

RECRUITMENT AND SELECTION OF SCHOOL STAFF GUIDANCE

Adopted by the Governing Body of Weetwood Primary School January 2014

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RECRUITMENT AND SELECTION OF SCHOOL STAFF GUIDANCE

1.0 INTRODUCTION

The purpose of this document is to give guidance on the key points within the recruitment and selection policy and assist schools through the process. It sets out the requirements of current legislation and provides a framework within which appointment panels can operate, to ensure that the best appointments are made within a fair and sound system.

The most valuable resource of any organisation is its workforce; getting the right people into the right posts is crucial to the success of the business. Therefore, one of the most important challenges faced by Headteachers and managers is to ensure that they recruit the right employees. Although the recruitment process can be very time consuming and expensive, the price of making a wrong appointment can prove to be much more costly in the longer term. Investing sufficient time and resources into the process will help the appointment panel to make the right decision first time round.

This guidance is also based on the 'Safeguarding Children and Safer Recruitment in Education' guidance (DCSF - 1.1.2007) and assists schools in promoting safer recruitment practices which will strengthen safeguards for children and young people by helping appointment panels to deter, reject or identify people who may abuse children, or who are otherwise unsuited to work with them. These measures should be applied to everyone who works in an education setting, where there are children and young people, who are likely to perceive the individual as a safe and trustworthy adult. This includes people who regularly work in school when pupils are present who may not have direct contact with children as a result of their job, and may include workers not on the payroll, e.g. staff employed by contractors and unpaid volunteers.

Each section guides you through the process of recruitment and selection addressing related equal opportunity issues and highlights how potential problems may be avoided or overcome. By following these guidelines, appointment panels will ensure that they meet the requirements of the relevant legislation in this area.

2.0 EQUAL OPPORTUNITIES

Fairness in how we recruit and select our employees plays a significant part in creating an equal opportunities environment. Therefore, the aim should be that every internal and external applicant for a job within the school is considered against criteria which relate only to the requirements of the job.

2.1 Discrimination against applicants

Unlike virtually all other employment legislation, an applicant can allege discrimination against an employer although there is no direct employment relationship. This is particularly pertinent in the recruitment process whereby a potential applicant, applicant, or selected candidate may claim discrimination on the grounds of **age, race, religion/belief, gender, sexual orientation, marital status or disability**. All actions and documents involved in the process must be free of any criteria that could be interpreted as being discriminatory within the terms of legislation.

For example, advertisements, job descriptions and person specifications must not include anything that could be construed as an intention to discriminate on an unlawful basis.

Unlawful discrimination could also be found in the offer of that employment; in the terms on which employment is offered; or by refusing, or deliberately omitting, to offer employment, for example, a deliberate omission from a shortlist on grounds of age, race, religion/belief, gender, sexual orientation, marital status or disability.

2.2 Types of Discrimination

Direct Discrimination: This occurs when someone is treated less favourably than others would be treated in the same, or similar, circumstances on the grounds of age, race, religion/belief, gender, sexual orientation, marital status or disability.

Indirect Discrimination: This occurs when a requirement or condition is applied which has a disproportionately adverse effect on a group of people due to their age, race, religion/belief, gender, sexual orientation, marital status or disability. Examples include:

- Insistence on British qualifications without consideration of equivalents may disadvantage those born in another country.
- A requirement that candidates must have 10 years continuous employment/service would exclude more women than men due to the likelihood of women taking time away from work to raise a family.

2.3 Liability for Discrimination

Liability for unlawful discrimination rests with the employer and/or any workers who are found to have discriminated. For example, anyone participating in the recruitment process, including panel members, could be liable if an allegation of discrimination is proven.

NB: Applicants have up to 3 months, following the recruitment process, to make a complaint.

The fact that a person may not have intended to discriminate against someone is irrelevant and would not constitute a defence.

2.4 There is a significant body of employment legislation which impacts on the Recruitment and Selection process. This includes:

- Sex Discrimination Act 1975
- Equal Pay Act 1970
- Employment Equality (Sexual Orientation) Regulations 2003
- Race Relations Act 1976 (amended 2000)
- Employment (Religion or Belief) Regulation 2003
- Disability Discrimination Act 1995 updated in 2005 to include the Disability Equality Duty
- Employment Equality (Age) Regulations 2006
- Asylum and Immigration Act 1996
- Rehabilitation of Offenders Act 1974

For full information please see Document 18 Employment Legislation.

2.5 Dealing with Complaints

If a complaint is received by the school it should be dealt with in line with the school's Complaints Procedure. Advice can be sought from your Education Leeds HR Adviser. It is important to bear in mind that a complaint of discrimination may lead to a claim against an individual or a claim to an employment tribunal and should the employment tribunal decide that the complaint is well founded; damages may be awarded against the employer. In cases of discrimination the amount awarded is unlimited.

2.6 Burden of Proof

It is important to note that if a complainant establishes facts that she or he was treated less favourably on the grounds of age, race, religion/belief, gender, sexual orientation, marital status or disability, the employer will have to prove that the difference in treatment was not due in any way to unlawful discrimination. If the employer cannot do this, the employment tribunal will uphold the claim.

2.7 Genuine Occupational Requirements (GOR)

As a general rule it is unlawful to specify that you require somebody of a particular sex or race, however, in exceptional circumstances there may be a genuine occupational requirement (GOR) for the position. Such requirements are acceptable in instances, for example:

- where the job needs to be held by a man or woman to preserve privacy and decency.
- where the essential nature of the job calls for a man or woman by reason of his or her physiology.
- where being of a particular racial group is a genuine occupational qualification e.g. providing care/welfare services to a racial group and those services can be best provided by a member of that racial group.
- the religious character of the school

In the event of the GOR rule applying, this must be stated on the advertisement and job details.

GORs are always open to challenge and if an employer is challenged, the burden of proof lies with the employer to show that a GOR applies to the job at issue. But it is only an Employment Tribunal who can give an authoritative ruling as to whether or not a GOR is valid.

