

MODEL

**RECRUITMENT AND SELECTION
POLICY
FOR SCHOOLS**

**This policy was adopted by Dawlish Federation of Special School's
Governing Board in
January 2016
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If this document has been printed please note that it may not be the most up-to-date version.

For current guidance please refer to The Source. Version date: November 2011

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Model Recruitment and Selection Policy for Schools

CONTENTS

1. Introduction and purpose	3
2. Policy Statement	3
3. Key Legislation, Policy and Guidance	4
4. Selection panel	6
5. Analysis of Post Requirement	6
6. Review/Production of Job Description	7
7. Review/Production of Person Specification	7
8. New or Amended posts	7
9. Advertising the Post	8
10. Shortlisting	9
11. References	10
12. Assessment and Selection	10
13. Eligibility to work in the UK	12
14. Overseas Trained Teachers	13
15. Appointments	13
16. Induction	14
17. Probationary period	14
18. Volunteers	14
19. Remuneration	14
Appendix – Recruitment and Selection Flowchart	15

Model Recruitment and Selection Policy for Schools

Schools' Model Recruitment and Selection Policy

1. INTRODUCTION & PURPOSE

- 1.1. This policy is provided for the Governing Body to consider for adoption.
- 1.2. This policy is designed to ensure that people who are unsuitable to work with children, young people and their families, are deterred and prevented from working within the school environment. This policy directly endorses and supports the mandatory guidance in '[Safeguarding Children and Safer Recruitment in Education](#)'. Recruitment and selection in schools must focus on safeguarding children by reducing the risk of harm through the employment of suitable, appropriately screened, vetted and checked individuals.
- 1.3. This policy provides a consistent approach to recruitment and selection of staff and volunteers in the school, integrating equality objectives and providing a framework to assist schools in meeting their legal obligations.
- 1.4. The Local Authority is the employer of the staff in community and voluntary controlled schools. The Governing Body is the employer of the staff in foundation and voluntary aided schools. The Governing Body has overall responsibility for staffing matters in all Local Authority maintained schools.
- 1.5. At least one representative from the school management and/or governing body with responsibility for recruitment and selection must undertake the Children's' Workforce Development Council (CWDC) 'Safer Recruitment' online training or Safer Recruitment and Managing Allegations training as provided by Devon County Council. Ofsted will request evidence as part of their inspections that this requirement has been met.
- 1.6. There is a legal duty on all public bodies to actively promote equal opportunities, eliminate discrimination, promote positive attitudes to disabled people and to take account of disabilities.

2. POLICY STATEMENT

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

Model Recruitment and Selection Policy for Schools

2.4 In adopting this policy the Governing Body is committed to:

- Developing and promoting the school.
- Appointing on merit.
- Being open and transparent.
- Valuing all individuals involved in the recruitment process.
- Valuing existing staff and helping them realise their potential.
- Giving appropriate and proper consideration to all applicants.
- Working towards developing a workforce that in its diversity can provide an appropriate and professional education to the children.
- Actively engaging with under-represented sectors of the community where possible.
- Using flexible working arrangements, where appropriate, to encourage a diversity of applicants.
- Ensuring that assessment techniques and tests are free from any bias that might unlawfully discriminate.
- Giving consideration to making reasonable adjustments at all stages of the recruitment process for applicants with a disability.

3. KEY LEGISLATION, POLICY AND GUIDANCE

This Recruitment and Selection Policy is underpinned by:

3.1 Legislation specifying employment rights:

- Employment Rights Act 1996
- Employment Act 2002
- Fixed Term Employee Regulations 2002
- Part-time Workers Regulations 2000 (Amendment) 2002
- Education Act 2002
- Equality Act 2010

3.2 Equality legislation:

3.2.1 Equality legislation covers all aspects of the recruitment and employment process and protects applicants with “protected characteristics” against discrimination. “Protected characteristics” are:

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

3.2.2 The main types of discrimination set out in legislation are:

- Direct – less favourable treatment
- Indirect – practices that put a person at a particular disadvantage

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Model Recruitment and Selection Policy for Schools

- Associative – where discrimination takes place against someone who is associated with another person who has a protected characteristic ie a person who cares for someone with a disability
- Perceived – where someone is treated less favourable because they are perceived to have a protected characteristic ie a certain religious belief, even if that perception is incorrect
- Victimisation – treating someone less favourable because they have made a complaint or allegation of discrimination, or given evidence in good faith, in connection with the Equality Act 2010
- Harassment – unwanted conduct relating to a protected characteristic, that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for the person.

