointments are subject to pre-employment checks, including satisfactory references and an Enhanced DBS check. [More information on our recruitment checks can be found in the candidate pack for this post.]*

## **7 Applications**

All schools will use the Trust application forms for either Teaching or Non-teaching posts. Some vacancies may require the use of the application form for internal candidates, although applications from internal candidate may be considered on the basis of a letter of application and supporting statement. The recruiting manager is responsible for ensuring that, where internal candidates are not completing the internal application form, that applications have equal opportunity to demonstrate that they meet the criteria when considered alongside external candidates.

For schools advertising on Kent Teach, their template application form can be used as this meets the same criteria for Safer Recruitment purposes.

A letter of application, or Curriculum Vitae cannot be accepted alone.

Applications must be checked for any accessibility requests to allow applicants to participate fully in the selection process. All candidates should be asked to complete the Equalities Monitoring online form. The form can be accessed at <https://forms.office.com/r/Cq24ZugjxL>

Where a candidate has submitted an application electronically, they must be asked to sign a hard copy if they are invited to attend an interview/selection testing.

## **8 Shortlisting**

All candidates' applications will be considered and should be assessed against the criteria in the person specification, with a summary record kept of all applications. Applications will be reviewed to identify gaps in employment, and areas for discussion at interview in line with the Candidate Summary Sheet – see appendix 1.

Shortlisting should be carried out by a minimum of 2 people, at least one of whom must be trained in Safer Recruitment.

Wherever possible internal candidates will be interviewed as part of our commitment to continuing professional development. Where internal candidates are not shortlisted, feedback should be given regarding their application.

References will be requested on shortlisted candidates, using the relevant template reference request form (teaching or non-teaching). In all cases the current and most recent employer will be used as referees. References must cover the last three years of employment as a minimum; candidates should be asked for additional contact details if required. Where a candidate has a previous employer in the Children's Workforce, a reference should always be requested from that employer, even where this is not the most recent employer.

For full details on reference checks see Appendix 2.

Shortlisted candidates will be given the opportunity to advise the recruiting manager of any reasonable adjustments that may be required in the selection process to enable the candidate to participate fully and equitably. Discussion with the candidate prior to interview may identify specific measures that need to be taken at the interview stage.

Adjustments will be dependent on the individual needs of the candidate, but the following are examples:

- candidates may benefit from having the interview at a particular time of the day, for example if they have a condition that causes them to be drowsy at certain times of the day, they need to take medication or eat at specific times, or they have difficulty using public transport during the rush hour. Employers should be prepared to be flexible about the timing of the interview.
- candidates with restricted mobility may require a change to the interview venue, e.g. to be held on the ground floor or with wheelchair access.
- An induction loop may be required for an applicant with a hearing impairment
- some candidates may benefit from having someone to meet them from public transport, or in the car park, to accompany them to the location of the interview.
- where a test forms part of the selection process (e.g. in-tray exercise) candidates are required as with the application form, it may be necessary to provide the instructions for the test in an alternative format, and to allow the candidate to present his or her answers using an alternative method. It may also be necessary for the employer to allow the candidate additional time to complete the test, or to provide a reader or scribe. In some instances, coloured filters may be required to help a candidate with visual difficulties or dyslexia read written instructions.

All selection tests used must be relevant to the requirements of the role.

Adjustments can only be made to the process where candidates advise the Trust of their needs. An individual's need for adjustments must not form part of the decision-making process.

Shortlisted candidates must be sent the Trust's Criminal Record Self-Declaration form and bring the completed form to their interview.

## **9 Selection**

Selection activities and interview questions will be finalised after shortlisting in order to address any areas of weaker evidence against the person specification. All selection processes will include an interview, during which there will always be questions designed to ascertain that the candidate shares the Trust's commitment to safeguarding and promoting the welfare of children and young people. This will be done largely through asking for examples from experience and probing areas of concern.

Interviews should normally be face-to-face. Telephone or video-conferencing may be used in exceptional circumstances. Interviews will, where possible take place with the same panel, on the same day. Interview questions must relate to the job role as stated in the job description and person specification. The person specification should be used as the starting point to formulate interview questions and selection activities. Questions related to protected characteristics are not appropriate and may be unlawful.

