Recruitment and Selection Policy and Procedure

Formally adopted by the Governing Board of:-	**Stoke Holy Cross Primary**
On:-	**June 2024**
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This model has been subject to consultation with the recognised trade unions at County level. Any Governing Board looking to adopt, or adapt and adopt, as their own should consult recognised trade unions at local level.

Recruitment and Selection policy and procedure P108

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We, the Governing Board, have adopted this policy and procedure.

1. Introduction and scope

1.1 This policy is required by statute. The aim of this policy and procedure is to ensure the requirements of *Safer Recruitment Guidance* produced by the Norfolk Safeguarding Children Board (NSCB) 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. It provides a detailed, step by step, walk through of legislative requirements and best practice recruitment and selection in education.

1.2 This policy and procedure supports the school's obligation to work in line with current employment law and ACAS best practice, especially in the area of discrimination. Recruitment and selection is a critical activity within the school. Recruitment practices must be safe in the context of appointing people who are suitable to work with children and young people. Recruitment and selection processes will embrace core principles around safeguarding children and young people and employment legislation.

1.3 This policy and procedure applies to all teaching and support staff posts in the school. As well as students, contractors, agency staff, supply staff, carers or volunteers who work in the school or its extended environment.

Further resources - *Recruitment checklist C108* for a quick reference checklist to ensure all the important elements of the recruitment process are undertaken.

1.4 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.

2. Equalities and support

2.1 The Headteacher will ensure that all reasonable adjustments or supportive measures are considered to allow equality of access and opportunity regardless of age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; or sexual orientation.

2.2 Through the implementation of this policy, the Governing Board will be mindful of their obligation to seek to maintain and protect the mental health and wellbeing of all staff as far as is reasonably practicable.

2.3 According to ACAS it is estimated one in seven people are neurodivergent, meaning that the brain functions, learns and processes information uniquely. Where an individual discloses neurodiversity, the Governing Board understand the employee may require extra support in relation to the application of this policy. Where reasonable adjustments are necessary and can be accommodated, they will support these.

2.4 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.

2.5 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

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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.

2.6 This policy and procedure forms part of the school's wider approach to equality, including the Public Sector Equality Duty. The Governing Board recognise that all public sector organisations are under a single equality duty (from the Equality Act 2010) to demonstrate that they are achieving equality in their workforce across all the protected characteristics.

2.7 The applicant's date of birth will not be included within the application form due to the risk of age discrimination. See para 7.3 for further information.

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

3. Responsibilities and application

3.1 All governors, Headteachers and employees involved in a recruitment and selection exercise will adhere to the requirements of this policy and procedure and any related policies when conducting the recruitment process and in their decision making.

3.2 The Governing Board recognise their responsibility for ensuring at least one employee and one governor are trained in Safer Recruitment and that at least one appropriately trained individual (employee or governor) is involved in each and every recruitment exercise.

Strategy consideration – The Governance Service delivers a safer recruitment training course to Governors and Headteachers. For details regarding other safer recruitment courses please contact the Norfolk Safeguarding Children's Board.

3.3 The Governing Board have important decisions to make in relation to recruitment and selection, including delegation of authority (The responsibilities of the Governing Board, Headteacher and Local Authority (LA) in the appointment of maintained school staff are specified in the School Staffing Regulations 2009, summarised at Appendix A to this policy and procedure).

3.5 One significant area covered by the 2009 regulations is that of delegation of authority for appointment of staff. Before embarking on any recruitment exercise, the Governing Board will be clear about where responsibility lies. Decisions taken by them in relation to the discretion to delegate aspects of the appointments process will be reviewed annually and recorded in full Governing Board minutes.

3.6 The Governing Board are required to pay teaching staff in accordance with the School Teachers Pay and Conditions Document and to apply 'Burgundy Book' conditions of service for teaching staff appointments.

[For support staff appointments, if the Governing Board operates in accordance with Norfolk County Council's Modern Reward Strategy (MRS), the Governing Board will use model job specifications (which have been job evaluated through the MRS process).]

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Strategy consideration - The Modern Reward Strategy is a local agreement which all Community and Voluntary Controlled Schools are required to work to.

