



# Recruitment and Selection Policy and Procedure

## Version 5.1

<p><b>Important:</b> This document can only be considered valid when viewed on the TEAL website. If this document has been printed or saved to another location, you must check that the version number on your copy matches that of the document online.</p> <p><b>Name and Title of Author:</b></p>	<p>Lisa Longstaff, Director of People</p>
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<p><b>Related Documents:</b>  <b>All TEAL policies and procedures referred to are located on the TEAL website, <a href="http://www.theeducationalliance.org.uk">www.theeducationalliance.org.uk</a>.</b></p> <p><b>If English is not your first language, and you require assistance/translation, please contact the HR Department.</b></p> <p><b>This policy has been equality impact assessed, as detailed in section 3.</b></p>	<p>Scheme of Delegation (Governance Framework)          Disclosure and Barring Policy          Equality, Diversity and Inclusion Policy          Redeployment Procedure          Keeping Children Safe in Education (<a href="http://www.gov.uk">www.gov.uk</a>)          Childcare (Disqualification) Regulations 2018          Equality Act 2010          Induction Checklist          Ethical Leadership Framework          Organisational Change and Redundancy Policy          Data Protection Policy          Women at Work Guidance          Domestic Abuse Guidance</p>

## Contents

<b>Section</b>	<b>Page</b>
<b>Policy Statement</b>	<b>3</b>
<b>1. Purpose and Scope</b>	<b>3</b>
<b>2. Roles and Responsibilities</b>	<b>4</b>
<b>3. Equality, Diversity and Inclusion</b>	<b>4</b>
<b>4. Principles</b>	<b>6</b>
<b>5. Documentation</b>	<b>6</b>
<b>6. Recruitment Authorisation</b>	<b>6</b>
<b>7. Job Description &amp; Person Specification</b>	<b>7</b>
<b>8. Advertising</b>	<b>8</b>
<b>9. Redeployment</b>	<b>9</b>
<b>10. Expressions of Interest</b>	<b>9</b>
<b>11. Application and Shortlisting</b>	<b>9</b>
<b>12. Assessments</b>	<b>10</b>
<b>13. Decision to Appoint and Clearances</b>	<b>12</b>
<b>14. Confirmation of an Offer of Employment</b>	<b>15</b>
<b>15. Agency Workers</b>	<b>16</b>
<b>15. Monitoring Compliance with and Effectiveness of this Policy</b>	<b>16</b>
<b>16. Review</b>	<b>16</b>

## **POLICY STATEMENT**

We are here to make great schools and happier, stronger communities so that people have better lives. We do this by:

- Always doing what is right
- Trusting in each other and standing shoulder to shoulder
- Doing what we know makes the difference

Doing what is right means always acting with integrity, in the interests of others and being honest, open and transparent.

The success of the Education Alliance (TEAL) relies on retaining, recruiting and selecting people with appropriate skills, knowledge, qualifications, experience, abilities and competencies to meet current and future requirements. TEAL endeavours to recruit in a fair, consistent, timely and cost-effective manner in line with current legislation and statutory requirements. Safeguarding sits at the heart of TEAL's recruitment and selection processes, ensuring our pupils' safety is central to our recruitment and selection processes, decisions and outcomes.

### **1. PURPOSE AND SCOPE**

TEAL is committed to equality and fair treatment in recruitment and selection and all appointments will be based on merit. TEAL will ensure that recruiting managers follow this procedure, safeguarding those children and young people for whom it has a duty of care. The purpose of the Recruitment and Selection Policy and Procedure is to provide a fair, consistent and transparent framework that adheres to employment legislation and statutory requirements, enabling managers to:

- attract the best possible applicants to vacancies
- ensure that the safeguarding and welfare of children and young people sits at the heart of recruitment and selection
- follow a fair and consistent process in recruiting and selecting employees
- adhere to all relevant legislation and statutory requirements
- ensure the most cost-effective use is made of resources
- give applicants a clear understanding of the post and what is expected of them, measuring candidates against the criteria in a fair, transparent and reasonable way
- minimise the risk of making an unsuitable appointment

TEAL recognises the legal obligations it has as an employer under the Equality Act 2010, the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000, Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002, and the Human Rights Act 1998. TEAL complies with the requirements of data protection legislation. TEAL also understands its statutory obligations and the HR Department will ensure policies, procedures, processes, training and associated documentation is regularly reviewed in line with changing legal and statutory requirements.