The 2010 Equality Act also provides guidance on Sexual Harassment and Third Party Harassment.

3.2.3 The Equality legislation applies to everyone, including:

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

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

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

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

Model Recruitment and Selection Policy for Schools

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

3.3 Legislation and guidance for the protection of children:

- Children Act 1989
- Education Act 2002
- Children Act 2004
- Rehabilitation of Offenders Act 1974
- Safeguarding Children and Safer Recruitment in Education (DfES2006)

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

- Data Protection Act 1998
- Freedom of Information Act 2004
- Equality Standard for Local Government
- Best Recruitment Practice
- National and DCC Conditions of Service

4. SELECTION PANEL

4.1 The Governing Body has overall responsibility for all staff appointments in the school. The Governing Body may delegate these responsibilities to the Headteacher, an individual governor, or a group of governors.

4.2 The Headteacher will normally be expected to lead in determining staff appointments outside the leadership group. Therefore, other than in exceptional circumstances the Governing Body should delegate the responsibility for these matters to the headteacher.

4.3 Prior to the selection process beginning a selection panel of at least two people and ideally three will be identified. The same people should conduct the whole recruitment and selection process.

4.4 The selection panel should, if possible include women and men.

4.5 At least one of the members of the selection panel will have successfully undertaken the online or taught training programme “Safer Recruitment and Managing Allegations” (as provided by Devon County Council, or CWDC online)

4.6.1 It should be checked that the selection committee members are not related to, or have a close personal relationship with any candidate.

5 Analysis of Post Requirement

5.1.1 When a post becomes vacant, an analysis should be undertaken to establish whether the vacancy needs to be filled. If so, the requirements of the post

Model Recruitment and Selection Policy for Schools

must be reviewed. This will include the working hours of the post, aspects of the role and how they relate to the overall objectives of the school.

- 5.2 The Headteacher and Governing Body will need to consider the financial implications of creating a new post, or increasing the working hours of an existing post.
- 5.3 All jobs will be considered suitable for flexible working unless Governing Bodies can clearly demonstrate that there is a legitimate reason for not doing so. See <http://staff.devon.gov.uk/cr/er/gap/schoolspersonnel/schoolsflexibleworking.htm>

6 Review/Production of Job description

- 6.1 The job description for the vacant post should be reviewed to ensure it reflects the requirements of the post. If there is no job description, one should be produced.
- 6.2 The job description should state:
 - The main duties and responsibilities of the post
 - The postholder's responsibility for promoting and safeguarding the welfare of children and young persons, including the extent of the contact the person will have with children and his/her degree of responsibility for them.

7. Review/production of Person specification

- 7.1 The person specification sets out the selection criteria - specifying the essential and desirable attributes needed by the successful candidate. These attributes should include:
 - Qualifications, experience and any other requirements needed to perform the role
 - Competences and qualities that the successful candidate should be able to demonstrate, including suitability to work with children.

These requirements should be justifiable and clearly defined to show that no section of the community is being unlawfully discriminated against.

- 7.2 Applicants should be made aware that these requirements will be tested and assessed during the selection process.

8. New or amended posts

- 8.1 All changed/new support staff job descriptions in community and voluntary controlled schools will need to be evaluated under the County Council's Job

Model Recruitment and Selection Policy for Schools

Evaluation scheme. It is the responsibility of the Headteacher or designated manager to ensure that this happens.

- 8.2 Any amendments to teachers' job descriptions must be made in line with the conditions of service and the framework of professional standards for teachers as set out in the School Teachers' Pay and Conditions Document.