3.7 The *School Staffing Regulations 2009* require schools to notify the LA of any vacant teaching post that it plans to fill for four months or more. Such information may prove helpful to the LA in its attempt to support potentially redundant employees searching for suitable alternative employment. The Governing Board recognise this and will comply on notification from the LA that the requirement is to be utilised.

3.8 The *Schools Standards and Framework Act 1998* introduced the requirement for schools to ensure appropriate consideration is given to potential redeployees put forward by the LA. The Governing Board recognise this requirement and will ensure compliance, provided details of the nominated candidate are forwarded to the Headteacher by the stated closing date.

4. Establishing the requirements of a role

4.1 In advance of any recruitment exercise, the Governing Board will consider relevant aspects of workforce planning in advance of advertising a vacancy.

4.2 When a vacancy occurs, the relevant post will be reassessed in the context of the school's needs, to see if it is still required and, if so, whether changes to the job are needed to meet future needs. Every time a vacancy arises, the Governing Board will be clear about its current and anticipated future budget position, number on roll trends, and other data which will help identify whether an appointment needs to be made and, if it does, whether that appointment should be permanent or fixed-term, full or part-time, etc.

4.3 The appropriate individuals within the school e.g., Governing Board/Headteacher, will 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 pupil/student numbers. It may also present an opportunity to remove a post from the structure without the need for a staffing adjustment process. 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 Governing Board recognise this and are committed to appropriate workforce planning considerations whenever a vacancy arises. See Appendix B for options to consider when filling vacancies.

4.4 If any significant change in staffing structure arises from such workforce planning considerations, the Governing Board/Headteacher will carry out appropriate consultation with staff. This is most likely to be appropriate where the school is considering a change to the leadership and/or teaching and learning responsibility payments (TLRPs) structures of the school.

4.5 In reviewing or creating a job description, person specification and other documents linked to a post which is to be advertised, the Governing Board/Headteacher will

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have regard to any statutory or local agreement requirements applicable to the group in which the post falls.

Further resources - *Fixed-term contracts guidance G116* on InfoSpace provides advice on situations where recruitment to a post other than through a permanent contract may be appropriate.

4.6 If it is decided to recruit to the post there will be a plan for the recruitment exercise, identifying who should be involved, assigning responsibilities and setting aside sufficient time for the work needed at each stage so that safeguards are not overlooked. For example, it is important to organise the selection process to allow references to be obtained on shortlisted candidates before interview. See Appendix A - Recruitment: Responsibilities of the Governing Board, Headteacher and Local Authority [Maintained Schools only] for further information regarding the assignment of responsibilities throughout the recruitment process. There will be clarity around who has the responsibility to make recruitment decisions.

4.7 Safer practice in recruitment also means thinking about and including issues to do with child protection and safeguarding and promoting the welfare of children at every stage of the process. It starts with the process of planning the recruitment exercise and, where the post is advertised, ensuring that the advertisement makes clear the school's commitment to safeguarding and promoting the welfare of children. It also requires a consistent and thorough process of obtaining, collating, analysing, and evaluating information from and about applicants. Further information regarding safeguarding and checks that will be carried out during the recruitment process can be found at sections 7, 17 and 18.

4.8 Separate processes exist for the appointment of Headteachers to schools. The Governing Board will follow established processes for the recruitment of a Headteacher should that post become vacant. The Director of Children's Services (and/or appropriate officer from the Diocese for church schools) will provide support for any Headteacher appointment through the identification of a lead officer who will guide the Governing Board through the process.

5. Post specification

5.1 Deliberate consideration will be given to identifying the duties (job description) and the skills/competencies; knowledge; skills; experience; qualifications (person specification) required to do the job. Writing a good job description and person specification help in the process of analysing the needs of the job and underpins the selection process.

Strategy consideration - All Community and Voluntary Controlled schools, who have 'signed up' to Norfolk County Council's (NCC) Modern Reward Strategy (MRS), (herein after referred to as "in scope" schools) should consider the available LA models as part of this stage, using an existing model wherever possible.

Further resources - All Community Schools and any other school signed up to MRS must ensure that all job descriptions for support staff are graded before the post is advertised. Generic (already graded) job descriptions are available on InfoSpace. Non-standard job descriptions should be graded by NCC – see *Grading of Hay*

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evaluated posts procedure P216. Any school not "in scope" of MRS will need to have its own system for ensuring equality in grading across its support staff structure.