TEAL also recognises its legal obligations in safeguarding vulnerable groups and this procedure adheres to the requirements of the Police Act 1997, the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020), the Protection of Children Act 1999, the Education Act 2002 and statutory guidance (e.g. the statutory instrument Keeping Children Safe in Education (KCSiE) and Disqualification under the Childcare Act 2018).

This policy applies to all job applicants and those involved in recruitment (e.g. staff, managers, governors and trustees).

## **2. ROLES AND RESPONSIBILITIES**

The **Trust Board** is responsible for approving this policy. Trustees are also responsible for the recruitment and selection of the CEO.

The **CEO** is responsible for ensuring candidates and employees are treated fairly and consistently across the TEAL.

**Headteachers and senior leaders** are responsible for ensuring this policy and procedure is implemented fairly and consistently in their schools. Headteachers are also responsible for ensuring managers, leaders and supervisors have access to appropriate training and development to enable them to apply this policy fairly, consistently and professionally, in line with legal and statutory requirements.

The **HR Department** is responsible for overseeing the introduction, implementation, monitoring and review of this policy and will report to the CEO, the Trust Board and its committees and Local Governing Bodies as required. The HR Department will provide advice, guidance and support in the implementation of this policy and procedure, acting as a point of contact for managers. The HR Department will ensure that this policy is implemented fairly and consistently, ensuring that relevant employment legislation and statutory guidance is adhered to.

**Managers** and staff must ensure they carry out recruitment and selection fairly and consistently in line with this policy and procedure, accessing support, guidance and training as and when required. Managers must also provide appropriate, constructive feedback to candidates. Detailed, meaningful feedback should be offered to all unsuccessful candidates following an assessment process, and to candidates who are not shortlisted, should they request feedback.

## **3. EQUALITY, DIVERSITY AND INCLUSION**

The Trust is committed to:

- Promoting equality and diversity in its policies, procedures and guidelines, adhering to the Equality Act 2010 (the nine protected characteristics are age; disability; sex; gender reassignment; pregnancy and maternity; race; sexual orientation; religion or belief; and marriage and civil partnership).
- Delivering high quality teaching and services that meet the diverse needs of its pupil population and its workforce, ensuring that no individual or group is disadvantaged.

As part of this policy's review, equality information will be shared with the executive team, trade unions (via the joint consultation and negotiation committee) and headteachers.

The CIPD defines equality, diversity and inclusion as follows:

- Equality ensures that every individual has equal opportunities, regardless of their background, identity or experience.

- Diversity refers to the representation and recognition of people with different characteristics. In addition to protected characteristics (as detailed below) there are other characteristics, such as socioeconomic background, and overlapping characteristics.
- Inclusion is about going beyond representation and recognition, to valuing these differences and enabling everyone to thrive at work. An inclusive workplace is one where people feel they can perform to their full potential, and that they belong in the organisation without needing to conform or mask their identities.

Shortlisting, assessments and selection processes will always be carried out with the organisation's commitment to equality, diversity and inclusion in mind, along with the need to meet our legal and statutory responsibilities.

TEAL is committed to providing equality of opportunity for all and ensuring that all stages of recruitment and selection are fair. Job descriptions, person specifications, advertisements and other recruitment and selection documentation must only contain objective, justifiable, non-discriminatory information. Managers should take care not to include:

- Explicit references to age or age ranges
- Language that could be perceived as age bias (such as young, mature, energetic)
- Specifications for a particular gender, race, religion or age unless it is defined as a Genuine Occupational Qualification (as detailed below)
- Language that could be perceived as discriminatory (e.g. 'must be fit', 'able bodied', 'generally healthy', or 'able to drive')
- Qualifications that could be age bias (e.g. GCSEs) without adding 'or equivalent'

Managers and HR colleagues must also ensure that they make efforts to remove bias throughout the recruitment process (e.g. language used in job descriptions, person specifications, adverts and assessments). We aim to be seen and experienced as an inclusive employer, with recruitment practices that don't allow bias to creep into recruitment and selection practices, documentation and decision-making.

The Equality Act 2010 allows for specifications to include a requirement for a particular gender, race, sexual orientation, religion or age as long as it is defined as a Genuine Occupational Qualification. Managers must seek advice from the HR Department if they believe that a vacancy, they have approval to recruit to has a genuine occupational qualification.

#### **4. PRINCIPLES**

TEAL adheres to the following principles in recruitment and selection:

- All applicants will receive fair and reasonable treatment.
- The job description/person specification is an essential tool, which is used throughout the process and applied equally to all applicants.

