

## SAFER RECRUITMENT Recruitment & Selection Policy & Procedure

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## **PART A: RECRUITMENT POLICY**

### **1. Introduction and Aims**

1.1 Safe recruitment is central to the safeguarding of children and young people. All organisations which employ staff or volunteers to work with children and young people have a duty to safeguard and promote their welfare. This includes ensuring that the organisation adopts safe recruitment and selection procedures which prevent unsuitable persons from gaining access to children.

1.2 Wellsway Multi Academy Trust (WMAT) is committed to providing the best possible care and education to its students and to safeguarding and promoting the welfare of children and young people. The Trust expects everyone involved in recruiting and selecting to be objective, unbiased and professional.

1.3 WMAT's recruitment and selection policy aims to ensure that:

- The safeguarding and welfare of children and young people is taken into account throughout the process
- The best possible staff are recruited on merit, ability and suitability for the post – therefore every internal and external applicant who applies for a job within the Trust will be considered against objective criteria, which specifically relates to the requirements of the role for which they are applying
- All applicants are considered fairly and consistently
- No applicant is discriminated against on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation
- All relevant recommendations and guidance is taken into account in the processes used including recommendations in the DfE document: "Keeping Children Safe in Education" (Sept 2018 ), in relation to:
  - Safer Recruitment and Selection in Educational Settings
  - Disclosure and Barring Service code of practice
  - The establishment of a Single Central Record

<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

1.4 WMAT believes it is therefore essential for each school within the Trust to take time to plan the recruitment process. The Recruiting Manager from the school/WMAT central support service will identify who should be involved in the recruitment process, assign responsibilities (ensuring that panel members have undertaken recruitment training including safer recruitment), and agree the key stages of the recruitment process. Further advice and guidance can be provided by the Trust HR team.

### **2. Application of the Policy**

2.1 This policy applies to all vacancies and appointments, (including volunteers and casual staff) made by WMAT. Particular attention should be paid by those responsible for the recruitment process to relevant employment legislation in relation to the appointment of staff. If there are any concerns or queries which arise these should be initially referred to the school HR team for advice.

## **PART B: RECRUITMENT PROCEDURE**

### **3. The Recruitment Process**

#### **3.1 Vacancy Identification**

3.1.1 Where a vacancy arises, it should be reviewed to consider the needs of WMAT as the post may need to be redefined to fit the individual needs of the Trust school or occasionally it may be that the post is not needed.

3.1.2 A Request for Recruitment Form for the vacancy is completed and signed off by the Principal/Headteacher (for teaching and support roles within Trust schools) or Business Director (BD)/CEO (for Trust roles) as appropriate. This provides the necessary authority to start the recruitment process. The Principal/Headteacher/BD or CEO may delegate the responsibility for managing the recruitment campaign to another member of the team – referred to as the Recruiting Manager. The Recruiting Manager will be responsible for the overall management of the recruitment campaign. This includes planning the campaign, assigning and coordinating resource to support, reviewing/creating job description and person specifications, job advert, candidate pack, creating the shortlisting/interview panel, planning the interview/tasks including organising classroom observations/school tours, ensuring a Safer Recruitment representative is on the selection panel, making a verbal conditional offer to the successful candidate, informing the unsuccessful candidates, liaising and communicating with the school HR team to confirm full details of the conditional offer and start date.

#### **3.2 Employing overseas workers (outside of the EEA e.g., Canada, Australia, USA etc)**

3.2.1 Careful consideration must be given when planning any recruitment advertising to the potential for candidates applying from outside the EEA (e.g., Canada, USA, Australia, NZ etc).

3.2.2 Ordinarily such candidates would be required to apply for a Tier 1 or 2 immigrant visa. To facilitate this, the school/WMAT would first need to apply to UK Visa and Immigration to become a 'sponsor', followed by the issue of a Certificate of Sponsorship (within 6 months of the post being first advertised), followed by Tier 2 biometric residence permit. It is advised that Recruitment Managers contact Hr to discuss potential timescales and costs at earliest opportunity.

##### **3.2.3 Resident Market Labour Test (RMLT)**

3.2.3.1 When looking to appoint candidates from outside the EEA, in addition to satisfying necessary Right to Work requirements, the job advertisement must also satisfy government Resident Market Labour Tests.

3.2.3.2 This includes running the advert for a period of at least 28 days on two approved and specified advertising platforms, plus other criteria.

3.2.3.3 Please liaise with HR for full Visa and RMLT criteria, UKVI fees and guidance

#### **3.3 Job Description / Person Specification**

3.3.1 A WMAT Job Description and Person Specification (JD/PS) will be a combined document. The existing JD/PS will need to be reviewed or a new JD/PS will need to be defined where there is a new role. The Principal/Headteacher/BD or CEO will be responsible for drafting changes to

an existing JD/PS or creating a new JD/PS. The school/Trust HR team can provide advice, support and guidance.