5.2 The job description is a statement of the purpose and scope, line management relationships and principal duties and responsibilities of a post. All job descriptions will clearly state the individual's responsibility for promoting and safeguarding the welfare of children and young people they are responsible for or come into contact with.

5.3 The person specification will translate the duties of the job description into essential and desirable characteristics (the 'core' requirements) needed to undertake the job effectively. It will essentially describe the qualifications, experience, knowledge, skills, competencies, and other attributes of the 'ideal' person to fill the job.

5.4 Particular care will be taken when devising a person specification to ensure that the essential and desirable criteria do not unlawfully discriminate against particular groups of people either directly or indirectly.

Examples of unlawful discrimination could be:

- Placing an age limit for applications;
- Stipulating a UK qualification (when a non-UK equivalent may be as high a standard if not higher);
- Requiring a driving licence when the post does not require one.

5.5 All material in the recruitment pack, e.g., the application form, job description, information for applicants etc, will clearly set out the extent of relationships and contact with children. All work in a school or similar setting will involve some degree of responsibility for safeguarding children, although the extent of that responsibility will vary according to the nature of the post.

5.6 The recruitment pack will also state that:

- For all posts, a statement will be included, including in the person specification, to make clear the school's commitment to safeguarding and promoting the welfare of children: "*The school is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment*."
- All shortlisted candidates will be subject to an online check as stated in Keeping Children Safe in Education.
- where appropriate, the successful applicant will be required to provide a DBS disclosure at the appropriate level for the post and where relevant sign a childcare (disqualification) regulations declaration;
- references will be sought on shortlisted candidates, and may approach previous employers for information to verify particular experience or qualifications, before interview;
- if the applicant is currently working with children, on either a paid or voluntary basis, their current employer will be asked about disciplinary offences relating to children, including any in which the penalty is time expired (that is where a warning could no longer be taken into account in any new disciplinary hearing for example). They will also be asked whether the applicant has been the subject of any child protection concerns and, if so, the outcome of any enquiry or disciplinary

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procedure. If the applicant is not currently working with children but has done so in the past, that previous employer will be asked about those issues;
- the applicant will be notified that providing false information is an offence and could result in the application being rejected, or summary dismissal if the applicant has been selected, and possible referral to the Police.

5.7 An accurate, comprehensive job description and person specification will enable those shortlisting and conducting the interviews to make decisions against objective criteria. Clear, precise, measurable and objective criteria will help to ensure the later stages of the recruitment process are more straightforward, consistent and less time consuming.

5.8 Importantly, the criteria will also form the basis for the assessment of the candidates called for interview and enable the Governing Board to identify the most suitable candidate for the job.

Further resources - Support to Governing Boards for recruitment to Headteacher posts is available from Education**HR** – to access this support the school will need to send the resignation letter of the current Headteacher to The Governance Service. Education**HR** also manage Teacher and Teaching Assistant Talent Pools, populated with candidates ready to be shortlisted.

6. Recruitment advertising

6.1 In line with the School Staffing Regulations 2009, the Governing Board will advertise a vacancy for a Headteacher and Deputy Headteacher, unless they have good reason not to.

Strategy consideration - It is recommended that the Governing Board seeks advice from the LA before deciding not to advertise.

6.2 All other posts will be advertised concurrently internally and externally to the school, unless:
- the staffing adjustment process is being applied and recruitment from within can avoid or minimise the need for compulsory redundancy selection; or
- The Governing Board/Headteacher have agreed to give prior consideration to a person nominated by the Education**HR** Adviser (Redeployment) under its staffing adjustment scheme; or
- a fixed term worker has occupied the post for a significant period of time (see guidance on employing temporary staff including the use of fixed-term contracts);
- there are clearly sufficient suitable internal candidates, in which case the vacancy can be advertised internally only, for reasons of cost and expediency.
- Internal only adverts will be emailed and/or put up in the staff room. Regardless of how the post is advertised all staff (including those on family related leave e.g., maternity) will have the same chance to see the advert so as not to discriminate.