- Recruitment decisions will be based on the assessment of how candidates match the criteria detailed in the job description/person specification (e.g. knowledge, skills, qualifications, experience, abilities and competencies).
- Selection should be carried out by a panel of at least two people, preferably three people where possible. At least one panel member must have up-to-date safer recruitment training and, where possible, all panel members should be recruitment and selection trained.
- Selection should be based on a minimum of a completed application form, shortlisting and interview.
- The scheme of delegation (located within the Governance Framework) details the delegated powers leaders have regarding appointment decisions.
- All posts will normally be advertised, unless there are specific circumstances (e.g. situations requiring ring-fencing or slotting, such as people at risk and seeking suitable alternative employment via TEAL's Redeployment Procedure).
- The Equality Act 2010 requires TEAL to make reasonable adjustments to the recruitment process if an applicant makes us aware that they have a disability. This applies to the entire recruitment process, from advertisement to appointment and the TEAL is committed to meeting this requirement.

## **5. DOCUMENTATION**

The recruitment process will be documented at each stage, resulting in a clear audit trail and transparency of decisions. All documentation relating to the recruitment process should be retained for 6 months from the date of the appointment decision by the HR Department. Documentation relating to the successful candidate will be transferred to their personal file. By keeping appropriate records, TEAL can demonstrate in the event of an enquiry or complaint that appropriate procedures have been followed. Information on candidates must be treated in the strictest confidence and restricted to those directly involved in the recruitment process.

The HR Department will use appropriate ICT to manage the recruitment process and therefore vacancy and applicant data will be stored electronically, and all recruitment documentation will adhere to TEAL's Data Protection Policy and associated documents.

## **6. RECRUITMENT AUTHORISATION**

Before any decision is made to advertise a vacancy the Headteacher must be convinced that a vacancy exists that requires filling (via the recruitment authorisation process). The recruiting manager should discuss with the HR team their recruitment needs and the HR team will assist recruiting managers in completing a recruitment request form that will be sent to the Headteacher for approval. Schools that are experiencing financial difficulties must seek approval to recruit from the Director of People, the central finance team and the Executive Principal/CEO.

The recruiting manager must consider and include on the recruitment request form:

- Whether the post needs to be filled and how best to fill it
- They should seek a copy of the job description and person specification from HR and assess whether any changes (e.g. role, responsibilities, knowledge, skill and expertise) are required. The HR team will be able to advise on whether roles require re-evaluation and the potential impact (e.g. equal pay for work of equal value)
- Any foreseen/expected future changes to the job/department/school/sector
- Organisational changes elsewhere in TEAL alongside potential redeployees

- The need to minimise redundancy situations in line with TEAL's Organisational Change and Redundancy Policy and Redeployment Procedure

The recruiting manager should seek advice and support from the HR Department throughout the ensuing recruitment and selection process.

## **7. JOB DESCRIPTION/PERSON SPECIFICATION**

The recruiting manager is responsible for describing the role and responsibilities clearly, concisely and accurately within the job description/person specification, and the HR team can assist in ensuring the job description and person specification align with legal and statutory requirements, organisational standards and appropriate templates. The HR Department will ensure role requirements are clear, specific and competency based. Flexible working will be offered wherever possible and application forms will not require applicants to disclose their current salary. Behaviours and competencies that are required will be clearly articulated, rather than character traits (e.g. 'has held management responsibilities' rather than 'is a natural leader'). The HR Department will check that the job description has been evaluated, therefore if the recruiting manager has or intends to revise the job description and/or person specification they must notify the HR Department, as revisions may impact on the job evaluation score.

The recruiting manager is responsible for ensuring the job description/person specification includes all the essential and desirable qualifications, knowledge, skills, experience and competencies required for the role, ensuring that the stipulated criteria is measurable and non-discriminatory. The manager must also propose the hours, employment status (e.g. full-time, part-time, term-time, permanent, and fixed-term) and working pattern. Managers are encouraged to consider flexible working options for the role, and they should seek advice from HR colleagues. TEAL will also seek to establish and support apprenticeships wherever possible.

When completing or checking the job description/person specification, the recruiting manager should consider how each aspect will be measured. It is vital that care is taken when writing/reviewing the job description/person specification as this is used as a baseline for the recruitment and selection process (i.e. applicant's suitability for the post is measured against this throughout the process). Care must also be taken to avoid the inclusion of unnecessary, marginal or blanket requirements as this could lead to allegations of discrimination and unfair treatment (e.g. ability to drive may be viewed as discriminating against disabled applicants unless justifiable).