### 3.3.2 Job Description element of JD/PS

The Job Description element of any WMAT JD/PS should outline the main duties, responsibilities and accountabilities of the post. It should also contain details of the job title, salary and reporting lines, and outline any responsibilities associated with the role. The following statement should be included in the JD/PS.

‘Wellsway Multi Academy Trust is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. Your suitability to work with children and young people will form part of the selection process.

3.3.3 The successful candidate will be subject to a satisfactory enhanced Disclosure and Barring check, a Children’s Barred list check (those working in Regulated Activity), two satisfactory references, satisfactory pre-employment health screening, for Teachers a Prohibition Check and for anyone involved in the management of the Trust/academy, a section 128 direction check in relation to the children’s workforce to satisfy safeguarding requirements. In some settings a Declaration will be required in order to meet our obligations under the ‘Disqualification under the Childcare Act 2006.

3.3.4 The JD/PS should also include the following statement: ‘The post-holder will be expected to contribute to the protection and welfare of children and young people, as appropriate, in accordance with any agreed Trust/school policies and/or guidelines, reporting any issues or concerns to their immediate line manager’.

### 3.3.5 Person Specification element of JD/PS

The Person Specification element of any WMAT JD/PS should outline the qualifications, skills, knowledge, experience and attributes/behaviours that are required from the post holder to enable him/her to carry out all the responsibilities and duties outlined in the job description. It will state whether these are Essential or Desirable requirements.

3.3.6 This information is essential and must not be discriminatory. Candidates should not be excluded from applying for a post as a result of the criteria being unnecessarily narrow.

3.3.7 Where appropriate for the role the following requirement will be included: “Evidence of suitability to work with children and young people”.

### 3.3.8 Essential and Desirable criteria

The Recruiting Manager will decide on the essential and desirable criteria for each post as the need to fill a post is identified.

3.3.9 The essential criteria are those requirements which a candidate needs to be able to perform the job. Candidates should be shortlisted according to which candidates are the ‘best fit’ against the essential criteria.

3.3.10 It is important that any essential or desirable criteria can be tested and objectively justified. As a result of the recruitment process, the successful candidate will be appointed on the basis of the ‘best fit’ to the essential criteria. The desirable criteria may be used to

distinguish between candidates where more than one candidate is a close match to the essential criteria.

### **3.4 Advertising**

3.4.1 Once a vacancy has been identified, the Recruiting Manager will draft a job advert highlighting the main requirements of the role, the type of candidate that is sought and some of the benefits of working for the school/Trust. The advert should include the closing date for applications, the interview date (if known) and who to contact for more information. The Recruiting Manager will then work with the School/Trust HR team to fine-tune the advert, consider if any supporting material is required e.g. Candidate Pack, and where the vacancy should be advertised. For a teaching vacancy particular attention should be given to the specified resignation dates for teaching staff, these being:

- 31<sup>st</sup> of October to leave by the 31<sup>st</sup> of December
- 28<sup>th</sup> of February to leave by the 30<sup>th</sup> of April
- 31<sup>st</sup> of May to leave by the 31<sup>st</sup> of August

(N.B. Where there is a Principal/Headteacher vacancy then a serving Principal/Headteacher must give an additional month's notice to his/her employer).

3.4.2 Depending on the role there are a number of different advertising routes. The school/Trust HR team can provide advice, support and guidance to Recruiting Managers. All advertising will be online unless otherwise authorised by the Principal/Headteacher/BD or CEO.

3.4.3 All posts will normally be advertised internally and externally unless internally ring fenced due to staffing reductions/re-structuring. All adverts will include confirmation of the requirement to safeguard and promote the welfare of children and young people. The following statement will be included on job advertisements:

'Wellsway Multi Academy Trust is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. Your suitability to work with children and young people will form part of the selection process'.

3.4.4 Where the individual will be working in "Regulated Activity" reference will also be made to the fact that all successful applicants will be required to complete an Enhanced DBS disclosure and Barring Service check.

3.4.5 In the job advertisement terms should be avoided which could be seen as discriminatory e.g. dinner lady. The advert will be reviewed and signed off by the Recruiting Manager and school/Trust HR team prior to the job advertisement being made live.

### **3.5 DBS Checks**

3.5.1 The level of DBS certificate required, and whether a prohibition check is required, will depend on the role and duties of the employee. This is outlined in more detail in the document <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

3.5.2 For most appointments, an enhanced DBS certificate, and a (children's) barred list check, will be required as the majority of staff will be engaging in regulated activity. In summary, a person will be considered to be engaging in regulated activity if as a result of their work they:

- Will be responsible, on a regular basis in a school, for teaching, training instructing, caring for or supervising children; or
- Will carry out paid, or unsupervised unpaid, work regularly in a school where that work provides an opportunity for contact with children; or
- Engages in intimate or personal care or overnight activity, even if this happens only once.