Further resources - *Fixed-term contracts guidance G116.* For schools purchasing the full HR service from Education**HR** (i.e., including recruitment advertising) see *Recruitment advertising guidance G108d.*

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6.3 The advert will include the following:

- A statement of the school's commitment to safeguarding and promoting the welfare of children that makes clear that safeguarding checks will be undertaken;
- The safeguarding responsibilities of the post as per the job description and personal specification; and
- Confirmation of whether the post is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020. Which means that when applying for certain jobs and activities certain spent convictions and cautions are 'protected', so they do not need to be disclosed to the employer, and if they are disclosed, employers cannot take them into account. Further information about filtering offences can be found in the DBS filtering guide.
- If the post is exempt from the Rehabilitation of Offenders Act 1974, the advert will include the following wording: *This post is exempt from the Rehabilitation of Offenders Act and you will be required to undergo an Enhanced DBS check or Enhanced DBS check with barred list. If you have information to declare it may be protected under the Exceptions Orders and you may not be required to declare it. You will be asked to make a criminal conviction declaration if you are shortlisted for the post.* Guidance about whether a conviction or caution should be disclosed can be found on the Ministry of Justice website.

  Further resources - The *Instruction to advertise form F108h* includes a tick box option to have this paragraph included if you request the publication of a job advert on Education Job Finder.

6.4 A copy of the school's safeguarding and child protection policy and practices and policy on employment of ex-offenders will be provided in the applicant pack or refer to a link on the school's website for applicant's to access.

6.5 The school will comply with the fluency duty as laid out in the Code of Practice on the English language requirements for public sector workers (Part 7 of the Immigration Act 2016). The code imposes a duty on public authorities to ensure that public facing workers have the necessary level of fluency in English to perform their role effectively. For further information see the Code of practice on the English language requirement for public sector workers on gov.uk

Adverts for roles in scope will include wording to the effect of: '*This post is covered by Part 7 of the Immigration Act (2016) and therefore the ability to speak fluent English is an essential requirement for this role.*'

Job descriptions and person specifications for in scope roles will also reflect this requirement.

7. Applications

7.1 An application form will be used to obtain a common set of core data from all applicants. CVs will only be accepted alongside application forms. A CV on its own will not provide adequate information.

Further resources - Education**HR** can set up Headship vacancies with an online application function – this will be done automatically for you as part of your recruitment support. For Deputy Headteacher, teaching and support staff vacancies,

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you can request that an application form is added to Education Job Finder or emailed to you for adding to your school/academy website when you put in your request to advertise. Alternatively, contact Education**HR**.

7.2 Application forms for all types of post will obtain from the applicant:

- current and former names, current address and National Insurance number;
- any academic and/or vocational qualifications the applicant has obtained that are relevant for the position, with details of the awarding body and date of award;
- a full history in chronological order since leaving secondary education, including periods of any post-secondary education or training, and part-time or voluntary work as well as full-time employment, with start and end dates, explanations for periods not in employment, education or training, and reasons for leaving employment;
- a declaration of any family or close relationship to any existing employees or employers (including councillors and governors);
- details of two referees;
- a statement of the personal qualities and experience that the applicant believes are relevant to the job description and person specification.

Further resources - *Disclosure Barring Service (DBS) checks model policy and procedure P112*.

7.3 The applicant's date of birth will not be included within the application form due to the risk of age discrimination. The applicant's date of birth is provided later on in the recruitment process to enable ID checking and payment of salary (where the applicant is successful) so it can be used then to check any gaps in employment history.

7.4 The application form will include an explanation that the post is exempt from the Rehabilitation of Offenders Act 1974 and therefore that all convictions, cautions and bind-overs, including those regarded as 'spent', must be declared for shortlisted candidates.

7.5 It will also include a signed statement that the person is not disqualified from working with children, or subject to sanctions imposed by a regulatory body, e.g., the Teacher Regulation Agency), and either has no convictions, cautions, or bind-overs, or has attached details of their record in a sealed envelope marked confidential.

7.6 Applicants for teaching posts will also be asked:

- to provide their Teacher Reference number;
- whether they are recognised as having Qualified Teacher Status (QTS) by the Teacher Regulation Agency.

Further information required for applicants who have lived or worked outside of the UK (including EU and EEA member states):

7.7 Applicants who have lived or worked outside of the UK will undergo the same checks as all other staff (set out at paragraph 17), as well as additional checks (see paragraph 18). This includes obtaining (via the applicant) an enhanced DBS

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certificate (including barred list information, for those who will be engaging in regulated activity) even if the individual has never been to the UK.