Advice should be sought from the HR Team before proceeding with any plans to advertise a post using the GOR provisions.

3.0 DATA PROTECTION ACT 1998

The Data Protection Act applies to personal data held in a structured way in any medium (paper, computer, microfiche, tape etc). To comply with the Act information must be:

- processed fairly and lawfully
- obtained and processed for specified purposes
- adequate, relevant and not excessive
- accurate and up to date
- held for no longer than necessary
- processed in line with the data subject's rights

- kept secure
- not transferred to other countries without adequate protection

This includes all materials relating to the recruitment and selection process. Information relating to the process should be retained for 6 months after the date of interview and then be destroyed as confidential waste. It is important to note that you are **personally** responsible for ensuring that data is handled in line with the Education Leeds Data Protection Policy.

Individuals have a right under the **Freedom of Information Act** to request and receive a copy of information held about them, which would include any records relating to the recruitment process. **If an individual makes such a request please contact the Information Policy Access Officer. Tel: 0113 3950782 for advice on the process.**

4.0 SAFEGUARDING AND SAFER RECRUITMENT PRACTICES

It is important that recruitment processes ensure that safeguarding and safer recruitment practices are adhered to. Safeguarding and promoting the welfare of children is an essential part of creating a safe environment for children and young people and must be an integral factor in the management of recruitment and selection at every stage of the process.

In line with DCSF guidance the paragraph below should be included in all publicity materials, entries on recruitment websites, advertisements, candidate Information packs, person specifications, job descriptions, competency frameworks, induction training materials

‘The School (and the Local Authority) is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share in this commitment.’

4.1 ISA Registration

Please note all appointments from summer 2010 will be subject to ISA Registration.

4.2 Safer Recruitment Training

It is a requirement that at least one member of the interview panel has completed the NCSL (National College for School Leadership) safer recruitment training successfully prior to the start of the recruitment process

‘Safer Recruitment’ training is an online training package developed for Head Teachers and Governors which aims to improve recruitment processes in schools to help deter, identify and reject applicants who might be unsuitable to work with children. School staff can access the NCSL certificate via a one day training event.

Please contact the Child Protection Team for further information about Safer Recruitment Training. Tel: 0113 3951210.

5.0 THE RECRUITMENT PROCESS

5.1 The Objective

The objective of the recruitment process is to attract, select and retain staff who will successfully and positively contribute to the future development of the school.

It is also important to remember that applying for a vacancy is often the first contact an individual has with the school therefore the experience should be positive and all those responsible for recruiting should:

- ensure that all applicants, whether successful or unsuccessful have a positive experience of the recruitment service
- give successful applicants a clear understanding of the post and what is expected of them
- reduce the risk of a bad selection decision which may lead to problems in the future or may not meet the commitment to safeguarding children.

5.2 Recruitment Planning

The time it takes to fill a vacancy can be significantly reduced by agreeing a time scaled plan right at the start. This will affect the efficiency and cost-effectiveness of the process and also enable candidates to organise their own plans accordingly.

Planning is vital to successful recruitment. It is important to be clear about what mix of qualities, qualifications and experience a successful candidate will need to demonstrate, and whether there are any particular matters which need to be mentioned in the advertisement for the post in order to prevent unwanted applications. It is an opportunity to consider other arrangements such as job sharing or part-time hours.

If a Fixed Term Contract is considered, advice should be sought from the School HR Adviser regarding the possible implications. It is also essential to plan the recruitment exercise itself.

Adopting a structured recruitment process will:

- minimise the risk of appointing an unsuitable individual
- enable the school to 'track' the process to ensure all relevant steps are taken; and
- ensure that written records are available for future reference if required
- ensure that a well defined process is applied consistently.

As a result making common errors in recruitment practice should be avoided, such as:

- making assumptions about an individual's suitability without written evidence
- over reliance on personal judgments. Good recruitment practice is not a solitary activity, it always benefits from the support and advice of those professionals available to you in the event of any uncertainty

In each individual round of the of the recruitment and selection process the Chair of the panel is responsible for ensuring that the procedures are being correctly followed. This would normally be the Chair of Governors or the Headteacher depending upon the nature of the vacant post. In any event the staffing sub-committee of any governing body should familiarise themselves with both the requirements of the law and the required procedures before embarking upon filling a vacant post.

5.3 Recruitment checklist

A recruitment checklist should be completed for all posts in schools (see Document 2 Checklist for School Employment).

As a key part of the recruitment and selection procedure the responsible person should ensure that a file is prepared and maintained for the vacant post which includes:

- 1 the name of the responsible person (Chair of panel)
- 2 the Job Description/Person Specification (see Document 1 Preparing the Job Description and Person Specification)
- 3 the advertisement
- 4 all application forms
- 5 the Shortlisting Forms (see Document 3)
- 6 Documents relating to selection tests eg written exercises, presentation
- 7 Interview questions form (see Document 4)
- 8 any correspondence/notes relating to the candidates
- 9 the Recruitment Analysis Form (see Document 5)

At the end of the recruitment and selection process the completed Recruitment Analysis Form should be returned to the HR Recruitment Team in Education Leeds to enable the Local Authority to undertake its responsibilities to monitor all appointments. The recruitment file should be kept for a minimum period of six months.

5.4 Evaluating the vacancy

Each school will either have a staffing structure in place or will be moving towards a planned structure as circumstances change.

When a vacancy arises, the governing body should review the school's staffing needs and determine whether it is appropriate for the post to continue in its previous form or whether changes should be made. Any changes to the staffing structure should only be implemented following appropriate staff consultation.

Where exit interview information is available, with due reference to confidentiality, look at the comments to see whether information is present which may affect the job role or responsibilities. (for exit interview guidance and form please see Documents 24 and 25)

If there are significant changes in the job and/or grade advice should be sought from HR to determine any changes to pay and grading.