3.5.3 Applicants will be required to disclose all convictions and cautions, including those that are spent; the exception being certain, minor cautions and convictions which are ‘protected’ for the purposes of the ‘Exceptions’ order. The WMAT application form captures this information. Please see the filtering guidance for help with this:

<https://www.gov.uk/government/collections/dbs-filtering-guidance>

A more detailed description of regulated activity is provided within the document <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

3.5.4 For all other staff who have an opportunity for regular contact with children who are not engaging in regulated activity, an enhanced DBS certificate, which does not include a (children’s) barred list check, will be appropriate. This would include contractors however there may be contractors that would have the opportunity for contact with children and who work under a temporary or occasional contract. More detailed information on contractors is provided (paragraph 135-138) within the document

<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

3.5.5 It is expected that Governors will also not ordinarily be engaged in regulated activity. Therefore an Enhanced DBS certificate which does not include a (children’s) barred list check will be appropriate.

For those Governors who will be engaging in regulated activity (i.e., 1:1 student interviews, coaching etc.), an Enhanced DBS with (children’s) barred list check should be obtained.

3.5.6 In a school, a supervised volunteer who regularly teaches or looks after children is not in regulated activity. The Department for Education (DfE) has published separate statutory guidance on supervision and regulated activity which the Trust should have regard to when considering which checks should be undertaken on volunteers. This is set out at Annex F in the document <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

Please read in conjunction with section 5 page 21.

3.5.7 In addition to obtaining the DBS certificate described, anyone who is appointed to carry out teaching work will require an additional check to ensure they are not prohibited from teaching. For those engaged in management roles (in independent schools, including academies and free schools) an additional check is required to ensure they are not prohibited under section 128 provisions.

See the pre-appointments section on page 27 of the document

<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

3.5.8 Types of DBS checks

There are three types of checks. For more information see Annex E of the document

<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

- Standard: A check of the Police National Computer (PNC) records of convictions, cautions, reprimands and warnings;
- Enhanced: A check of the PNC records as above, plus other information held by the police which a chief officer considers relevant and considers ought to be disclosed; and
- Enhanced, with children's barred list check: For people working in regulated activity with children. This adds checks of the DBS Children's Barred List to the enhanced check.

Further information in relation to DBS checks is available on the DBS website.

3.5.9 When the DBS has completed its check of an applicant's PNC record and, if appropriate, whether or not they are on the barred list, the relevant information will be recorded on a certificate (the DBS certificate) that is sent to the applicant. The applicant must show the original DBS certificate to their potential employer before they take up post or as soon as practicable afterwards.

3.5.10 Where WMAT allows an individual to start work in regulated activity before the DBS certificate is available, then they should ensure that a risk assessment has been undertaken and approved, arrangements made for the individual to be appropriately supervised, and that all other checks, including a separate children's barred list check, have been completed.

3.5.11 WMAT staff who work in childcare provision or who are directly concerned with the management of such provision, will need to ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the Childcare (Disqualification) Regulations 2009. Further information on the staff to whom these regulations apply, the checks that should be carried out, and the recording of those checks can be found in Disqualification under the Childcare Act 2006 statutory guidance <https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006>

3.5.12 If WMAT knows or has reason to believe that an individual is barred, it commits an offence if it allows the individual to carry out any form of regulated activity. There are penalties of up to five years in prison if a barred individual is convicted of attempting to engage or engaging in such work

#### 3.5.13 DBS Update Service

Individuals can join the DBS Update Service at the point an application for a new DBS check is made, enabling future status checks to be carried out to confirm that no new information has been added to the certificate since its issue (an annual fee applies for applicants using this service). This allows for the portability of certificate across employers.

To take advantage of this service WMAT will need to:

- Establish if the applicant has registered for the DBS Update Service
- Obtain the individuals consent to undertake an online check via the DBS Update Service
- Examine the original DBS Certificate to ensure:
- It is for the appropriate workforce level and level of check required e.g. enhanced plus children's barred list check
- The certificate matches the individual's identity

This will allow WMAT to carry out a free online check and would identify if there has been any change in information recorded since the initial certificate. Individuals can see a full list of organisations that have carried out a status check on their account.

#### 3.5.14 Accepting a previously issued DBS certificate

There is no requirement to obtain an enhanced DBS certificate or carry out checks for events that may have occurred outside the UK if, in the three months prior to their appointment, the applicant has worked:

- In a school in England in a post which brought them into regular contact with children or young persons in any post in a school since 12 May 2006; or
- In an institution within the further education sector in England or in a 16-19 Academy, in a post which involved the provision of education which brought the person regularly into contact with children or young persons.

However if the DBS certificate being presented is more than 3 years old WMAT will request a new DBS certificate.