9 ADVERTISING THE POST

9.1 Where to Advertise

- 9.1.1 All Headteacher and Deputy Headteacher posts must be advertised as the Governing Body sees appropriate but, at the very least, should be advertised in a printed publication circulated throughout England and Wales.
- 9.1.2 The Governing Body must as a first step notify the LA in writing whenever a vacancy or prospective vacancy occurs for the post of Head Teacher, or whenever the governing body decides to recruit a new or replacement Deputy Head Teacher.
- 9.1.3 For other posts, schools are advised to give consideration to employees on the DCC Redeployment Register.
- 9.1.4 Consideration should be given to the most appropriate place to advertise the vacant post which may include professional journals, newspapers, community centres, local newsletters, etc.

9.2 Writing an Advertisement

- 9.2.1 Advertisements should be appropriate, cost effective and non-discriminatory. They must:
- be based on the details in the job description and the agreed selection criteria in the person specification;
 - avoid any gender, age or culturally specific language or implication, e.g. for teaching posts, wording specifically targeting Newly Qualified Teachers must not be used as this may imply that a younger person is required.
 - be clear and precise to attract applicants to seek more detail.
 - Include the statement: ***“We are committed to safeguarding and promoting the welfare of children and young people and expect all staff and volunteers to share this commitment.”***
 - for schools in Special Measures, must state that applications from Newly Qualified Teachers will not be considered unless Ofsted has expressly stated that NQTs may be appointed;

Model Recruitment and Selection Policy for Schools

- give reasons for the appointment being temporary if the post being advertised is for a fixed term or temporary period. Advice on wordings can be sought from the Schools' Personnel Helpline.

10. SHORTLISTING

- 10.1 All applicants should complete an application form.
- 10.2 All application forms should be scrutinised to ensure that they are fully completed, and that the information provided is consistent and does not contain any discrepancies. Any anomalies or gaps in employment should be noted and taken up as part of the consideration of whether to shortlist the candidate.
- 10.3 Shortlisting will be undertaken by all the selection panel members. The panel will agree a final shortlist of applicants to invite to the selection process.
- 10.3 Late applications should not generally be considered and not once shortlisting has commenced.
- 10.4 Shortlisting must be made by reference to the essential, and if necessary, the desirable criteria detailed in the person specification.
- 10.5 It is unlawful to eliminate applicants from the shortlist on the grounds of:
- | | |
|-----------------------|--|
| ▪ disability; | ▪ marital status; |
| ▪ gender; | ▪ religion or belief; |
| ▪ pregnancy; | ▪ age; or |
| ▪ sexual orientation; | ▪ 'spent convictions' unrelated to the job |
| ▪ race; | |

other than where a Genuine Occupational Requirement and/or a Genuine Occupational Qualification apply. These are situations when it is possible to specify the sex, racial background, religion or sexual orientation of the person that you wish to carry out a role, or there is an objective justification for age discrimination. Advice on this can be sought from the Schools' Personnel Helpline.

- 10.6 The 2010 Equality Act also limits the circumstances when an employer can ask general health-related questions **before** a job offer has been made. Prior to making an offer of employment to an applicant, health-related questions must only be asked to help the employer to:
- decide whether there is a duty to make any reasonable adjustments for the person to undertake any part of the assessment/selection process;
 - decide whether an applicant can carry out a function that is essential ("intrinsic") to the job once reasonable adjustments are in place;
 - monitor diversity among people making applications for jobs;
 - take positive action to assist people with disabilities;
 - be assured that a candidate has the disability where the job genuinely requires the jobholder to have a disability.

Model Recruitment and Selection Policy for Schools

This means that applicants must not be asked, as a matter of course, to complete generic health questionnaires as part of the application process.

11. REFERENCES

- 11.1 The purpose of seeking references is to obtain objective and factual information to support the selection panel's decisions. They should always be sought and obtained directly from the referee, not via the candidate themselves.
- 11.2 For posts involving contact with children, young people or vulnerable adults, references covering the previous five years' employment history should be taken up on all short-listed candidates, including internal ones. These references should be obtained before interviews take place so that any issues of concern they raise can be explored further with the referee, if appropriate, and taken up with the candidate at interview. In exceptional circumstances it might not be possible to obtain references prior to interview, either because of delay on the part of the referee, or because a candidate strongly objects to their current employer being approached at that stage, but that should be the aim in all cases.