6.0 JOB DESCRIPTION AND PERSON SPECIFICATION

6.1 Job Description

A job description (see Document 1 Preparing the Job Description and Person Specification) is a vital tool in making the recruitment and selection process fairer and more effective. Job descriptions must be used for all posts. A clear and precise job description will make it much easier to identify the skills, experience and knowledge which are needed to do the job.

Before any post is advertised, an up-to-date job description should be prepared. It should describe fully and in plain, non-discriminatory language, the responsibilities and duties of the post.

A job description should also include:

- The job title
- The job purpose – why the job exists
- An organisation structure – to show where the job is placed within the school
- Main duties

- Salary band
- Grade
- A statement about commitment to promoting and safeguarding the welfare of children should be incorporated in all job descriptions.

If a nationally or locally-agreed job description exists, this must be used. The Schoolteachers' Pay and Conditions Document contains details of the professional duties and salary scales.

A range of Job descriptions for support staff, which meet thorough Equal Pay criteria, are available from the HR Team.

Job descriptions are used for a number of purposes. It is important, therefore, when writing the job description, to remember that it will not only be used for recruitment and selection purposes but for performance management, workforce planning, job evaluation and identification of training needs.

When a new post is created, or when a vacancy arises and there is a need to modify the existing job description, advice should be sought from the HR Team to ensure that conditions of service are not breached and that the provisions of the Equal Pay Act are observed.

6.2 Person Specification

Person Specification should include:

- the knowledge, skills, experience and qualifications, and any other requirements needed to perform the role in relation to working with children and young people;
- the competences and qualities that the successful candidate should be able to demonstrate; and
- detail the method of assessment, for example, application form, test, or interview.

Care should be taken to ensure that the person specification is free of any criteria that could be interpreted as being discriminatory such as age limits, physical requirements etc. (See Document 11 Recruiting People with a Disability, for further guidance).

An up-to-date person specification is an essential feature of the recruitment process and should be produced for all vacancies. It is essential in enabling a shortlist of applicants to be drawn up and a final selection to be made, based on fair, equitable and consistently applied criteria. It will ensure, as far as possible, that the right person is appointed to the position.

7.0 DECIDING HOW TO FILL THE VACANCY

7.1 Redeployment

In line with the Managing Workforce Change and Staffing Reductions Policy, redeployment should always be considered before looking at the other options for filling the vacancy. This is in line with the employers obligation to support members of staff who are displaced from their substantive posts. Advice on how to access potential redeployees can be obtained from the HR Team.

7.2 Secondments/Acting Up/Temporary Appointments

Where a post is time limited for up to one year e.g. due to maternity leave, long term absence, funding of the post or project length, acting up or secondment of existing staff may be a more effective way of filling the job. When deciding whether the post is suitable the following should

be considered:

- Could the job be used for employee development by opening it up as a secondment or acting up opportunity?
- Are there suitable internal candidates available?

All appropriate staff should be invited to apply demonstrating how they meet the person specification for the position. The usual selection process should then take place.

7.3 Advertising

All posts should be advertised internally within the school (those on leave of absence must be made aware of all suitable vacancies) and externally where appropriate. All Headteacher and Deputy Headteacher posts must be advertised nationally, except in specific circumstance (see Managing Workforce Change and Staffing Reductions Policy)

Posts must not be advertised by word of mouth alone, as this may constitute indirect discrimination and is not compatible with an equal opportunities policy or with effective recruitment and selection of staff.

Where it is decided that a temporary or fixed term post should become a permanent one, then the governing body will need to consider whether it is appropriate for the temporary post holder to be offered the permanent contract or whether the post should be advertised. This will depend on the original reason for the post initially being temporary, any subsequent changes in the needs of the school and the original recruitment process that was undertaken. Consideration must be given to the employment rights of the post holder. In these circumstances advice should be sought from your Education Leeds HR Adviser.

When a vacancy is advertised, the advertisement should include a statement similar to: ***'the school is committed to safeguarding and promoting the welfare of children and expect all staff and volunteers to share this commitment. Appointments will be subject to an enhanced CRB disclosure.'***

For appointments of Head Teachers and Deputy Head Teachers, governing bodies should read this document in association with the Advice on the Appointments Process for Head Teachers and Deputy Head Teachers, available from the HR Team.

7.4 Equal Opportunities

Advertisements must not include discriminatory statements which contravene legislation (see See Document 18, Employment Legislation)

Unless the post is subject to a Genuine Occupational Requirement (see paragraph 2.7) advertisements should include the following statement:

'We promote diversity and want a workforce which reflects the population of Leeds. Applications are welcome from all, irrespective of sex, sexuality, race, religion, marital status, age, or disability.'

(Guidance notes on drawing up advertisements can be found at in Document 6, Drafting an Advertisement)

8.0 INFORMATION TO APPLICANTS

The information sent out to candidates following advertisement is very important as this is the first impression the candidates will have about the school.

The pack should include a copy of:

- the application form (see Document 7 (teachers) Document 8 (Officers))
- explanatory notes about completing the application form (See Document 9)
- the job description, and person specification;
- letter from the Manager/Headteacher/Chair of Governors (see Document 10 for sample)
- any relevant information about the School
- statements of relevant policies such as the school's policy about equal opportunities, the recruitment of ex-offenders, the schools child protection policy statement etc. (see sample Schools Policies Statement in Document 17);

All information sent to candidates must, if requested, be provided in other formats such as Braille and large print, tape, or CD.

8.1 Application form

An application form should always be used to ensure that a common set of core data is obtained from all candidates. It is not good practice to accept curriculum vitae drawn up by applicants in place of an application form because they will only contain the information the applicant wishes to present and may omit relevant details.

Disabled candidates should be allowed to submit applications in other formats than the standard application form. However CVs or tapes etc should follow the same format as the Application Form and answer the same questions.