### 3.6 Checks on overseas staff

3.6.1 The same checks should be made on overseas staff as for all other staff, (although it is not possible to conduct overseas Disclosure and Barring Service checks). A 'Certificate of Good Conduct' or equivalent should be obtained.

3.6.2 Where an applicant has worked or been resident overseas for 6 months or more in the previous 5 years, WMAT will require additional information; this is in the form of a check of the applicant's criminal record and conduct which will be evidenced from the relevant authority in that country. Not all countries provide this service and advice can be sought from the Disclosure and Barring Service.

Information relating to specific countries can be found here:

<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>

### 3.7 Prohibition checks

3.7.1 Prohibition orders are made by the Secretary of State following consideration by a professional conduct panel convened by Teachers Regulation Agency (Teacher Services System run by the Teacher Referral Agency ( TRA')). Pending such consideration, the Secretary of State may issue an interim prohibition order if it is considered to be in the public interest to do so.

#### 3.7.2 Prohibition of Teachers

Prohibition orders prevent a person from carrying out teaching work in schools, sixth form colleges, 16 to 19 academies, relevant youth accommodation and children's homes in England. For further information see Teacher misconduct: the prohibition of teachers.

A person who is prohibited from teaching must not be appointed to work as a teacher in such a setting. A check of any prohibition will be carried out using the Teacher Services' System. This check will identify any existing prohibitions and sanctions made by the General Teaching Council for England (GTCE) before its abolition at the end of March 2012, and to provide information about any teacher qualifications held and whether induction has been passed i.e. that a candidate to be employed as a teacher is checked to ensure there are no



restrictions/sanctions that have been imposed by the regulators of the teaching profession as follows:

- Teachers who have failed induction or probation
- General Teaching Council for England (GTC) sanctions
- Teachers and others prohibited from the profession
- Teachers sanctioned in other EEA member states

### 3.7.3 Prohibition on Participation in Management in schools/academies

A section 128 direction (The Independent Educational Provision in England (Prohibition on Participation in Management) Regulations 2014) prohibits or restricts a person from taking part in the management of an independent school, including academies and free schools. A person who is prohibited is unable to participate in any management (any member of the teaching team above a classroom teacher or support staff with management responsibilities) of an independent school such as: a management position in an independent school, academy or free school as an employee; a trustee of an academy or free school trust; a governor or member of a proprietor body for an independent school; or a governor on any governing body in an independent school, academy or free school that retains or has been delegated any management responsibilities.

A check for a section 128 direction will be carried out using the Teacher Services' system (TRA). Where the person will be engaging in regulated activity, a DBS barred list check with children's barred list will also identify any section 128 direction.

## 3.8 Pre-appointment checks

### 3.8.1 All new appointments

Any WMAT offer of appointment made to a successful candidate, including one who has lived or worked abroad, must be conditional on satisfactory completion of the necessary pre-employment checks.

When appointing new staff, the Trust must:

- Verify a candidate's identity. Identification checking guidelines can be found on the GOV.UK website
- Obtain (via the candidate) a certificate for an enhanced DBS check which will include children's barred list information, for those who will be engaging in regulated activity
- Obtain a separate barred list check and risk assessment if an individual will start work in regulated activity before the DBS certificate is available
- Verify the candidate's mental and physical fitness to carry out their work responsibilities. A job applicant can be asked relevant questions about disability and health in order to establish whether they have the physical and mental capacity for the specific role. The Trust uses a pre-employment medical questionnaire which is then assessed by an Occupational Health Doctor for fitness to perform the role
- Verify the person's right to work in the UK. If there is uncertainty about whether an individual needs permission to work in the UK, then the Trust should follow advice on the GOV.UK website;
- If the person has lived or worked outside the UK for 6 months or more in the previous 5 years, make any further checks the school or college consider appropriate in line with paragraph 114 on page 33 of the following:

<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

- Verify professional qualifications, as appropriate.
- Complete a Self-Declaration Form for staff to whom the Childcare (Disqualification) Regulations 2009 apply
- Check that a person taking up a management position as described on page 7 (Section 128 direction) is not subject to a section 128 direction made by the Secretary of State
- Ensure consent is given prior to references being sought.

### 3.8.2 Individuals from overseas – additional checks

Those who have lived and worked outside the UK must undergo the same checks as all other staff. In addition WMAT must make any further checks they think appropriate so that any relevant events that occurred outside the UK can be considered. These further checks should include a check for information about any teacher sanction or restriction that an EEA professional regulating authority has imposed, using the TRA Teacher Services' system. Although restrictions imposed by another EEA regulating authority do not prevent a person from taking up teaching positions in England, schools and colleges should consider the circumstances that led to the restriction or sanction being imposed when considering a candidate's suitability for employment. (EEA regulators of the teaching profession will share details of any sanction or restriction that they impose on a teacher on or after 18 January 2016, with all other EEA teacher regulators. Teacher Services' system sets out how to obtain additional information about any EEA sanction/restrictions identified).