References should not request details about the candidate's sickness record or disability, in order to ensure that they comply with The Equality Act 2010. Further information regarding the candidate's sickness record should be obtained after interview, and for the successful candidate only.

- 11.3 References for candidates for posts not involving children, young people and vulnerable adults, should be obtained after interview, and for the successful candidate only. This is to comply with The Equality Act 2010, which prevents references being taken that require disability or sickness absence details to be provided prior to interview.
- 11.4 Full information on the best practice for references can be found as part of the [Safeguarding Children and Safer Recruitment in Education](#) document.

12. ASSESSMENT AND SELECTION

- 12.1 Assessment and selection methods must be relevant, non-discriminatory and cost effective.

Appointments should be based on merit and the suitability of each candidate for the job, as evidenced against the person specification, and demonstrated by the selection methods. Selection methods must not disadvantage any particular group. All applicants must be treated in a consistent and a non-discriminatory manner.

- 12.2 Appropriate and effective selection tools and processes must be used. A range of selection methods should be considered in order to test candidates'

Model Recruitment and Selection Policy for Schools

suitability for the role. For example, teachers will be observed teaching as well as attending an interview.

Selection must be based on a formal structured interview except where this would place a disabled candidate at a substantial disadvantage.

All candidates should be notified in advance of test procedures.

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

12.4 Interview

Each candidate should be asked:

- the same core set of questions and their answers fully noted. Answers should be probed further as appropriate;
- competency questions to assess personal behaviours towards safeguarding, with outcomes being fully recorded;
- for their form PO7 detailing their full criminal history, and discuss the circumstances of their declarations either at interview or in a separate meeting;

Questions about health must not be routinely asked until after an offer of employment has been made.

Explore the candidate's suitability to work with children as well as their suitability for the post.

Discrepancies or anomalies in the information candidates have provided should be queried and satisfactorily resolved.

12.5 Decision making, feedback and offers of employment

- When assessing candidates with disabilities, it is a requirement to consider their suitability on the basis that any reasonable adjustments that may be required have been made. Similarly, if special equipment is required the candidate's suitability must be evaluated on the basis that the equipment is in place.
- Each member of the selection panel should score each candidate at the end of each interview privately before the overall scores are agreed collectively and the best candidate chosen. If additional selection methods are used, these should be fed into the decision-making process at the end, and the candidate who best meets the selection criteria chosen.
- The selection panel should agree feedback for each candidate and record whether or not each candidate is suitable for appointment, even if not the first choice candidate.

Model Recruitment and Selection Policy for Schools

- Offers of employment should not be made at interview.
- All candidates should be notified of the outcome of the interview as soon as possible. However, the selection panel should wait until the successful candidate has accepted the offer before informing unsuccessful candidates, unless they are clearly unsuitable for the post.
- All candidates must be offered feedback on their performance during the selection process and an explanation of the decision, if requested.
- The initial job offer to the successful candidate will normally be made verbally and followed up in writing within seven working days stipulating that appointment is subject to satisfactory employment checks of:
 - References
 - Medical fitness for successful candidate only
 - Qualifications
 - An enhanced Criminal Record Bureau check
 - Proof of identity and eligibility to work in the UK
 - Membership of any appropriate professional body

Original documents should be produced and a copy of these should be taken and kept on the successful candidate's personal file.

12.6 Records of interviews

The school has a responsibility to maintain a central record for the complete recruitment process for a minimum of 12 months. The following should be recorded:

- assessment and selection criteria used (person specification);
- application of assessment and selection criteria (e.g. application form);
- interview and other selection method notes (e.g. question proformas, test results);
- reasons for decisions made;
- any additional information such as copies of qualifications, PO7 form etc.

All recruitment paperwork relating to the successful candidate must be retained and placed on his/her personal file.

Individuals are able to access all the paperwork relating to their recruitment process in accordance with the Freedom of Information Act.