Interview questions must appear on the interview record, along with notes of the answers. A template for this is provided at appendix 4. All candidates should be asked the same core questions, based on the person specification for the role. Supplementary questions to clarify or expand on a candidate's answer are appropriate where they relate directly to the duties and responsibilities of the role. Any such questions and their answers should be recorded in the interview notes. Other candidate-specific questions are only appropriate where these relate to concerns or inconsistencies in the candidate's application form or references.

All interviews must include questions relating to the applicants' attitudes towards children and young people, their ability to safeguard and promote the welfare of children and young people at a level appropriate to the role advertised.

Candidates will always be required, alongside demonstrating their ability to carry out the role for which they have applied, to:

- Give a satisfactory explanation for any gaps in employment
- Explain any anomalies or discrepancies in information available to recruiters, including any anomalies from references already received
- Declare any information that is likely to be revealed in pre-employment checks

Teachers should always be observed teaching a lesson, and for senior appointments, pupils/students should normally be involved in at least one selection task.

Candidates must be asked to bring photo ID with them to the interview. A copy should be taken, checked and signed by a member of the selection panel. This will be compared to the evidence used by the ID verifier for the DBS application to ensure that the person attending the interview is the person for whom the DBS application is being completed.

## **10 Offer**

The successful candidate should be made a conditional offer of employment by telephone, and this will be followed up by a written offer as soon as practical. The conditions of offer will vary according to the post – see Appendix 3 for details.

## **11 Pre-appointment vetting checks**

All offers should be made on a conditional basis, subject to the pre-appointment vetting checks that are appropriate to the role. Full details on pre-appointment checks can be found at Appendix 3.

Schools must make all reasonable efforts to complete all checks prior to the candidate commencing work. However, there may be times when this has not been possible. In such instances, the headteacher may undertake a risk assessment subject to the satisfactory completion of the following **minimum** checks:

1. Separate barred list check
2. Verification of the candidate's identity – including checks on any name changes
3. Verification of the candidate's eligibility to work in the UK
4. For teachers, that they are not subject to a prohibition order issued by the Secretary of State and verification of their professional qualifications through the Teaching Regulation Agency Employer Access Service
5. For management positions, that the candidate is not subject to a section 128 direction made by the Secretary of State
6. For qualifying posts under the Childcare Disqualification Regulations 2018, that the candidate is not disqualified from working in those settings.

A headteacher's risk assessment must take account of all known information about the candidate and consider features of the post for which the candidate is to be engaged, including the age range of the

children, the proximity to children (e.g. pupil facing or non-pupil facing role) and the level of supervision that is available.

## **12 Induction and probationary periods**

All staff who are new to the school or Trust should receive full induction training that will include the school's safeguarding policies and guidance on safe working practices within two weeks of the date of commencement of employment where practical. On appointment, all new employees will be provided with Part 1 of Keeping Children Safe in Education and will be required to read and ensure confirm their understanding of the document. All new employees will also be made aware of the Whistleblowing Policy, the Staff Code of Conduct and Keeping Data Safe guidance.

Regular meetings should be held during the first 6 months of employment between the new employee(s) and the appropriate manager(s). For support staff, these meetings will form part of the formal review of the probationary period. Any concerns will be identified and the employee informed at the earliest possible stage.

## **13 Record Keeping**

Proper documentation and records must be kept relating to all stages of the recruitment and selection process. Such evidence must demonstrate that the Trust has met its obligations under relevant employment law, in particular the Equality Act 2010, and the latest guidance in Keeping Children Safe in Education. Documents relating to candidates should be treated in strictest confidence and obtained, processed and retained in line with the Data Protection Act and General Data Protection Regulations.

For unsuccessful candidates, applications, notes taken at shortlisting and interview and records of other selection activities should all be retained for a period of six months and then destroyed.

All recruitment documentation, including the advert, job description, selection records, copies of identity document and qualifications, will be retained as part of the personnel file for the new appointee.

**Appendix 1**

## Safer Recruitment Candidate Checklist

**Candidate Name:** \_\_\_\_\_ **Recruiting Manager:** \_\_\_\_\_

**Post applied for:** \_\_\_\_\_ **Date of interview:** \_\_\_\_\_

Full details of the Trust’s Safer Recruitment processes can be found in the Trust Recruitment Policy. All post should be filled in line with this policy.