Guidance from the Home Office on criminal record checks for overseas applicants and the employment of overseas-trained teachers is available here:

<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>.

Further information on the requirements for overseas-trained teachers from the EEA to teach in England, and the award of qualified teacher status for teachers qualified in Australia, Canada, New Zealand and the United States of America is available here:

<https://www.gov.uk/government/publications/employing-overseas-trained-teachers-from-outside-the-eea>

Using the Teacher Services' System (TRA) the Trust will ensure that a candidate to be employed as a teacher are checked to ensure there are no restrictions/sanctions that have been imposed by the regulators of the teaching profession as follows:

- Teachers who have failed induction or probation
- General Teaching Council for England (GTC) sanctions
- Teachers and others prohibited from the profession
- Teachers sanctioned in other EEA member states

All other 'pre-appointment checks must still be completed, including where the individual is engaging in regulated activity, where a children's barred list check will be required or they are in a management capacity and a Section 128 direction check is clear. The Trust may also choose to request an enhanced DBS certificate should they wish to do so.

Note: The DBS will not provide barred list information on any individual, including volunteers, who are not engaging in regulated activity.

Full information can be found in the document  
<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

### **3.9 Single Central Record**

3.9.1 Each WMAT academy/school will have its own Single Central Record (SCR) which will be located in a secure area on the school drive. Each academy/school will have a designated person who is responsible for updating the Single Central Record. The school/Trust HR team (designated person) will add new starters and update records, including Leavers, once they have been provided all the relevant information. It is vital that the SCR is as accurate as possible at any given time, this is the responsibility of the designated person.

3.9.2 The information that must be recorded in respect of staff members (including teacher trainees on salaried routes and volunteers) is whether the following checks have been carried out or certificates obtained, and the date on which each check was completed/certificate obtained:

- Identity
- Qualifications (where legally required e.g. Qualified Teacher Status)
- DBS children's barred list check
- Section 128 direction – clear (where appropriate)
- Teacher prohibition check
- Enhanced DBS disclosure check
- Confirmation of the right to work in the United Kingdom
- Further checks on people who have lived or worked outside the UK; this would include recording checks for those European Economic Area (EEA) teacher sanctions and restrictions
- Overseas checks (where applicable)
- Disqualification under The Childcare Act (where relevant) for managers and staff in regulated activity within the remit of this regulation (e.g. Early Years and Primary settings)
- Proof of Right to work in the UK
- Medical Clearance confirmation
- Reference checks
- Date of check, evidence provided, who undertook the check
- For newly appointed staff, the Safer Recruitment accredited person on the recruitment panel

3.9.3 For agency/supply staff, schools will include on the SCR whether written confirmation has been received that the agency/employment business supplying the member of supply staff has carried out the relevant checks and obtained the appropriate certificates and references. In addition the date that confirmation was received and whether any enhanced DBS check certificate and where required a Children's Barred List check has been provided in respect of the member of staff.

3.9.4 In addition the Identity, DBS Enhanced check, Proof of Right to Work (Trust Board only), Disqualification under The Childcare Act (where relevant) and overseas police checks

(where relevant) records of all volunteers, governors and trustees of the LGBs and Trust Board will be recorded on the SCR.

3.9.5 The HR team in conjunction with Senior Managers/Governors will carry out audits and spot checks throughout the academic year.

### **3.10 Recruitment Pack**

3.10.1 The recruitment pack should include:

The advertisement. This will detail:

- The job title, closing dates, payscale, location of the role, information about the role, information about the school/WMAT, who to contact for more information about the job (if applicable), how to apply, the planned interview dates. A statement highlighting Wellsway MAT's commitment to safer recruiting procedures. This will encourage suitable applicants and discourage undesirable individuals. Confirmation that questions about safeguarding will also be asked within the interview should also be provided to potential candidates (refer to section 3.2 and 3.3).
- A link to the WMAT school Child Protection Policy and Behaviour Management Policy
- The JD/PS
- An application form (2 versions are available, Teacher Application Form and Support Staff Application Form). These forms have included within them a statement saying that only a fully completed application form will be accepted and not CVs without an application form due to safeguarding requirements. In addition the application form states the requirement for two references (one of which is the previous employer).
- The Equalities Statement – this is contained within the application forms

Note: For internal advertisements e.g. in the case of an internal re-structuring process, a letter of application is likely to be sufficient.

## **4. Selection**

### **4.1 The Selection Panel**

4.1.1 The Recruiting Manager will organise the Selection Panel which will consist of at least two members and will ideally include the direct line manager of the position. At least one member of the panel will have received appropriate recruitment training including 'Safer Recruitment'. In exceptional circumstances, where this is not possible, at least one panel member will have received a briefing from a current member of staff who has received the appropriate Safer Recruitment training. Other members should as a minimum ensure that they have a full understanding of this policy, in order to ensure they are fully aware of their roles and responsibilities alongside the relevant legislation. Directors will be involved in appointments for middle and senior leadership positions and other positions where appropriate.