As all applicants need to know whether or not they have been successful, an accompanying letter should be sent, along with the application form, clearly advising applicants of the date by which he/she may consider himself/herself to have been unsuccessful (see Document 10 Sample Application Pack Letter). Care should be taken to ensure that the recruitment process is not delayed; otherwise applicants may consider themselves not to have been successful and lose interest in the post. Should any change in circumstances result in a delay, candidates should be informed.

9.0 THE SELECTION PANEL

The membership of the selection panel may vary according to the nature of the appointment to be made but in all cases there are important factors which should be considered:

- The shortlisting/interview panel has a Chair whose role is to ensure that the recruitment process complies with policies and procedures.
- The size of the panel should not be so large as to intimidate candidates but should comprise of an odd number of people to ensure that a decision can be made. It is recommended that a minimum of three people form the selection panel.
- Where practicable, the panel should be as diverse as possible, for example, in terms of gender and ethnicity?

- Other than in the most exceptional circumstances the same panel should be responsible for both short listing and interview. Members of the panel need to be familiar with the job description and person specification.
- Members of the panel should be appropriately trained, (one member of the interview panel should have undertaken the NCSL 'Safer Recruitment' training) as recommended in the Safeguarding Children and Safer Recruitment in Education Guidance.
- Where a candidate is known personally to a member of the selection panel it should be declared before short listing takes place. It may then be necessary to change the selection panel to ensure that there is no conflict of interest and that equal opportunities principles are adhered to.
- The Governing Body has the overall responsibility for all staff appointments; however, it may delegate these responsibilities to the Head Teacher, an individual Governor, or a Group of Governors with or without the Head Teacher. Head Teachers will normally be expected to lead in determining staff appointments. Therefore, where these responsibilities have been delegated, selection panels which do not include the Head Teacher or a delegated Governor(s) must make a recommendation to the Head Teacher, or delegated Governor(s) on their preferred candidate before offering the post.

10.0 SCRUTINISING AND SHORT LISTING

10.1 Administration of short listing packs

Once the post has closed a short listing pack should be prepared for each member of the selection panel. The pack should include the following documents:

- The Advert
- Job Description/Person Specification
- Application Forms (without the equal opportunities page)
- Blank Shortlisting Forms (see Document 3)

10.2 Scrutinising and short listing

All applications should be scrutinised to ensure that they are fully and properly completed, that the information provided is consistent and does not contain any discrepancies and to identify any gaps in employment.

Incomplete application forms should not be accepted and should be returned to the applicant for completion with a clear timescale for re-submission.

In line with Safeguarding Children and Safer Recruitment in Education guidance, any anomalies or discrepancies or gaps in employment identified by the scrutiny should be noted so that they can be taken up as part of the consideration of whether to short list the applicant. As well as reasons for obvious gaps in employment, the reasons for a history of repeated changes of employment, or a mid career move from a permanent post to supply teaching or temporary work, will also need to be noted and then explored and verified at interview.

10.3 Objectivity

All candidates should be assessed equally against the criteria contained in the person specification without exception or variation. Document 3 provides an example shortlisting form.

New criteria must not be introduced at this stage.

Care must be taken to avoid negative assumptions, for example, about a woman's ability to work in the light of home circumstances. If she has submitted an application it must be assumed that she has made adequate arrangements. If an applicant lacks work experience it cannot be assumed that they lack relevant skills. Consideration should also be given to skills acquired in outside activities, which would be relevant to the post.

The standard of completion of the application form should not be used as a test of literacy or other suitability for the job.

10.4 Equal Opportunities

Disabled applicants are shortlisted and interviewed in accordance with the Disability Discrimination Act, taking into account any reasonable adjustments which may be required. If the workplace in question is not accessible for people with impaired mobility, funds may be available, through Access to Work, to adapt the workplace or provide any special equipment needed.

Disabled applicants who meet the essential short listing criteria (taking account of any necessary reasonable adjustments), should be offered an interview, even if there are enough applicants to justify using the desirable criteria. Following this, appointments must be on merit (the best candidate for the job, taking account of necessary reasonable adjustments).

Job share applicants should be short listed based on the merits of their application. A person who applies to job share the post should be treated like all other candidates. (see Document 16 Job sharing)

When completed application forms are returned the following details should be entered on the Recruitment Analysis Form (see Document 5), this task should be delegated to an appropriate Administrative Officer (who is not a member of the panel).

Name	
Date of Birth	enter Day/Month/Year
Media Source	enter media source where applicant saw post advertised.
Gender	enter "M" or "F"
Sexual Orientation	enter the code from the corresponding list
Ethnic Origin	enter the code from the corresponding list
Disability	tick the appropriate box if the candidate has a disability

10.5 Recording the process

It is important that clear records are kept as you may be required to justify your decision if challenged, or you may be required to give feedback to applicants at a later stage.

The panel needs to agree a consistent and systematic method of scoring the applications, for example, each application could be scored with numerical grades to weight the criteria outlined in the person specification.

The shortlisting form should be completed to record where the applicants meet the requirements of the person specification . If an applicant does not satisfy the specification then make a note as to why.

The Recruitment Analysis Form (Document 5) needs to be updated (by the officer responsible for monitoring the Equal Opportunity sheets) by entering a tick if the applicant is to be interviewed.

No matter how many applications are received, all application forms should be read and recorded as explained.

10.6 Filtering large numbers of applications

To be eligible for interview an applicant must be able to meet all of the essential criteria on the person specification, which can be assessed from the application form. If a large number of applicants meet all the essential criteria you can then look at the applications again to determine those who meet the desirable elements of the person specification. This should narrow the field. A fair and consistent method of scoring must be followed to ensure the decision is clear and justifiable.

Where a large number of applicants meet all the essential and desirable criteria the panel may create a longlist for the post. This may involve the use of pre-selection techniques, for example, a test, presentation or interview from which you could reduce the field further before carrying out the final shortlist interviews. It is important, however, that any supplementary method used must be valid, reliable, quantifiable and non-discriminatory.