**Prior to interview I have:**

Source:	To check:	Actions:
Application form	All sections completed	Yes/No
	Gaps in employment checked? Time spent abroad?	Yes/No  Points to follow up:
	Education/training history checked	Yes/No Points to follow up:
Personal statement	Attitude to working with children Personal values and attitudes Motivation to work with children/young people Ethos	Points to follow up:
References obtained prior to interview (at least last 3 years, and last Children’s workforce employer)	Referees checked – who has the candidate used? Personal vs employment/training post? Have references been signed as acceptable by Headteacher?	Yes/No Points to follow up:
<b>Additional questions required at interview for this candidate:</b>		

Signed: \_\_\_\_\_

## Appendix 2

### Guidance on the request and assessment of employment references.

*This Guidance takes account of paragraphs 203 - 207 of Keeping Children Safe in Education, 2021 .*

References should be taken up before candidates are invited to interview, so that any gaps in employment history or other discrepancies can be probed during the interview process. Where relevant, this may include internal candidates.

It is understood that in some circumstances candidates may not wish for their current employer to be contacted prior to offer. Such requests should be considered sensitively and consent should be obtained from the candidate to contact any current employer prior to interview.

References will be sought directly from the referee. The relevant reference request form (for teaching or non-teaching staff), must be completed by all referees. References which are generic statements will not be accepted, particularly if they appear to have been prepared for another purpose. References or testimonials "To whom it may concern" (sometimes called 'open references') provided by the candidate will never be accepted.

References will only be accepted from a suitably senior person with appropriate authority of the organisation. Where this is not clear, schools must take steps to verify that the referee has the authority of the organisation to provide an employment reference. Where the referee is a school, college or other education setting, the reference should be confirmed by the headteacher/principal as accurate in respect to disciplinary investigations.

Photocopied references cannot be accepted. Faxed or emailed references will always need to be followed by a signed hard copy.

References should be requested according to the following hierarchy:

- One reference will always be required from the current or most recent employer.
- Where candidates are not currently working with children but have previous experience within the Children's Workforce, one reference should always be requested from the last Children's Workforce employer. In the event that this is a school, one reference must be from the headteacher.
- References may also be requested from a place of worship, or voluntary organisation, where the identity and authority of the referee can be verified.
- "Personal" references should be avoided.

Professional/work references must not be sent electronically to a personal email address. Where a request is sent by email, steps should be taken to verify that the email address is a valid organisation account.

No reference request should be sent to a shared email address e.g. [smithfamily@emailprovider.com](mailto:smithfamily@emailprovider.com) or [janetandjohn@emailprovider.com](mailto:janetandjohn@emailprovider.com)

Where information about past disciplinary action or allegations is disclosed, this should be considered carefully as part of a holistic assessment of a candidate's suitability to work with children and young people.

Recruiting managers should note that when providing references, schools and colleges should ensure the information confirm whether they are satisfied with the applicant's suitability to work with children and provide the facts (not opinions) of any **substantiated** safeguarding allegations. References from schools should not include information about allegations that are unsubstantiated, unfounded, false or malicious, and should not contain information on low-level concerns that have been reported. Recruiting managers must always follow up a reference from a school or college where such information has not been explicitly provided.

Where necessary, referees will be contacted by telephone or e-mail in order to clarify any anomalies or discrepancies, previous employers who have not been named as referees may be contacted in order to clarify any anomalies or discrepancies. A detailed written note will be kept of such exchanges.

Where possible the recruiting manager should confirm the identity of the referee using a follow up telephone call.

When checking references, the recruiting manager should ensure that the employment dates, salary and reason for leaving in the reference match the details in the application form, in addition to checking the content of the reference. References should be checked to ensure that all specific questions have been answered satisfactorily. Information should always be verified with the person who provided the reference.

References should be scrutinised and any contradictions or concerns resolved satisfactorily before the appointment is confirmed.

All references should be signed and dated by the Headteacher, or School Business Manager (support staff posts only) to confirm they are satisfactory.

Recruiting managers are reminded of the requirement in Keeping Children Safe in Education to take proportionate decisions on whether to ask for any checks beyond what is required. This may include requesting additional references, overseas checks etc.