13 ELIGIBILITY TO WORK IN THE UK

- 13.1 Under the Immigration, Asylum and Nationality Act 2006 it is a criminal offence to employ someone without entitlement or permission to work in the UK. Section 15 of the Act requires all employers in the UK to make basic document checks on **every** person before they start work to help ensure that they do not employ illegal workers. Employers are also required to recheck documents at least every 12 months if the employee has time-limited leave to enter or remain in the UK. Employers incur a fine of up to £10,000 if they

Model Recruitment and Selection Policy for Schools

employ an illegal employee. A new offence of knowingly employing an illegal worker can incur an unlimited fine and/or up to two years' imprisonment.

- 13.2 To ensure that recruitment practices are not discriminatory, **all** short-listed applicants, regardless of their colour, race, nationality, or ethnic or national origin, must be asked to produce original documents as evidence of their right to work in the UK. For more information and guidance on appropriate documentation, please see '[Ensuring Eligibility to Work Guidance](#)'

14 OVERSEAS TRAINED TEACHERS (OTTs)

- 14.1 OTTs are allowed to work as unqualified teachers for a maximum of four years without the need to gain qualified teacher status (QTS).
- 14.2 A points-based system replaced the permit scheme for OTTs in November 2008. For full details on work permits and the points based system then please refer to section 4 in the [Ensuring Eligibility to Work Guidance](#)

15. APPOINTMENT

- 15.1 An offer of appointment to the successful candidate should be conditional upon:
- the receipt of at least two satisfactory references (if those have not already been received – see section 11);
 - verification of the candidate's identity (original documentation must be seen and a copy taken);
 - where appropriate, a satisfactory Enhanced CRB Disclosure (before working unsupervised with children);
 - pre-employment health screening that is targeted, necessary and relevant to the job which has been offered.
 - verification of qualifications (original documents must be seen and a copy retained);
 - verification of professional status where required e.g. GTC registration, QTS status (unless properly exempted), National Professional Qualification for Headship (NPQH);
 - (for teaching posts) verification of successful completion of statutory induction period (applies to those who obtained QTS after 7 May 1999); a
 - (for non teaching posts) satisfactory completion of the probationary period
 - verification of the right to work in the UK (original documents must be seen and a copy retained – section 13)
- 15.2 There is a statutory responsibility to give new employees written details of the main terms and conditions of employment within two months of appointment. This is known as the Statement of Particulars. Appropriate Statements of Particulars are available via SIMS or advice from the Schools' Personnel Helpline.
- 15.3 The type of contract and the terms and conditions of employment must be clear and appropriate for the category of job and the needs of the service. If

Model Recruitment and Selection Policy for Schools

the contract is temporary the reason for this must be written in the contract. Examples of reasons for temporary appointments are available via SIMS, or the Schools' Personnel Helpline.

- 15.4 All employment checks, including qualifications, CRB, identity and right to work in the UK must be placed on a central record at the school. Examples of these can be found on page 48 in the [Safeguarding Children and Safer Recruitment in Education](#) document

16. INDUCTION

- 16.1 Head Teachers should make appropriate induction arrangements for all support staff and follow the statutory induction programme for Newly Qualified Teachers.

17 PROBATIONARY PERIOD

- 17.1 Support staff whose first employment this will be with a Local Authority maintained school should be monitored through a six month probationary period. The performance of new staff needs to be rigorously monitored during the probationary period with close attention being paid to learning needs and performance issues. (See Model Probationary Policy for School Support Staff).