11.0 REFERENCES

The purpose of seeking references is to obtain objective and factual information to support appointment decisions. They should always be sought and obtained directly from the referee and provided in writing. Do not rely on references or testimonials provided by the candidate, or on open references and testimonials, i.e. "To Whom It May Concern".

References should be sought on all shortlisted candidates, including internal ones, and should be obtained before interview so that any issues of concern they raise can be explored further with the referee, 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. If this is the case, at least one reference should be able to be obtained prior to interview if an applicant objects to their current employer being approached, this could be a character reference or a reference from a previous employer.

In any case where a reference has not been obtained on the preferred candidate before interview, the school must ensure that it is received and scrutinised and any concerns are resolved satisfactorily, before the person's appointment is confirmed.

All requests for references should seek objective verifiable information and not subjective opinion. The use of reference pro formas can help achieve that, examples are in Document 14 and 15 along with a suggested letter to accompany it. A copy of the job description and person specification for the post for which the person is applying should be included with all requests, and every request should ask:

- about the referee's relationship with the candidate, e.g. did they have a working relationship: if so what; how long has the referee known the candidate, and in what capacity;

- whether the referee is satisfied that the person has the ability and is suitable to undertake the job in question, and for specific comments about the applicant's suitability for the post, and how she/he has demonstrated that she/he meets the person specification;
- whether the referee is completely satisfied that the candidate is suitable to work with children, and, if not, for specific details of the referee's concerns and the reasons why the referee believes the person might be unsuitable; and should remind the referee that:
- they have a responsibility to ensure that the reference is accurate and does not contain any material misstatement or omission;
- that relevant factual content of the reference may be discussed with the applicant.

In addition to the above, requests addressed to a candidate's current employer, or a previous, employer in work with children, should also seek:

- confirmation of details of the applicant's current post, salary;
- specific verifiable comments about the applicant's performance history and conduct;
- details of any disciplinary procedures the applicant has been subject to in which the disciplinary sanction is current;
- details of any disciplinary procedures the applicant has been subject to involving issues related to the safety and welfare of children or young people, including any in which the disciplinary sanction has expired, and the outcome of those; and,
- details of any allegations or concerns that have been raised about the applicant that relate to the safety and welfare of children or young people or behaviour towards children or young people, and the outcome of those concerns e.g. whether the allegations or concern was investigated, the conclusion reached, and how the matter was resolved.

On receipt references should be checked to ensure that all specific questions have been answered satisfactorily. If all questions have not been answered or the reference is vague or unspecific, the referee should be contacted and asked to provide further information in writing.

The information given should also be compared with the application form to ensure that the information provided about the candidate and his/her previous employment by the referee is consistent with the information provided by the applicant on the form. Any discrepancy in the information should be taken up with the applicant.

Any information about past disciplinary action or allegations should be considered in the circumstances of the individual case. Cases in which an issue was satisfactorily resolved some time ago or an allegation was determined to be unfounded or did not require formal disciplinary sanctions, and in which no further issues have been raised, are not likely to cause concern. More serious or recent concerns or issues that were not resolved satisfactorily are more likely to cause concern. A history of repeated concerns or allegations over time is also likely to give cause for concern. (Safeguarding Children and Safer Recruitment in Education 4.36)

Where applicants have previously been, but are not currently, employed in an educational setting, it is advisable to check with the school/education establishment or local authority at which they were most recently employed, to confirm details of their employment and their reasons for leaving.

11.1 Other checks before interview

If a short listed applicant claims to have some specific qualification or previous experience that is particularly relevant to the post for which she/he is applying that will not be verified by a

reference, it is good practice to verify the facts before interview so that any discrepancy can be explored at interview. The qualification or experience can usually be verified quickly by telephoning the relevant previous employer and asking for written confirmation of the facts.

12.0 INTERVIEW AND ASSESSMENT PROCESS

12.1 The Interview

The interview should always assess the merits of each candidate against the job requirements and for those posts working with children and young people, an exploration of their suitability to work with children, must be included.

The selection process, especially for people who work with children/young people, should always include a face to face interview even if there is only one candidate.

12.2 Selection Tests and Exercises

Properly validated tests can assist in reaching objective and reliable selection decisions by assessing attributes, which the interview alone cannot easily measure. Various types of tests are available including:

- Tests of critical reasoning ability (e.g. psychometric testing)
- Tests of specific aptitudes (e.g. numerical, spatial, mechanical, computer)
- Attainment tests (e.g. typing, spelling)
- Simulations designed to predict job performance
- Group exercises (where working as part of a team is important)
- Written test
- Role play
- In-tray exercises
- Presentations

If a supplementary test is to be used as part of the recruitment process, it must be established that it is a valid way of measuring the skills and aptitude required for the job. Tests should not contain any cultural bias, which may discriminate against applicants, for example, from ethnic minority groups or women applying for non-traditional positions.

Candidates must be given prior warning that a supplementary selection test or exercise will form part of the selection process and should be given an indication of how long they will take.

When administering tests, special arrangements may be required for people with disabilities e.g. a reader for dyslexic candidates or large print and/or improved lighting for partially sighted candidates.

Further advice and support on the use, and the design of, selection activities should be sought from your HR Adviser.

Document 12 (Conducting Interviews) provides details of interview techniques and information about other methods of selection.

12.3 Involving young people

It is essential that where children and young people are involved in any part of the process,

that the principles of equality, fairness and transparency apply at all times. For example, particular care must be taken if the recruitment involves the teaching of a sample lesson. Each candidate must be subject to comparable experiences, which adhere to the principals outlined above, in order that objective assessments can be made.

Other examples of children being involved in the recruitment process include, contributing to the design of an advert (artwork or text) or writing pupil letter to be included in application pack.