Competencies should align to the competency framework TEAL uses, alongside TEAL's purpose, values, ethos and ethical leadership framework. The HR Department can provide advice and support in reviewing, applying or developing competencies.

The person specification details the knowledge, skills, expertise and competencies required for the successful delivery of the key responsibilities detailed in the job description. The recruiting panel and/or the HR Department should not shortlist a candidate that does not meet the essential criteria for the post as essential means the role cannot be delivered without that key knowledge, skill, expertise or competency. Desirable criteria help the recruiting managers differentiate between satisfactory and outstanding candidates.

The job description/person specification must be finalised before the vacancy is advertised as prospective candidates often use the advert, job description and person specification as a means of selecting or de-selecting themselves.

## 8. ADVERTISING

If the recruitment request is approved, the HR Department will draft an advert that includes:

- an introduction to TEAL and the specific school the role sits within, the ethos, values and benefits of working within the TEAL and the school
- the purpose and key responsibilities
- basic details about the post e.g. job title, salary/pay point, hours, contractual status
- key essential criteria (as stipulated on the job description/person specification) and any special working arrangements or requirements
- any additional payments, allowances or benefits as appropriate (e.g. any recruitment and retention premia or relocation assistance on offer)
- where possible, the intended date for assessment/interview
- a named contact for informal enquiries where possible
- details of how to apply
- the closing date for applications
- a safeguarding statement, confirmation that in line with Keeping Children Safe in Education (KCSIE) an online check and enhanced disclosure and barring service (DBS) check will be undertaken, and a link to the Safeguarding and Child Protection Policy

Adverts will include salary scales rather than negotiable figures, and benefits described will include people policies that exceed minimum legal requirements (e.g. annual leave).

The HR Department aims to use gender neutral language in its adverts (e.g. reducing words like ambitious and including words like co-operative). TEAL is committed to encouraging flexible working, and vacancies will contain flexibility statements wherever possible. Vacancies will be advertised on the TEAL website and vacancies will also be shared with staff via regular bulletins. The TEAL is committed to providing enjoyable and satisfying careers for its workforce, therefore vacancies will be advertised internally, and external advertising may not always be required.

The HR Department will review recruitment requests against the redeployment register. Vacancies will be advertised internally, providing opportunity for staff to apply for other roles within TEAL, and for temporary staff to apply for permanent roles. As detailed in TEAL's Redeployment Procedure, there may be occasions where it is appropriate for a post to be ring-fenced for redeployees, and there may also be occasions where a redeployee is slotted into a post. Please refer to TEAL's Redeployment Procedure for more information. It is anticipated that YWTT trainees will be shortlisted for teaching vacancies within the TEAL wherever possible, and assessment programmes will include an interview, student panel and lesson observation. There may be occasions where a post is advertised internally in a specific TEAL school, rather than across TEAL (e.g. where there is a teaching leadership vacancy and recruiting a teacher from elsewhere in the TEAL would result in more teaching capacity than is required/affordable).

The HR Department will support recruiting managers in creating adverts, providing recruiting managers with advice and costs in relation to the most appropriate media for external advertising to ensure that adverts are within budget whilst ensuring that they reach the target audience (including placing adverts where they are more likely to be seen by marginalised applicants, such as Mumsnet, BME Jobs, Ethnic Job Site, Evenbreak, LGBT jobs and Restless). Placing adverts in the local community



may reach more older applicants. The HR Department will also check that the advert is free from discrimination in terms of its content, design and language, and will ensure that adverts provide applicants with clear expectations, timelines and communications.

## **9. REDEPLOYMENT**

TEAL is committed to retaining its workforce wherever possible. There may be occasions where staff meet the criteria for redeployment and TEAL's Redeployment Procedure should be referred to in such circumstances. The HR team will check a recruitment request against the redeployment register prior to advertising a vacancy and the recruiting manager will be notified by HR colleagues if there are any redeployees who should be slotted/ring-fenced for a vacancy.

## **10. EXPRESSIONS OF INTEREST**

TEAL may, in exceptional circumstances, utilise an internal expression of interest recruitment process. This may be justifiable for a temporary appointment, for example, where the role is of a specialist nature or where a developmental opportunity is available internally and can be ring-fenced for a particular group of staff. Organisational changes may also result in ring-fenced opportunities for affected staff. Managers must read the Organisational Change and Redundancy Policy and the Redeployment Procedure and seek advice from the HR Department.