18. VOLUNTEERS

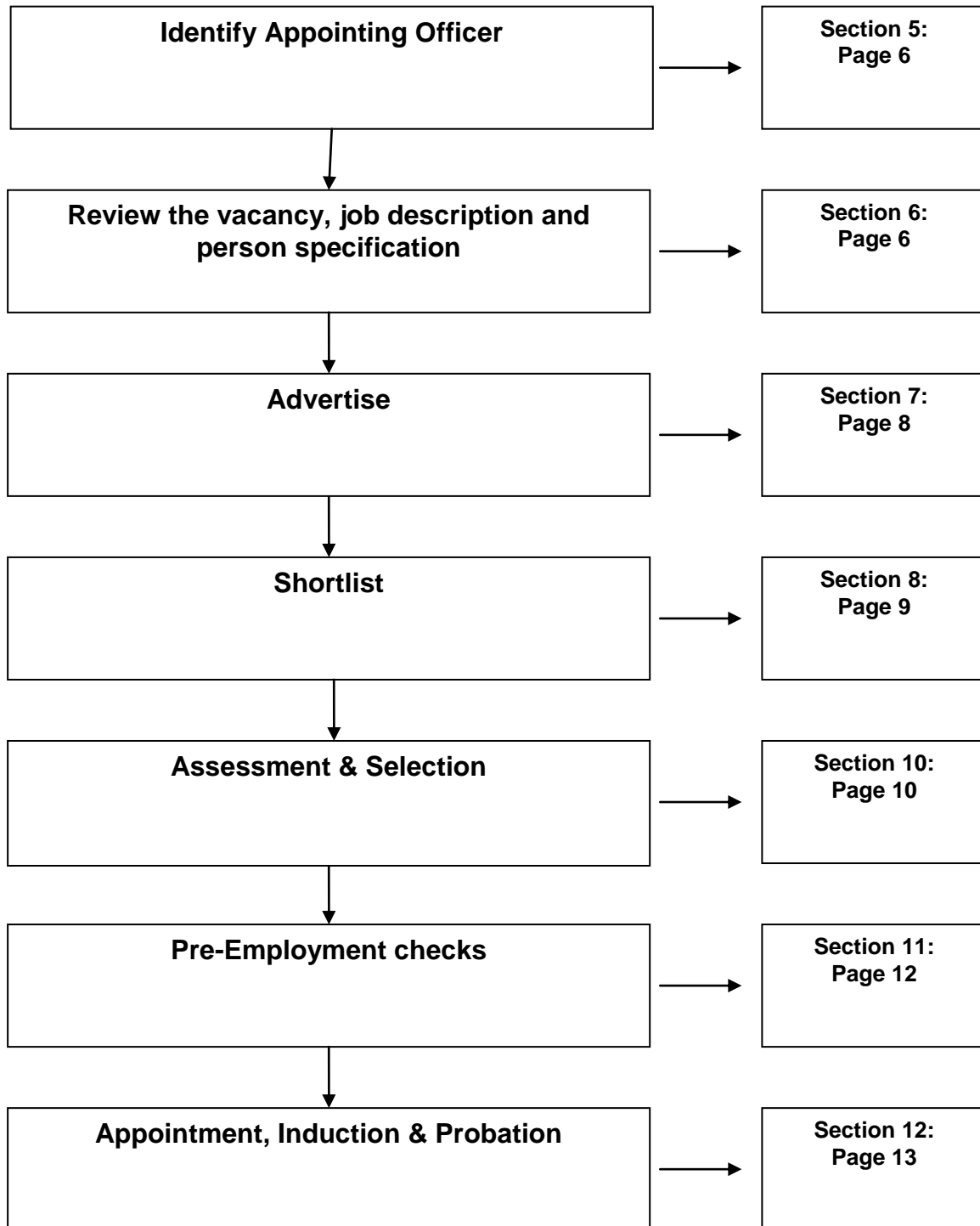
- 18.1 Recruitment of volunteers must be in line with this policy and all appropriate recruitment checks should be made on volunteers as would be done for substantive, fixed term and temporary staff. For further guidance on the use of Volunteers in schools, refer to the Guidance document using the following link:
<http://staff.devon.gov.uk/cr/er/gap/schoolspersonnel/saferrecruitmentschools/volunteersinschools.htm>

19. REMUNERATION

- 19.1 It is normal policy for support staff to be appointed to the minimum of the grade. However, it is recognised that starting salaries may need to be offered above the minimum in certain circumstances, e.g. to take account of current salary levels, experience or qualifications
- 19.2 Teachers' remuneration must be in line with the [School Teachers' Pay and Conditions Document](#).

Model Recruitment and Selection Policy for Schools

Recruitment and Selection Flowchart



Model Recruitment and Selection Policy for Schools

POLICY HISTORY

Policy / Version Date	Summary of change	Contact	Implementation Date	Review Date
	New Schools' HR policy.	Schools' Personnel Helpline		As necessary and appropriate