### **Appendix 3**

#### **Conditional Offers**

All offers of employment will be conditional on:

##### **All staff:**

- A satisfactory Enhanced check from the Disclosure and Barring Service and check against the Children's Barred List (where working in regulated activity)
- Where applicable, supplementary Overseas Checks. Each applicant should be assessed individually (and record details on personnel files) and advice sought from Human Resources if required. The Trust recommends that schools should usually undertake an overseas criminal record check if a candidate has resided overseas for a period of 3 months, or longer, in the five years prior to applying or a position at the school.
- Identity check and verification of entitlement to work in the UK.
- Satisfactory pre-employment health clearance.
- Receipt of a minimum of 2 references satisfactory to the Trust (see guidance on references at Appendix 1).
- Provision of original qualification certificates, as per "essential" criteria in the person specification. Photocopies cannot be accepted.

##### **For teaching/learning support staff:**

- In addition to the above, all qualified teachers will be checked against the prohibited teacher list, regardless of post applied for.
- Where a teaching assistant is undertaking work defined as "teaching work" checks will also be made against the Prohibited Teachers List.
- All prohibitions, sanctions and restrictions are checked by authorised persons logging into the Secure Access portal.

##### **For management posts:**

Where management is defined as members of the Trust senior leadership team and in schools, the headteacher, deputy headteacher, assistant headteachers and in secondary schools, department heads, checks must be undertaken against the S128 Prohibited list.

**In primary schools:**

Relevant staff will be required to make a declaration that they are not disqualified from working in early and later years childcare provision under the Childcare Act 2006, and the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018. These Regulations disqualify a candidate from working in a relevant setting as detailed below. Where an applicant would be disqualified under these regulations an offer of employment is conditional on the receipt of a waiver from Ofsted.

Staff are covered by this legislation if they are employed and/or provide early or later years childcare, or are directly concerned with the management of such childcare. Early years childcare covers children from birth until 1<sup>st</sup> September following their fifth birthday, i.e. up to and including Year R. Later years childcare covers children above the age of five years, but who have not attained the age of eight in childcare provision out of school hours. This does not include extended school hours for co-curricular learning activities, but does include childcare at breakfast or after-school provision.

**This includes:**

*All headteachers, deputy and assistant headteacher in Trust primary schools, who are considered to be directly concerned with the management of such provision.*

- *All staff working in school managed nursery provision.*
- *All teachers and teaching assistants working in Early Years classes, including any PPA cover.*
- *All midday meals supervision for Early Years classes.*
- *All staff working in wrap-around care provision.*

**The regulations do not cover staff who:**

- *Only provide education, childcare or supervised activity during school hours to children above reception age; or*
- *Only provide childcare or supervised activities out of hours for children who are aged eight or over; and*
- *Have no involvement in the management of relevant provision.*

Staff will not automatically be required to make a declaration if they are only occasionally deployed, and are not regularly required to work in relevant childcare as described above.

Full Guidance on the application of the Regulations is provided in the Trust's Disqualification (Childcare Act) Guidance July 2018.

**Any appointing manager considering the withdrawal of a conditional offer as a result of pre-employment checks must consult with Human Resources Director before withdrawing the offer. The relevance of any disclosure identified in the pre-employment checks will be assessed against the role's essential criteria, and, where appropriate, a risk assessment and control measures will be considered.**

**Appendix 4**

**Interview Questions:** [Role: \_xx\_]

Interview Panel:

Panel Member(s) trained in Safer Recruitment (at least one):

Candidate: \_\_\_\_\_

Date: \_\_\_\_\_

Interviewer	Question	Response	Rating ( 3 strong, 2 moderate, 1 weak)
	Safeguarding is a big concern in schools – what do you think are the important factors that you, as our xx, would have to consider when thinking about children’s safety? [Adapt Q for role as required]		
	Is there anything in your life that could bring your suitability to work with children in question? Have you ever been convicted of any offence or bound over or given a caution? Have you ever been the subject of an investigation or enquiry into abuse or any other inappropriate behaviour?		
	Ask any specific questions from application form – especially if any gaps in employment		

Please give all interview notes, including any application forms, to xxx following interview.