Expressions of interest allow for a quick turnaround and remove the external element of recruitment. However, this is the only difference to the normal recruitment process as once application forms are received the normal recruitment and selection processes follow (e.g. shortlisting, interviews, assessments etc.).

## **11. APPLICATION & SHORTLISTING**

Once a vacancy has been advertised, applicants will be able to access the relevant information and application form online. The application pack will include as a minimum:

- Application form
- Recruitment pack (including a welcome from the Headteacher/CEO, information regarding the school/TEAL, details regarding the role and a summary of key benefits offered to our staff)
- Equal opportunities monitoring form
- Job description/person specification
- Summary of basic conditions of service (e.g. salary, annual leave, allowances, benefits, term time only)
- Additional information specific to the post (e.g. organisational structure, departmental information)
- Details of the DBS processes where appropriate
- Link to the Safeguarding and Child Protection Policy

In line with KCSIE, all applicants must complete an application form; however, disabled applicants may submit their application in an alternative format, in liaison and agreement with the HR Department. The HR team will remove the equal opportunity information prior to sharing application forms with

shortlisting panels. Applications submitted online will require signing by the applicant if they are invited to an assessment process.

The HR Department may develop a long list for high volume recruitment, based on the essential criteria from the person specification. The HR Department will ensure shortlisting panel members have the information, advice and support they require, and they will enter the essential and desirable shortlistable information on the shortlisting matrix to enable managers to shortlist against the person specification (e.g. qualifications, knowledge and experience). Recruiting managers must complete the shortlisting matrix and return it to the HR team, who will check it and flag any issues prior to candidates being invited to an assessment. Recruiting managers should complete safeguarding checks (e.g. are there any unaccounted for gaps in employment history/reasons for leaving) and seek advice from the HR Department as appropriate. All applications must be treated in the strictest confidence and restricted to those directly involved in the recruitment process.

The HR Department will ensure that the shortlisting process and outcomes align to the legal and statutory requirements. Shortlisting must be conducted initially against the essential criteria detailed in the job description/person specification that can be evidenced on the application form (e.g. qualifications/professional membership/work experience), ensuring that the information on the application form is used to assess each applicant. This must be fairly and consistently applied to all applicants. If there are too many applicants shortlisted against the essential criteria, the panel may then use the desirable criteria. If there remain too many applicants to interview, the panel should seek further advice and guidance from the HR Department. The panel should not shortlist any applicant that does not meet the essential criteria of the post.

Once shortlisting is completed, the HR Department will notify shortlisted applicants of the next steps, ensuring shortlisted candidates are aware of the need for them to bring appropriate identity evidence with them to their assessment day. The HR Department will therefore require details of the assessment process and are able to assist recruiting managers in designing an appropriate assessment process. The HR Department will discuss with disabled applicants any special requirements they may have for the interview and arrange appropriate support, advising the recruiting manager as appropriate.

Where candidates are unsuccessful at the shortlisting stage, the school or TEAL will normally contact them to thank them for their interest and confirm when they have not been shortlisted. Recruiting managers must provide candidates with opportunities to seek constructive feedback in support of their continual learning and development.

## **12. ASSESSMENTS**

The HR Department will advise managers on the suitability and options regarding the assessment process, ensuring that it does not breach legislation, good practice or safer recruitment guidelines. As a minimum, the assessment process will include shortlisting and an interview and candidates invited to interview will be advised of the assessment process. Alongside an interview, additional assessment tools may include:

- Pupil or stakeholder panel
- Lesson delivery/observations

- Seen/unseen presentations
- In-tray exercises
- Knowledge or technical tests
- Group work
- Ability tests (e.g. numeracy/literacy)
- Data analysis

This list should be used as a guide as it is not an exhaustive list.

The HR Department will advise on the best approach when measuring candidates against the set criteria, ensuring that the assessment tools are appropriate, justifiable and in line with legislation, best practice and statutory guidelines. The HR Department will ensure that appropriately qualified, trained, experienced and knowledgeable staff will assess candidates, providing training and support as appropriate. Pupils or stakeholders involved in the recruitment process will have access to training, advice and guidance and they will have clear parameters for their involvement. They will provide feedback to the recruiting panel.

