



Recruitment and Selection Policy

Date: February 2020

Review date: February 2021

Approved by Advisory Board:

Linked with other policies:

- Curriculum
- Health & Safety
- Induction
- Staff Handbook

Signed:

A handwritten signature in blue ink, appearing to read "S. Day".

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Contents

1. Introduction
2. Safer recruitment
3. Equal opportunities
4. Scope of this policy
5. Application
6. Appointment of Headteacher
7. Advisory Board and Headteacher Responsibilities
8. Data Protection

1. Introduction

1.1 Recruitment and selection is a critical activity for the Directors and Headteacher. In selecting the best person for the role, the need for compliance with employment law, especially in the area of discrimination is clear. Recruitment practices must be safe in the context of appointing people who are suitable to work with children and young people.

1.2 Poor appointments to the school can lead to unnecessary and costly staff turnover, poor performance, dissatisfaction amongst the workforce and potentially put children at risk of harm. The importance of safer recruitment and recruitment best practice are recognised and underpin the school's recruitment processes.

1.3 All directors and employees involved in a recruitment exercise must adhere to the requirements of this policy and any related policies when conducting the recruitment process and in their decision making.

2. Safer recruitment

2.1 The purpose of this policy is to provide a sound foundation for good recruitment and selection of staff, assisting a school in ensuring the requirements of the *Safer Recruitment Guidance* produced by the Norfolk Safeguarding Children Partnership (NSCP) and general employment legislation are met. It will do this by supporting the principles and recommendations set out in the DfE document '[Keeping children safe in education](#)' statutory guidance.

2.2 The *Safer Recruitment Guidance* states that recruitment and selection processes should embrace core principles around safeguarding children and young people and employment legislation. In addition the document states the core standards which should be incorporated into the practice of recruitment and selection. This policy reflects these core principles and core standards by:

- identifying:
 - the powers and obligations of the Directors in selecting staff;
 - the main stages of the recruitment and selection process; and
 - the administrative procedures to be followed by the school.
- ensuring that fairness and equal opportunity are afforded to all applicants, and that the school adheres to current legislation and its equal opportunities policies
- assisting the school in meeting the requirements of *Keeping Children Safe in Education Statutory guidance*.
- setting out the legal requirements on the recruitment and selection of staff stemming from

relevant employment law and sector specific statute, for example (this list includes any subsequent updates made to the legislation listed): the *Education Reform Act 1988*, the *School Standards and Framework Act 1998*, the *Education Act 2002*, the *Education (Independent Schools and Standards) (England) Regulations 2010 (as amended by the Education (Independent School Standards) (England) (Amendment) Regulations 2014*, *Childcare Act 2006*, *Childcare (Disqualification) Regulations 2009* and various statutory guidance documents.

Safer Recruitment training

2.3 A statutory requirement on every school going through recruitment and selection is to make arrangements to ensure actions are taken that safeguard and promote the welfare of children. All recruitment and selection events in schools need to have the involvement of an individual who has received appropriate Safer Recruitment training.

2.4 The Directors recognise their responsibility for ensuring at least one member of school staff and one director are trained in Safer Recruitment and that at least one appropriately trained individual (member of staff or director) is involved in each and every recruitment exercise.

Disclosure Barring Service (DBS) checks (formerly Criminal Records Bureau (CRB) checks,

2.5 The School undertakes DBS checks for all staff.

Prohibition checks and the Single Central Record

2.6 In addition to any DBS and/or Barred List check, anyone who is appointed to carry out teaching work will require an additional check to ensure they are not subject to a prohibition order¹ and therefore prohibited from teaching. This has been a statutory requirement since 1 September 2013. (retrospective checking is not required for employees who commenced their current employment prior to 1 September 2013). This check is undertaken using the Teacher Services.

2.7 The School has a responsibility to keep a Single Central Record detailing when appropriate checks on staff were made and by whom, including identity, qualification requirements, entitlement to work in the United Kingdom, DBS checks, prohibition order checks, Childcare (Disqualification) Regulations checks and section 128 direction checks. The school holds a Single Central Record of recruitment and vetting checks covering all employed staff and others identified by the school as having access to children. The Headteacher oversees the maintenance of the Single Central Record.

Overseas teachers

¹ Secretary of state 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. A person who is prohibited from teaching must not be appointed to work as a teacher. These checks will also identify any existing prohibitions and sanctions made by the General Teaching Council (GTCE) and NCTL before their abolition. The Teacher Regulation Agency now undertakes the prohibition work.

2.8 Through the Headteacher, the School will ensure that prescribed checks, including additional checks as appropriate, are carried out in respect of staff members who have lived outside the United Kingdom.