If a school council panel forms part of the process, the children should be guided and supported throughout by a trained member of staff to ensure that the same rigor and objectivity is applied to this activity as with any other part of the process

It may be considered useful for candidates to be shown around the school by students. However, this clearly should not form part of the assessment process for candidates.

Children and young people should not be involved in the formal decision making parts of the process. Further advice should be sought from the HR Team.

13.0 BEFORE THE INTERVIEW

13.1 Inviting candidates to the assessment process

When arranging interviews a reasonable amount of notice must be given to the candidates and dates arranged with the rest of the interviewing panel. Timetables should be arranged in advance and the dates issued with the recruitment pack. If this is not possible it is recommended that 5 working days notice is given.

Arrangements should also be made for the unexpected, i.e. replacements for interviewing panel in the case of sickness.

In addition to the arrangements for interviews - time and place, directions to the venue, membership of the interview panel - the invitation should remind candidates about how the interview will be conducted and the areas it will explore including suitability to work with children. Enclosing a copy of the person specification can usefully draw attention to the relevant information. Please refer to Document 11 for an example invitation to interview letter.

The invitation should also stress that the identity of the successful candidate will need to be checked thoroughly to ensure the person is who he or she claims to be and that they are eligible to work in the UK. They should therefore be asked to bring to the interview, appropriate documentation such as a birth certificate, passport or relevant Home Office documentation. (See Document 22: Preventing Illegal Working)

The applicant will be required to complete an application for a CRB Enhanced Disclosure straight away. Consequently all candidates should be instructed to bring with them documentary evidence of their identity that will satisfy CRB requirements, i.e. a current driving licence, passport including a photograph, a full birth certificate, plus a document such as a utility bill or financial statement that shows the candidate's current name and address, and where appropriate change of name documentation.

Candidates should also be asked to bring documents confirming any educational and professional qualifications that are necessary or relevant for the post, e.g. the original or a certified copy of a certificate, or diploma, or a letter of confirmation from the awarding body.

N.B. If the successful candidate cannot produce original documents or certified copies written confirmation of his/her relevant qualifications must be obtained from the awarding body. **No offer of employment may be made without verification of qualifications which are essential requirements on the Person Specification.**

The above evidence should be checked at interview and a copy of the documents used to verify the successful candidate's identity and qualifications must be kept for the personnel file.

13.2 Disabled Candidates

Disabled candidates who are shortlisted should be contacted in order to:

- Discuss any particular arrangements which may need to be made in order for them to attend. (This could involve, for example, providing assistance to those with hearing, sight or mobility difficulties or allowing them to bring a friend or colleague). Leeds Sign Language Interpretation Service can provide sign interpreters, lip speakers on request.
- Give them information about such matters as physical access to the premises, parking facilities and communication assistance available.

For further information see Document 21: Accessible Recruitment (Disability)

13.3 Criminal Records Bureau (CRB) check

Relevant documentation should be sent to applicants for posts which require a CRB check (See Document 27: Disclosure of Criminal Background). (From October 2009 this will include ISA Registration)

14.0 INTERVIEWING

The purpose of the selection interview is to get the right person into the right job. To achieve this, the interview has two main objectives:

- 1 to carry out a comprehensive appraisal of the applicant as a potential employee by obtaining enough information to make an assessment
- 2 to convey a positive but realistic picture of the job and the organisation as an employer

14.1 Scope of the Interview

In addition to assessing and evaluating the candidate's suitability for the particular post, the interview panel should also explore:

- the candidate's attitude toward children and young people;
- his/her ability to support the authority/school's agenda for safeguarding and promoting the welfare of children;
- gaps in the candidate's employment history;
- concerns or discrepancies arising from the information provided by the candidate and/or a referee; and,
- whether the candidate wishes to declare anything in light of the requirement for a CRB check. (If a disclosure is made the panel should seek advice from their Education Leeds HR Adviser).

If, for whatever reason, references are not obtained before the interview, the candidate should also be asked at interview if there is anything she/he wishes to declare/discuss in light of the questions that have been (or will be) put to his/her referees. (It is vital that the references are obtained and scrutinised before a person's appointment is confirmed and before she/he starts work.)

Details on conducting an interview effectively are covered in the NCSL 'Safer Recruitment' training. Contact the Child Protection Team Tel: 0113 3951210. (See Document 12: Conducting the Interview)

14.2 Interview documentation

Each member of the selection panel should have a copy of:

- the job description and person specification
- the application form for each interviewee
- list of standard questions

It is strongly recommended that each person take detailed notes on each candidate.

The Chair of the Panel will be responsible for ensuring the completion of the joint Interview Form, (see Document 4: Interview Questions Form and Document 13: Marking Grid) and ensuring that the documentation, brought by the candidate to prove that they are entitled to work in the UK, is checked and photocopied. The Chair will ensure that the notes of guidance in respect of the Asylum and Immigration Act 1996 are complied with (See Document 22: Preventing Illegal Working)

Copies of records relating to your shortlisting and interview decisions must be retained for at least 6 months, if a candidate complains of unfair selection or discrimination these notes will need to be referred to. (See paragraphs 3; and 15.3)

14.3 Conducting the interview

The Chair of the panel is responsible for ensuring that the interview is conducted in a proper manner.

So that all candidates are treated consistently and fairly, questions should be structured and based on the employee specification.

It is important to prepare candidates at the start of the interview by explaining that some notes will be taken and why, so they don't become put off by this.

Candidates should be treated in a similar way, and given similar amounts of time to answer questions. In no circumstances should disabled people be asked questions about their impairments at interview. Neither should questions relate to a candidate's age, gender, sexual orientation, marital status, race, or religion/belief.

Questions about personal circumstances such as childcare arrangements or the ability to start on time due to family commitments must not be asked as these would contravene the Sex Discrimination Act 1975. It would be permissible to ask about such matters if the post entailed live-in accommodation, in which case the candidate should be told the reason for the questions and the same questions must be asked of all candidates.