(Principal/Headteacher/BD/CEO appointments will require ratification by the Directors of WMAT in consultation with the LGB).

4.1.2 The Panel will agree a Chairperson, who will be responsible for managing the interview and selection process, making the job offer and ensuring that the agreed procedures are followed.

4.1.3 All members of the Panel should be involved at all stages of the selection process.

## 4.2 Selection Methods

4.2.1 The selection panel should agree selection methods to be used in assessing candidates. Depending on the requirements of the post, these could include in addition to an interview:

- Presentations
- Aptitude tests
- Role plays
- Group discussions
- Student Panel
- Work samples (e.g. in-tray exercises or other practical tests based on simulation of real work)
- Written submissions
- Case studies
- Skills tasks (e.g. teacher observations, numeracy tests, etc.)

## 4.3 References

4.3.1 The purpose of seeking references is to obtain objective, verifiable and factual information to support appointment decisions.

4.3.2 The request for a reference should remind the referee that they have a responsibility to ensure that the reference is accurate, and that the content of the reference may be discussed with the candidate.

4.3.3 In accordance with its statutory obligations and as a matter of good recruitment practice, WMAT will always seek to obtain 2 references for every new employee. Wherever possible this will be from the applicant's current and most recent employers, and will be those stated on the job application form (this includes internal candidates). Where the applicant has previously been employed in an education or child care setting, a reference will always be sought from that employer even if they are not the current or most recent employer.

4.3.4 References from current line manager/principal/headteacher are required for all cross-trust appointments.

4.3.5 External candidates nominating a referee who is a current member of WMAT school staff should be asked to supply an additional/alternative referee (to avoid any potential conflict of interest for the referee).

4.3.6 Email addresses for referees should be checked to ensure they are an organisation email address and not a personal email account.

4.3.7 The reference request is sent to the referee with a JD/PS which provides details of the job role together with a Reference Request Form which is completed by the referee and returned to WMAT. The Form requests information on the following:

- Confirmation of employment dates (then cross checked against application form)
- Details of the referee's relationship with the candidate
- Evidence of the candidates ability to meet the requirements of the JD/PS
- Specific verifiable comments about performance history and conduct
- Any current disciplinary sanctions

- Any disciplinary sanctions where there employee was subject to proceedings relating to working with children including any which are ‘time expired’.
- Details of any concerns that relate to the safety and welfare of children
- Candidates suitability to work with children
- Amount of days absent in the last 12 months.

4.3.8 The reference must be signed, dated, the name of the organisation is provided together with the position of the person completing the reference.

4.3.9 All references received must be sent to the Principal/Headteacher/BD/CEO as appropriate (and the Recruiting Manager, if this is a different person) to review (and verify reference 1).

4.3.10 In any case where a reference has not been obtained on the preferred candidate before interview, the Panel must ensure that it is received and scrutinised, and any concerns are resolved satisfactorily, before the successful candidate’s appointment is confirmed. Any offer of appointment will be subject to satisfactory references (unless these references have already been received and are satisfactory) and the normal pre-appointment checks.

4.3.11 Please refer to the Reference policy for further information.

#### **4.4 Shortlisting**

4.4.1 This will be based on the information contained in the application form and measured against the requirements specified in the person specification.

4.4.2 The Panel will meet to consider which of the applicants meet the essential criteria (and the desirable criteria where there is a need to distinguish between more than one candidate who meets the essential criteria).

4.4.3 Each applicant will be judged against the criteria in a consistent manner without discrimination. Records should be kept of the shortlisting process and will include reasons why it was felt that candidates did not meet the criteria. This information will be kept for a period of 6 months, to enable WMAT to maintain written evidence of decision in case of a challenge from applicants.

4.4.4 If a Panel member knows any of the applicants, they should declare this at the shortlisting stage. This will not necessarily mean that the panel member can no longer be involved in the process.

4.4.5 There is no automatic right for internal applicants to be shortlisted. However, if they are not shortlisted, then the line manager will provide feedback to those individual applicants.

4.4.6 It is acceptable to shortlist only one candidate where that candidate alone has met the shortlisting criteria. However in such circumstances it might be appropriate to re-advertise in order to obtain a wider choice of candidates.

4.4.7 Once the Panel has agreed on the shortlist, the candidates will be called for interview. The Recruiting Manager will advise school HR support officer of shortlisted candidates; they will then send invitations to interview which will include:

- The date, time and venue of the selection process
- Where and to whom they should report on arrival.
- An outline of the day, including any pre-interview preparation, tasks or selection tests required of candidates.
- A request for documentation required to prove identification, and satisfy DBS requirements.
- A request to bring in certificates to confirm qualifications.
- A statement asking candidates if they require any reasonable adjustments to enable them to take part in the interview process.