2.9 Other essential pre-employment checks required and summarised in 'Keeping Children Safe in Education' statutory guidance is to verify the candidate's:

- identity
- right to work in the UK
- professional qualifications
- mental and physical fitness to carry out their work responsibilities including whether any reasonable adjustments are required to provide effective and efficient teaching
- suitability to work with children (where the applicant has lived or worked outside the UK and further checks are required because of that background)
- suitability to work with children aged under 8 the Childcare (Disqualification) Regulations².
- Section 128 direction check (Independent schools management positions³). A section 128 direction prohibits or restricts a person from taking part in the management of an independent school. This check should be undertaken for any successful candidate offered a management position within the school. This check can be done via the Teacher Services System.

3. Equal opportunities

3.1 The Directors and Headteacher recognise their responsibilities under equality legislation, specifically the Equality Act 2010 which consolidated previous equality legislation and in some cases extended equality law.

3.2 The 'protected characteristics' identified in the Equality Act 2010 of age, disability, gender reassignment, pregnancy and maternity, race (including ethnic or national origins, colour and nationality), religion and belief, sex, sexual orientation, marriage and civil partnership will not be used as the basis of selection for appointment or promotion within the school. All employees will be selected, trained and promoted on the basis of ability, the requirements of the job and other similar criteria that are as objective as possible. The only exception will be by virtue of legislation or an Occupational Requirement.

3.3 The Equality Act extends, beyond *direct* and *indirect* discrimination, the circumstances in which unlawful discrimination can take place. In respect of some 'protected characteristics', *associative* discrimination (i.e. direct discrimination against someone because they associate with another person who possesses a protected characteristic) and discrimination by *perception* (i.e. direct discrimination against someone because others think they have a protected characteristic). In any recruitment and selection exercise at the school, those involved will be alert to any potential unlawful discrimination.

² Childcare (Disqualification) Regulations 2009 stipulate that relevant staff in relevant settings must be checked to ensure they are not disqualified from being employed in the setting. Please see HR InfoSpace for further information.

³ A section 128 direction check checks the names of individuals who have been prohibited from taking part in the management of any independent school (including academies and free schools). For a clear definition of what management roles this effects see para 121 of [KCSE](#).

3.4 Reasonable adjustments and/or supportive measures will be considered where a known disability exists to allow equality of access and opportunity.

3.5 All those taking part in the recruitment and selection process have responsibility for applying the policy on equal opportunities to avoid unlawful discrimination.

4. Scope of this policy

4.1 This policy applies to all posts in the school.

4.2 The policy does not apply to students, contractors, agency staff, carers or volunteers who work in the school or its extended environment unless those individuals are applicants for vacant posts in the school. Also, although the general principles of this policy will apply to the recruitment of a Headteacher, different processes may be applied (see 6 below).

5. Application

5.1 The Directors will follow the procedures outlined in this policy for all vacancies, although the complexity of each stage will vary depending on the type of post.

5.2 This policy requires that the following stages are incorporated into every recruitment and selection event;

- workforce planning and identification of vacancy
- post specification
- advertising
- applications and shortlisting
- interview
- appointment

5.3 In advance of any recruitment exercise, the Directors and Headteacher will consider relevant aspects of workforce planning in advance of advertising a vacancy.

5.4 It is imperative that the Directors consider whether or not recruitment to the post needs to happen, whether a review of the post (and perhaps wider staffing structure) should occur before proceeding. This may be particularly relevant where the school is experiencing or anticipates financial 'tightening' perhaps through reducing student numbers. A decision not to recruit or to recruit to a different post (e.g. part-time instead of full-time, for a fixed term, or at a lower scale) may help avoid problems further down the line. A vacant post may well prove to be an opportunity to avoid a redundancy problem in the foreseeable future. The Directors recognise this and are committed to appropriate workforce planning considerations whenever a vacancy arises.

6. Appointment of Headteacher

6.1 Separate processes may exist for the appointment to the post of Headteacher to the school. The Directors will follow an established process for the recruitment of a Headteacher should that post become vacant.

7. Director and Headteacher Responsibilities

7.1 Before embarking on any recruitment exercise, the Directors and Headteacher need to be clear about where responsibility lies. Decisions taken by the Directors in relation to the discretion to delegate aspects of the appointments process will be reviewed annually and recorded appropriately.

8. Data Protection

The school processes any personal data collected during the recruitment and selection process in accordance with its data protection policy. Any data collected is held securely and accessed by, and disclosed to, individuals only for the purposes of operating recruitment and selection. Inappropriate access or disclosure of personal data constitutes a data breach and should be reported in accordance with the school's data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the school's disciplinary procedure.