The recruiting panel must prepare questions and assessments with the HR Department, advising the HR Department of the preferred schedule for the assessments. Templates for competency-based interview questions, presentation briefs, scoring sheets and assessment templates are available from the HR Department, alongside advice and guidance. A set of common questions relating to the requirements of the post will be asked of each applicant. Their response will determine whether that is followed up through further questioning. Any gaps in employment history must be explored during the interview process. Candidates shortlisted for interview will be asked about their suitability to work with children. They will also be required to disclose and then discuss criminal convictions and/or cautions which are not protected under the amendments to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020) that may deem them unsuitable, and in line with KCSIE, HR colleagues will undertake online checks on candidates, and will flag any concerns with the Headteacher (or a member of the Executive Team). Application forms notify candidates of the safeguarding checks to be undertaken and further guidance is available for managers and HR colleagues.

The HR Department will send the recruitment pack to panel members, which will include:

- Job description/person specification
- Application forms (without the equality and diversity information)
- Interview questions
- Other assessment documentation as appropriate
- Scoring sheets
- A terms and conditions sheet which details the basic employment details
- Schedule for the assessment process
- Advice regarding safeguarding, legal and statutory requirements

On the interview day, the HR Department will check the candidate's identity (including the candidate's eligibility to work in the UK), qualifications and membership of a professional body (where appropriate). The HR Department will notify the panel of any issues arising from these checks.

The interview panel must consist of at least two people, preferably three. One of them should have been involved in the shortlisting process and one of the panel members should be the person whom the post reports to. At least **one of the interviewers must have completed safer recruitment training within the last three years**. The HR Department will ensure that where required, reasonable adjustments are made for disabled candidates. If the recruiting panel has any concerns regarding a disabled candidate's ability to perform the role for which they have applied, they should seek advice from the HR Department.

All questions must relate to the job as detailed in the job description and person specification, measuring the candidate's suitability against the criteria in a fair, transparent and consistent way. The panel should remind each candidate that if they are selected as a preferred candidate, a DBS clearance and online check will be necessary. The HR Department will send a declaration form to the preferred candidate following the assessment day, for them to complete as part of the clearance process.

HR Departments should remind candidates of the Ministry of Justice guidance which will assist them in answering those questions <https://www.gov.uk/government/publications/new-guidance-on-the-rehabilitation-of-offenders-act-1974>. Where the candidate does have conviction information but is unclear whether they are required to disclose it to you, HR Departments should advise the candidate to complete the declarations form. If the candidate is not successful, their conviction information should be destroyed in accordance with TEAL's records and retention procedures.

Candidates should be advised that any offer is subject to TEAL receiving satisfactory clearances. The interviewers must make notes throughout the interview, recording key elements of candidate responses. Time should be allocated at the end of each interview for scoring to take place. Each interviewer must score each question and their comments on the form should ensure that the rationale for each score is clear and that constructive feedback can be given. The panel should complete the scoring sheet and return all documentation to the HR Department upon completion of the assessment process as it will be retained on the job file for 6 months.

### **13. DECISION TO APPOINT & CLEARANCES**

Once all assessments have been completed, each individual panel member will total their scores and usually the candidate with the highest scores in rank order will be the preferred candidate. The Chair of the panel must discuss their preferred candidate choice with their Headteacher prior to offering a position and only when the Headteacher has agreed with their preferred choice can an offer (subject to satisfactory clearances) be made. Ultimately, the decision to appoint will be made in line with the Scheme of Delegation (for most appointments in schools it will be the Headteacher, and a member of the Executive Team for central roles), having due regard to the views, opinions and preferences of the panel members. The Chair of the panel should discuss the offer with the preferred candidate, explaining that it is subject to satisfactory clearances. The Chair must complete the Recruitment Request Form and forward it to the HR Department at their earliest opportunity to enable clearances to be undertaken. The Chair should also discuss salary with the HR Department where there is a range or allowances on offer, prior to an offer being made.