4.4.8 Having established the process, the Panel will prepare an assessment proforma to record relevant information about each candidate's performance.

## **4.5 Interviews**

4.5.1 Candidates should be asked to provide proof of identity when invited to an interview and also provide originals of qualification certificates. (The Recruiting Manager should ensure there is a responsible person available on the day to ensure that identification and qualifications are checked for authenticity and are photocopied).

4.5.2 The main objective of an interview is to get an accurate picture of a candidate's suitability for a post.

4.5.3 The Panel will prepare for the interview in advance by deciding on a set of "core" questions designed to assess the ability of the candidates to meet specific criteria on the person specification, and to assess their suitability and motivation to work with young people. All candidates will be asked the core questions.

4.5.4 If a candidate has, in answer to a previous question, appeared to answer a subsequent core question, then the question should still be asked. This gives the candidate the opportunity of addressing the question directly or providing supplementary information to the response already given.

4.5.5 Supplementary questions may be asked by any Panel member provided they are relevant to the person specification criteria.

4.5.6 Supplementary questions may also be asked of individual candidates in order to explore safeguarding issues based upon their application and reference details; such as gaps in training or employment. Candidates will be expected to satisfactorily explain any gaps in their employment history and explain any discrepancies in the information they have provided.

4.5.7 Candidates must be judged solely on the evidence provided within the interview/selection process in terms of their ability to do the job.

4.5.8 Each aspect of the selection process will be judged according to the individual candidate's performance.

4.5.9 The Panel members will also measure each candidate's responses to each question during his/her interview and will use a separate assessment form for each candidate. Panel

members should take notes during the interview to assist with the objective comparison of an individual candidate's performance.

#### **4.6 Making the decision**

4.6.1 Candidates should be evaluated objectively on an individual basis against the essential selection criteria (and the desirable criteria as appropriate). The Selection Panel need to ensure that all candidates are treated fairly and the candidates should feel they have had every opportunity to explain how their knowledge, skills and experience make them suitable for the job in question.

4.6.2 The successful candidate should be the individual who achieves the best performance in relation to the essential criteria (and the desirable criteria as appropriate).

#### **4.7 Offering the post**

4.7.1 Following the interview, a verbal *conditional offer* will be made by the Recruiting Manager. The Recruiting Manager will liaise with the school HR team regarding the start date to ensure it is practical for all recruitment/safer recruitment activities to be completed in time for the start date.

4.7.2 The school HR team will then send a written conditional offer together with a new starter pack, usually within 3 working days of receipt of all information from the RM. All offers of appointment must be subject to the necessary pre-appointment checks; including satisfactory references (if not already received) one of which must be from the most recent employer, pre-employment medical clearances for external applicants, DBS and barred list/prohibition/section 128 directive (where appropriate) checks, and checks for professional qualifications. The Recruiting Manager should contact unsuccessful candidates providing them with an explanation as to why they were not appointed to the post on that occasion.

4.7.3 The school HR team will make arrangements for appropriate appointment documentation to be completed and checked; a Recruitment Checklist will be attached to each new starter personnel file to ensure all aspects of recruitment/safer recruitment are completed prior to the agreed start date.

4.7.4 New employees should not be given a start date until **all** clearances are received and are confirmed as satisfactory. However with approval from the Headteacher and Head of HR it may be possible to start an employee with 1 reference rather than 2 **if** this is from the existing or most recent employee. The 2<sup>nd</sup> reference will be required within a reasonable timescale.

4.7.5 A written Statement of Terms and Conditions of Employment will be provided to the employee within 2 months of the start of employment as per current guidance [www.gov.uk](http://www.gov.uk)

4.7.6 Application forms for all applicants, accurate records of interview decisions, plus any other notes, documentation, test/exercise results (where appropriate), scorecards and references for shortlisted candidates will be retained by WMAT for 6 months after the selection process has occurred. They will then be securely destroyed.



4.7.7 The successful candidate's application form should be retained and filed in their personnel file together with a copy of the job advert, JD/PS and Candidate Pack (where relevant).

4.7.8 The HR transactional team will diarise and chase outstanding clearances on a regular basis, escalating non-receipt as required to the Headteacher and Head of HR

#### **4.8 Induction process**

4.8.1 Core Induction into the Trust for new appointees

4.8.2 All newly appointed Trust staff will receive a programme of induction, which will be in addition to the tailored programme provided by each school within the Trust.

The programme includes:

- A guarantee of two days (if required) in the first year to shadow the work of experienced colleagues undertaking a similar role in other Trust schools
- An induction pack
- Access to formal and informal networks with colleagues undertaking similar roles across the Trust

4.8.3 There is a separate programme for NQTs.

4.8.4 The Recruiting Manager in conjunction with the line manager will also arrange a structured induction process to the school running alongside the Core Trust Induction programme.