Stereotyping or questions leading to the recruitment of staff who are from a similar background or culture to the interviewers or the staff in their section should not be asked. Whether a

candidate of a particular culture or disability will "fit in" is not relevant to the ability to do the job and leads to false assumptions. Fluency in the English language should not be used as a selection criterion unless it is a genuine requirement of the job.

It is the responsibility of the Chair of the interview panel to ensure all questions are fair and lawful. (See Document 21: Accessible Recruitment (Disability) and Document 12: Conducting Interviews for more detailed advice on interviewing).

15.0 THE SELECTION DECISION

After the selection process has been completed, an evaluation of each shortlisted candidate should take place taking into account all elements of the process. The evaluation must be carried out strictly against the criteria outlined in the Person Specification. The chosen candidate, if any, must be the one who most closely meets the Person Specification.

The Chair must ensure that panel members do not introduce irrelevant or subjective criteria at this stage.

As described in paragraph 9 you are reminded that: The Governing Body has the overall responsibility for all staff appointments, however, it may delegate these responsibilities to the Head Teacher, an individual Governor, or a Group of Governors with or without the Head Teacher. Head Teachers will normally be expected to lead in determining staff appointments. Therefore, where these responsibilities have been delegated, selection panels which do not include the Head Teacher or a delegated Governor(s) must make recommendation to the Head Teacher, or delegated Governor(s) on their preferred candidate before offering the post

15.1 Disabled Candidates

Disabled candidates should be measured against the Person Specification in the same way as other candidates, taking into account any reasonable adjustments. If the reasonable adjustment incurs a financial cost, assistance may be available via the Access to Work Scheme. Further guidance on this is given in Document 21: Accessible Recruitment (Disability), alternatively, advice can be sought from your Education Leeds HR Adviser.

15.2 Job Share Candidates

Applications from job share applicants are to be accepted and treated in the same way as full time applicants. If a job share applicant is the most suitable candidate for the post they should be offered the post and the remaining part of the post should be advertised in the normal way. See Document 16: Job Sharing, for further guidance.

15.3 Recording the Decision

The Chair of the Panel is responsible for ensuring the completion of the joint Interview Form for each candidate; it is important that a copy of these, along with any other assessment records, are retained at the end of the process.

A methodical approach to scoring (see Document 13: Marking Grid) and note taking should ease the justification as to why the panel selected the chosen candidate and why the others were rejected. It is important that written records of the factors are made:

- To provide feedback to the candidates who request it.

- To be able to present evidence of a proper and fair procedure should the decision be challenged.
- To ensure that interviewers follow a rigorous and methodical process.

Accurate record-keeping is also essential for the following reasons:

- To enable accurate and objective investigation of complaints as speedily as possible
- To enable an accurate and speedy response in cases where complainants invoke their statutory rights under anti-discrimination legislation

The following documents are vital for achieving these objectives:

- The application form and related documents
- Shortlisting forms
- The form recording each candidate's interview assessment
- Copies of assessment tests and exercises
- Candidate's written exercise responses, test score sheets, presentation handouts (if available)

To meet the requirements of the Data Protection Act, documents should be stored for a period of 6 months or a longer specified period of time where necessary, then destroyed. Storage must be in a secure place where confidentiality can be assured. All documents which are not to be stored (photocopies of application forms etc.), must be destroyed to maintain confidentiality. Stored documents must be destroyed after the required storage time. (See paragraph 3)

16.0 OFFER OF APPOINTMENT:

16.1 Conditional Offer of Employment – Pre appointment checks

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);
- verification of the candidate's identity (if that could not be verified at the interview)
- verification of the candidate's medical fitness (Physical and Mental Fitness to Teach of Teachers and Entrants to Initial Teacher Training DCSF - Circular 4/99)
- verification of qualifications (if not verified previously);
- verification of professional status where required e.g. GTC registration, QTS status (unless properly exempted), NPQH;
- (for teaching posts) verification of successful completion of statutory induction period (applies to those who obtained QTS after 7 May 1999); and,
- verification of eligibility to be employed in the UK (see Document 22)
- a check of DCSF List 99 and a satisfactory CRB Enhanced Disclosure.
- From October 2009 the ISA Registration Number.

16.2. Offer of Employment

Once all the relevant checks have been carried out with satisfactory results, then an offer of appointment can be made. **Offers of appointment must not be made subject to:**

- a satisfactory reference
- verification of qualifications
- a satisfactory medical.
- eligibility to work in the UK

These points must have been cleared before an offer is made. CRB checks, however may take a lengthy period to be completed and offers of appointment may be made subject to a satisfactory CRB Clearance. From 12th October 2009 it will be illegal to allow someone to commence employment prior to obtaining ISA registration.

17.0 INFORMING THE CANDIDATES

17.1 Offering the position to the successful candidate

An offer of appointment to the successful candidate can be made subject to the required checks and clearances being obtained. It is the responsibility of the Chair of Panel to ensure that those checks are undertaken. Important details, which need to be agreed at this stage, include a start date and starting salary details.

Confirmation of the offer should be followed up in writing with an interim offer letter (see Document 28 for a sample Interim Offer Letter). The interim offer letter should include the agreed starting date and starting salary details (e.g. scale and starting point, pro rata details, threshold, UPS etc).

When a job offer is made to a disabled candidate every effort should be made to acquire equipment, carry out adaptations, arrange support or adjust working practices. Therefore disabled persons should be invited to visit the workplace to discuss their requirements as soon as they have accepted a job offer.

The Recruitment Analysis Form (See Document 5) should be returned to HR Team to enable monitoring information to be produced for statistical purposes.

17.2 Informing the Unsuccessful Candidates

Message of rejection should be given directly to the candidate either by phone or in writing. On no account should messages of rejection be left with partners, colleagues or friends. Not only is this unprofessional practice but it also contravenes data protection policies.