The recruiting panel must also contact the unsuccessful candidates and offer constructive feedback that is honest and balanced, highlighting strengths and providing examples of where they could develop and improve in the future. The conditional offer will be confirmed, subject to satisfactory clearances, and the HR Department will notify the recruiting manager of the progress of satisfactory clearances. **Recruiting managers must not arrange for a new starter to commence until they have**

**received confirmation from the HR Department that all clearances have been received and all are satisfactory.**

All offers of employment (verbal and written) are subject to satisfactory clearances:

- Online check, as per KCSIE.
- Receipt of at least two satisfactory written references (one of which must be their current or most recent employer). Where a candidate has worked in education, at least one of the references should be from their Headteacher.
- Verification of the applicant's identity, preferably from current photographic ID and proof of address.
- Medical clearance via the Occupational Health Department.
- Qualification check where relevant.
- Verification of professional status where applicable. For teachers, this will include checking that the individual is a qualified teacher.
- Enhanced DBS check.
- For management positions (applicable to governors/Trustees, Headteachers and members of the Senior Leadership Team), verification that they are not subject to a section 128 direction.
- For teachers and other employees who are delivering teaching work (as defined in the Keeping Children Safe in Education statutory guidance), verification that they are not subject to a prohibition order issued by the Secretary of State.
- For teachers who qualified overseas, satisfactory check to determine any restrictions/sanctions that have been imposed through the provision of a letter of professional standing from the professional regulating authority in the country that they qualified.
- Children's barred list check.
- Verification of right to work in the United Kingdom.
- Any further checks where the applicant has lived or worked outside of the UK.
- Childcare Disqualification Declaration (if relevant to setting).
- Declaration of the candidate's criminal record or information that would make them unsuitable to work with children.

Where possible, references should be obtained prior to interviews and we should not accept open references (e.g. to whom it may concern). References should come from the candidate's current employer and have been completed by a senior person (e.g. someone who would be aware of any disciplinary issues, and if the candidate has been employed in a school, we should seek a reference from their Headteacher). References should allow for the verification of the individual's most recent period of employment, and we should secure a reference from the relevant employer from the last time the applicant worked with children (if not currently working with children). If the applicant has never worked with children, we will ensure we receive a reference from their current employer. We will ensure that electronic references originate from a legitimate source, and HR colleagues will contact referees to clarify content where information is vague or insufficient information is provided, comparing the information on the application form with that in the reference and taking up any discrepancies with the candidate. The application form and references enable us to establish the reason for the candidate leaving their current or most recent post and we will ensure any concerns are resolved satisfactorily before appointment is confirmed.

Where we are unable to access references prior to interview, any verbal offer must be subject to satisfactory clearances being received. There must be a minimum of two references, one of which should be the candidate's current or most recent line manager.

References will not form part of the assessment scoring, but any concerns raised within a reference should be discussed with the HR team and the Headteacher (or a member of the Executive Team for roles within the central team). Open references will not normally be accepted; therefore the reference template should be used.

The HR Department will contact the preferred candidate to arrange for them to complete the online DBS application form (unless the preferred candidate has used the update service), providing the candidate with advice and guidance in line with DBS guidance and the TEAL's DBS Policy. The preferred candidate will be asked to sign up to the DBS Update Service and the school will refund the associated cost.

The preferred candidate will complete their medical questionnaire and once assessed, the Occupational Health provider will contact the HR Department to confirm the outcome.

It is a criminal offence to employ someone who is subject to immigration control and who does not have current and valid permission to be in the UK. The identity check, normally undertaken on the assessment day, will include a check of the candidates' eligibility to work in the UK.

Qualifications and membership of professional bodies (where appropriate) will normally be checked on the assessment day. The HR Department will notify the panel of the outcome of these checks.

The Childcare (Disqualification) Regulations 2018 are made under section 75 of the Childcare Act 2006 and set out the circumstances in which an individual will be disqualified for the purposes of section 75 of the Act. Section 76 (2) of the 2006 Act provides that a person who is disqualified under the 2018 Regulations may not provide relevant childcare provision or be directly concerned in the management of such provision. Schools are prohibited from employing a disqualified person in connection with relevant childcare provision. The criteria for disqualification relevant to a school setting include the following:

- Inclusion on the DBS Children's Barred List
- Being found to have committed certain violent and sexual criminal offences against children and adults, which are referred to in regulation 4 and Schedules 2 and 3 of the 2018 Regulations
- Certain orders made in relation to the care of children, which are referred to in regulation 4 and listed at Schedule 1 of the 2018 Regulations
- Refusal or cancellation of registration relating to childcare, or children's homes, or being prohibited from private fostering, as specified in Schedule 1 of the 2018 Regulations
- Being found to have committed an offence overseas, which would constitute an offence regarding disqualification under the 2018 Regulations if it had been done in any part of the UK

Staff covered by this legislation include the following:

- Early year's provision – staff providing care for a child up to and including reception age (including education in nursery and reception classes and/or any supervised activity such as breakfast clubs, lunchtime supervision and after school care)