### **5. Volunteer Recruitment (including Governors and Trustees)**

Risks posed by volunteers are the same as with any other member of staff, paid or otherwise.

“Under no circumstances should a volunteer in respect of whom no checks have been obtained, be left unsupervised or allowed to work in regulated activity.” (KCSIE 2018).

#### **5.1 Governor and Trustee Recruitment**

5.1 Safer recruitment checks required to include:

- Verification of original, current, identity (one photo ID e.g., passport and two forms of address ID)
- Enhanced DBS without (children's) barred list check – unless engaging in regulated activity (i.e., 1:1 interviews, coaching etc), in which case an Enhanced DBS with (children's) barred list would be required.
- For the Chair of Trustees only – an Enhanced DBS with (children's) barred list application counter-signed by the Secretary of State.
- Overseas police checks where the Governor/Trustee has spent 6 months or more in the previous 5 years overseas. Sept 2018 – Ofsted recommended best practice
- Section 128 check via Teaching Regulation Agency (TRA)
- Governors should be entered on to the Single Central Record
- Trustees are recorded on a Single Central Record held and maintained by Central HR.

#### **5.2 Volunteer Recruitment**

5.2.1 An enhanced DBS without (children's) barred list check is required for all volunteers. Unless the volunteer will be engaging in regulated activity, in which case an Enhanced DBS with (children's) barred list is necessary.

5.2.2 Volunteer recruitment managers may wish to consider use of volunteer application forms and two reference checks. (Considered best practice, not mandatory requirement).

5.2.3 Please refer to HR for volunteer recruitment application form and reference templates.

5.2.4 Volunteers should be entered on to the Single Central Record

## **PART C: WMAT GENERAL STATEMENTS**

### **6. Breaches of the Policy**

Due to the serious nature of safer recruitment within an educational environment and the implications of starting new employees without all the necessary clearances and checks in place, breaches of this policy will be dealt with in accordance with the WMAT Disciplinary Procedure.

### **7. Monitoring**

This policy will be monitored by WMAT Head of HR and HR team on a regular basis.

### **8. Confidentiality**

WMAT will treat all personal data collected during the recruitment process in accordance with GDPR compliance.

### **9. General Principles**

The Safer Recruitment Policy will be implemented in accordance with the KCSIE publication, the Equality Act 2010 and ACAS guidance.

## **PART D: GUIDANCE NOTES**

### **Guidance Notes**

#### **10. Employment Legislation:**

Any applicant can allege that he/she has been discriminated against by WMAT even though there is no employment relationship. It is therefore vital that all those involved within the recruitment process follow the Wellsway Multi Academy Trust's Recruitment and Selection Policy and Procedure and act in a manner that is both fair and reasonable.

#### **11. Discrimination under the Equality Act 2010**

In relation to the Equality Act there are a number of **protected characteristics** which include:

Age  
Disability  
Gender Reassignment  
Marriage and civil partnership  
Pregnancy and maternity

Race  
Religion or Belief  
Sex  
Sexual orientation

It is unlawful to discriminate on the basis of any of the above characteristics.

Further information can be found in the Equality & Diversity Policy.

## 12. Unlawful Discrimination

Unlawful discrimination could be found if:

- An advert implied that applications from those with the above characteristics would not be considered (the only exception to this is if there is an occupational requirement but this exception is **very** limited – advice should be obtained from the HR team of Wellsway MAT in such a circumstance)
- The terms on which the employment is offered were discriminatory;
- Managers refusing or deliberately omitting to offer employment to those with protected characteristics.

## 13. Candidates with a disability

Disability is defined under the Equality Act 2010 as a physical or mental impairment that has a substantial (i.e. more than minor or trivial) and a long term adverse effect on the ability of the person to carry out normal day to day activities.

This means that consideration must be given to candidates who have a disability regarding reasonable adjustments which may be needed during the selection process, e.g. reviewing parking requirements, having an interview room with wheel chair access, having a room at ground level or the option of a lift, allowing candidates a longer time to complete tests or assessments, providing a 'reader', etc.

When specifically inviting applicants to interview, they should be asked if they require any reasonable adjustments to enable them to take part in the selection process.

Candidates should not normally be asked about their health at all until a job offer has been made. The Equality Act 2010 limits the circumstances when employers in general can ask pre-employment health related questions before a job offer.

After taking advice, managers can ask health related questions:

- To help to decide if reasonable adjustments are needed **in the selection process** to enable the candidate with a disability not to be placed at a disadvantage to other candidates;
- To determine if an applicant can carry out a function that is **essential** to the job such as heavy lifting.

If a candidate voluntarily discloses information about his/her health or disability within an interview then managers should avoid asking any questions in response.

When **appointing** a successful candidate who is disabled consideration should be given to any reasonable adjustments to the role which may be required.