Feedback should be readily available to all candidates. It is a very important part of good recruitment and selection practice and can make a significant difference to the way candidates feel about the organisation, even if their application has been unsuccessful. Where feedback is requested, it should be given as quickly as possible.

Include in the feedback an overview of the results of any tests and exercises as well as assessments from the interview. The feedback should be accurate, factual and helpful. It is important to provide a balance between those areas where the candidate did well or showed strength, and areas of weakness, where the candidate needs to improve for the future.

18.0 DISCLOSURE OF CRIMINAL BACKGROUND

The School Staffing (England) (Amendment) Regulations 2006, Regulations 2006 make it mandatory for CRB Enhanced Disclosures to be obtained on all newly appointed school staff. These measures should be applied to everyone who regularly works in school, when pupils are present, who may not have direct contact with children and young people as a result of their job, for example administrative staff, caretakers and other ancillary staff. In addition this may

include individuals not on the payroll e.g. staff employed by contractors, unpaid volunteers and Governors. (The check will be carried out by the Registered Body, Education Leeds. See Document 27).

Note: all appointments from summer 2010 will be subject to ISA Registration.

Please see section 21 and section 22 for information relating to supply staff and volunteers.

For further information on CRBs, please refer to the CRB Toolkit on Infobase.

19.0 POST APPOINTMENT INDUCTION

There should be an induction programme for all staff, governors and other volunteers newly appointed in an establishment, including teaching and support staff, regardless of previous experience. The purpose of induction is to:

- provide training and information about the establishment's policies and procedures;
- support individuals in a way that is appropriate for the role for which they have been engaged;
- confirm the conduct expected of staff within the school; and,
- provide opportunities for a new member of staff or volunteer to discuss any issues or concerns about their role or responsibilities; and,
- enable the person's line manager or mentor to recognise any concerns or issues and professional development needs at the outset and address them as appropriate.

The content and nature of the induction process will vary according to the role and previous experience of the new member of staff, governor or other volunteer, but as far as safeguarding and promoting the welfare of children is concerned the induction programme should include information about, and written statements of:

- policies and procedures in relation to safeguarding and promoting welfare e.g. child protection, anti bullying, anti racism, physical intervention/restraint, intimate care, internet safety and any local child protection/safeguarding procedures;
- safe practice and the standards of conduct and behaviour expected of staff and pupils in the establishment, i.e. the Education Leeds 'Safe Working Practice' (April 2008);
- how and with whom any concerns about those issues should be raised; and,
- other relevant personnel procedures e.g. disciplinary, capability and whistle-blowing.
- ***The programme should also include attendance at child protection training appropriate to the person's role at the earliest opportunity.***

20.0 VOLUNTEERS

Volunteers are also seen by children as safe and trustworthy adults and when the school is actively seeking governors and other volunteers, and is considering candidates about whom it has little or no recent knowledge, it should adopt the same recruitment measures as it would for paid staff. In other circumstances, for example, where the school approaches a parent who is well known to the school to take on a particular role, a streamlined procedure can be adopted - seeking references, checking to ensure others in the school community know of no concerns and can make a positive recommendation, conducting an informal interview to gauge the person's aptitude and suitability, and undertaking a List 99 and a Criminal Record Bureau (CRB) Enhanced Disclosure.

In other circumstances, e.g. where a volunteer's role will be a "one-off" activity, for example, accompanying teachers and pupils on a day outing, helping at a concert or school fete, those

kind of measures would be unnecessary provided that the person is not to be left alone and unsupervised in charge of children. However, if the activity involves an 'overnight' a CRB must be undertaken.

Where volunteers recruited by another organisation work in a school, e.g. sports coaches from a local club, the school should obtain written assurance from that organisation that the person has been properly vetted. Please refer to Document 2 for the pre- employment checklist.

Note: all appointments from summer 2010 will be subject to ISA Registration.

21.0 AGENCY/SUPPLY STAFF

It is important that thorough checks are made on anybody who will be working in a school, both to prevent unsuitable people from gaining access to children and to maintain the integrity of the education system.

Schools must check with the relevant supply agency, and obtain written confirmation that all appropriate checks have been undertaken. Schools must also seek clarification from the agency as to whether the Disclosure refers to the existence of information additional to what is on the face of the Disclosure. If additional information does exist, because the agency cannot provide the school with a copy of that information, the school must carry out a repeat CRB Disclosure and not employ the person until they receive the new Disclosure (unless the agency is within the Education Leeds supply framework contract).

Where staff are directly employed following a period of agency working it is essential that the school carries out all of the checks normally conducted on a new employee.

22.0 CONTINUING AWARENESS

The following statement from the DfES should be considered throughout the working environment:

It is vital that the measures described in this guidance are applied thoroughly whenever someone is recruited to work with children, but that must not be the end of the matter. Schools and FE institutions are safe environments for the great majority of children, and the vast majority of people who work with children have their safety and welfare at heart. But we must not be complacent. We know that some people seek access to children in order to abuse, and that abused children very often do not disclose the abuse at the time. We also know that some of the allegations of abuse made against staff are substantiated, and we continue to see a number of cases year on year in which teachers and other staff are convicted of criminal offences involving the abuse of children.

It is crucial therefore that everyone working in a school or any other setting providing for children is aware of these issues, and the need to adopt ways of working and appropriate practice to help reduce allegations. And it is equally important that everyone is able to raise concerns about what seems to be poor or unsafe practice by colleagues, and that those concerns, and concerns expressed by children, parents or others are listened to and taken seriously.

It will often be hard to give credence to concerns particularly if they are about a long serving and trusted colleague. Unfortunately those concerns will sometimes be true and it is important that they are taken seriously and not simply dismissed. Where concerns have not been taken

seriously in the past a person has been able to continue abusing children, sometimes for many years. It is vital therefore that all concerns are taken seriously and that, where appropriate, action is taken in accordance with the procedures for dealing with allegations against education staff.