- Later years provision – staff employed to work in childcare provided by the school outside school hours for children above reception age, but younger than 8 (this doesn't include education or supervised activity above reception age during school hours, but it does include before school settings (e.g. breakfast clubs) and after school provision)
- Staff employed by childcare providers (not employed by the school) who hire or rent school facilities or premises (TEAL will ensure the provider has appropriate policies and procedures in place regarding safeguarding children and the 2018 Regulations)
- Staff directly concerned with the management of early or later year's provision are covered by the legislation
- Volunteers and casual workers directly concerned with the management of childcare provision or who work in relevant childcare on a regular basis (supervised or unsupervised) are covered by this legislation

Staff not covered by this legislation include the following:

- Caretakers, cleaners, drivers, transport escorts, catering and office staff who are not employed to directly provide childcare. However the TEAL has opted to ensure ALL staff working within a relevant setting are subjected to the same clearance process.
- Most staff who are only occasionally deployed, and are not regularly required to work in relevant childcare are not automatically covered, therefore Headteachers will work with the Director of HR and Governance to assess the risk and thus exercise their judgement
- School governors are not covered by this legislation unless they volunteer to work in relevant childcare on a regular basis, or they are directly concerned with the day-to-day management of such provision

TEAL requires preferred candidates and staff to complete a self-declaration form to capture information in relation to the 2018 Regulations. Questions are relevant and limited to the requirements of the legislation (e.g. cautions or convictions for a relevant offence, where a care order is issued with respect to a child who has been in the person's care; or whether they are named on the DBS Children's Barred List). The HR Department retains a record of all staff employed to work in or manage relevant childcare, including the date on which the disqualification checks were completed, ensuring OFSTED and independent inspectorates can readily access this information.

#### **14. CONFIRMATION OF AN OFFER OF EMPLOYMENT**

When all satisfactory clearances have been received, the HR Department will notify the recruiting manager and the successful candidate to advise that clearances have been received and to discuss a start date and time. The HR Department will send the preferred candidate a contract of employment and an email will be sent to all relevant departments to ensure appropriate arrangements are in place prior to the start date (e.g. IT and induction). The HR Department will close the job file and initiate an electronic personal file. The successful candidate's recruitment, selection and clearance information will be retained in the secure HR electronic system, and successful candidates will be invited to an induction with HR, which will provide candidates with information regarding TEAL, its schools, benefits, policies and procedures.

Managers are also encouraged to maintain contact with successful candidates, ensuring they feel welcome and a part of the team, the school and TEAL, even before they start. Regular communication can dispel any worries new starters may have and it provides the manager and their new member of staff with opportunities for role clarity prior to formal commencement. It also allows the manager

time before the new starter commences to begin to discuss work plans and initial training and development needs and plans.

On the successful candidate's first day, their manager should welcome them and ensure they are fully supported in their first few days and weeks. Managers must ensure the new starter completes the induction checklist.

## **15. AGENCY WORKERS**

Where a manager wishes to use an agency worker, they must refer to the preferred supplier list of approved agencies (which the HR Department has assessed against legal and statutory requirements to ensure agencies TEAL works with recruit, appoint, employ and deploy safely, appropriately and in line with legal and statutory guidelines). Managers must not approach agencies directly, but must contact either the Cover Officer or the HR Department, who will explore the manager's requirements and the options available to them prior to contacting an appropriate agency. Managers must be aware that under the Agency Workers Regulations 2010 and the Temporary Agency Work Directive 2008, agency workers have the right to equal treatment in relation to collective facilities and amenities and the same information about relevant vacancies as comparable workers from day one of their assignment. Following a 12-week qualifying period, agency workers are entitled to equal treatment in relation to basic working and employment conditions (including pay, working time and holiday). This means they are entitled to equal treatment (e.g. pay and conditions) to that of employees. This right doesn't include occupational sick pay, pension, family leave pay or redundancy pay.

If an agency worker applies for a position with TEAL, they will go through the usual recruitment and selection process to ensure they meet the criteria and that all usual clearances are completed, in line with KCSIE.

## **16. MONITORING COMPLIANCE WITH AND EFFECTIVENESS OF THE POLICY**

Effectiveness and compliance of this policy will be monitored by the HR Department, sharing information with the Executive Board and the Resources and Finance Committee.

## **17. REVIEW**

This Policy and Procedure will be reviewed within 3 years of the date of implementation with recognised trade unions via the JCNC.