7.8 There is no requirement for the Governing Board to obtain an enhanced DBS certificate or carry out checks for events that may have occurred outside the UK if, during a period which ended not more than three months before the person's appointment, the applicant has worked, in a school in England under the following circumstances, in a post:

- They worked in a post which brought them regularly into contact with children; or
- They worked in a post to which they were appointed on or after 12th May 2006 and which did not bring them regularly into contact with children or young persons;
- They worked in another 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.

7.8 Where available, such evidence may be considered together with information obtained through other pre-appointment checks to help assess an applicant's suitability for the role. Where this information is not available alternative methods of checking suitability will be sought and/or a risk assessment will be undertaken that supports informed decision making on whether to appoint the applicant to the role. Although sanctions and restrictions imposed by another regulating authority do not prevent a person from taking up teaching positions in England, the circumstances that led to the restriction or sanction being imposed will be taken into account when considering a candidate's suitability for employment. Further information can be found in the DfE 'Recruit teachers from overseas' guidance.

8. Shortlisting

8.1 For most appointments there will only be a need for a shortlisting process. However, if there are a large number of candidates there may also be a need to carry out an initial longlisting process.

8.2 Shortlisting (and longlisting where it happens) aims to match the applicants as closely as possible to the person specification, and at least two appropriately trained people will carry out this task.

8.3 Every application will be read, and assessed against the person specification, taking into account the requirements of the job description. Only those criteria that can be measured from the application will be included.

8.4 The criteria used in shortlisting will be justifiable in terms of the job, have objective validity, will not be changed half-way through and will be applied to all candidates. All candidates will be assessed against the established criteria without exception or variation.

8.5 Candidates will only be shortlisted if they meet all the essential elements of the person specification. If the initial shortlisting exercise produces too long a list of suitable candidates, desirable criteria will be used. It is also appropriate to "weight" the desirable criteria in order of importance in arriving at a final shortlist.

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8.6 No applicant will be discriminated against when shortlisting, or at any point through the recruitment process.

8.7 All shortlisted candidates will have an online search carried out as part of the Governing Board's due diligence. This may help identify any incidents or issues that have happened and are publicly available online which the school or college might want to explore with the applicant at interview. See *Guidance for online checks for shortlisted candidates G108h.*

8.8 A shortlisting record will be completed for all candidates, whether they have been selected for shortlisting or not, recording the reason(s) for not shortlisting candidates, in case of complaint or requests for feedback. Applicants can request access to the shortlisting record so it is essential to ensure that the information recorded is relevant to the job and non-discriminatory. Any release of documentation would need to comply with data protection law.

Further resources - *Shortlisting summary template F108j* is available on InfoSpace

9. Scrutinising and shortlisting

9.1 All applications will 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.

9.2 Incomplete applications will not be accepted.

9.3 Any anomalies, discrepancies or gaps in employment will form consideration of whether to shortlist the applicant. As well as reasons for obvious gaps in employment, the reasons for a history of repeated changes of employment without any clear career or salary progression, or a mid-career move from a permanent post to supply teaching or temporary work, will also be explored and verified.

9.4 Shortlisted candidates will be asked to complete the *Disclosure of Criminal Convictions and Suitability to Work Form*. Candidates will not be asked to complete this form prior to shortlisting e.g., on the application form. Where this form is completed electronically, applicants will be asked to sign a hard copy at interview.

Contact Education**HR** should any further advice or clarification on any aspect of shortlisting be required**.**

10. Shortlisting disabled applicants

10.1 Public sector organisations are statutorily required to be pro-active in ensuring disabled people are treated fairly. To ensure that a person with a disability is not placed at a substantial disadvantage, the law requires reasonable adjustments to be made at all stages of the recruitment process.

[A guaranteed interview will be offered for applicants who have a disability and who meet the essential elements of the person specification]

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10.2 Candidates are asked to state clearly on the application form if they feel this applies to them. Under disability equality legislation, any appropriate assistance to enable a disabled person (who meets the stated selection criteria for the post) to attend for an interview will be provided.

11. Shortlisting job share applications

11.1 Where candidates have applied for a vacancy on a job-share basis, their application will be considered in exactly the same way as other candidates.

12. References

12.1 The purpose of seeking references is to obtain objective and factual information to support appointment decisions. They are to be sought and obtained directly from the referee. The referee details provided by the candidate will be verified.

When requesting references, the request will detail these areas – see *Reference request form F108i* and *Interview – reference request cover letter L108a* on InfoSpace.

12.2 Two satisfactory references will be obtained. One of which will be from the applicant's current employer in work with children. If the candidate is not currently employed references will be sought from their last employer, verifying their most recent period of employment and reasons for leaving. Where any applicant who is not currently working with children has done so in the past, a reference will also be obtained from that employer. References will be from a senior person with appropriate authority, not just a colleague.

Verbal references of testimonials will not be relied upon i.e. "To whom it may concern".

12.3 For safeguarding purposes, every request will ask whether the referee is completely satisfied that the candidate is suitable to work with children. If the applicant is currently working with children, on either a paid or voluntary basis, their current employer with children will be asked about:

- any current disciplinary sanctions (including information obtained from the Teacher Services System);
- any disciplinary procedures involving issues related to the safety and welfare of children or young people, including any in which the disciplinary sanction has expired;
- details of any allegations or concerns (excluding allegations which are made and investigated but are found to be false, unsubstantiated or malicious, including if there is a history of repeated concerns or allegations which have all been found to be false, unsubstantiated or malicious) that meet the harm threshold, which 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 concerns were investigated, the conclusion reached, and how the matter was resolved.
- whether that teacher has been subject, in the last two years, to their school's capability procedure.

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12.4 In line with the School Staffing Regulations (England) 2009 (amended 2012), information will be passed on to prospective employers about teachers and Headteachers, who have been subject to capability procedures.

12.5 If the applicant is not currently working with children but has done so in the past, that previous employer will be asked about the above.

12.6 Where possible references for all shortlisted candidates, including internal ones, will be sought prior to interview, so that any issues of concern they raise can be taken up with the candidate at interview. Where it is not possible to request and/or receive references prior to interview, satisfactory references must be received prior to appointment.

12.7 On receipt, recruiting managers should always verify any information with the person who provided the reference.

12.8 References must be scrutinised to ensure that all specific questions have been answered satisfactorily. If all questions have not been answered or the reference is vague or insufficient, the referee will be contacted and asked to provide written answers or clarify.

12.9 All requests for references will seek objective verifiable information and not subjective opinion. The Governing Board will use a template reference request form to help achieve that.

12.10 If the reference includes information regarding disciplinary investigations and the referee is not the headteacher of the relevant school or academy, the headteacher (or acting headteacher) will confirm it as accurate.

12.11 Electronically received references will be checked to ensure they originate from a legitimate source.

12.12 [As a school with residential and boarding settings, references will always be confirmed by telephone.] – N/A for SHCPS

12.13 Retention periods for references received for successful candidates can be found in the school's retention schedule. References for unsuccessful candidates will be kept for 6 months.

13. Involving pupils and students

13.1 Involving pupils in the recruitment and selection process in some way, or observing shortlisted candidates' interaction with pupils, is recognised as good practice in schools. Candidates for teaching posts may, for example, be asked to teach a lesson; pupils and a member of staff could show candidates round the school. Care will be taken to ensure judgements are as objective as possible, by ensuring evidence from these processes is gathered by an appropriately qualified individual against pre-set criteria.

14. Constitution of interview panels

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14.1 The membership of an interview panel will depend on decisions taken by the Governing Board regarding delegation of authority and the type of post, for example:

- Appointing a Headteacher or Deputy Headteacher – the Governing Board will appoint a selection panel consisting of at least three of its members, excluding the Headteacher, with appropriate advice from the LA.
- Appointing teachers other than Headteachers and Deputy Headteachers and support staff – the Governing Board delegate the appointment of teachers and support staff the Headteacher,

14.2 As far as possible, interview panels will always have a minimum of two interviewers, and in some cases, a larger panel might be appropriate. A panel of three interviewers may be chosen to facilitate a fair vote. A panel will, where possible, include both genders for equal opportunities purposes, even if shortlisted candidates are of the same gender.

14.3 The members of the panel will:

- have the necessary authority to make decisions about appointment;
- be appropriately trained (one member of interview panels will have undertaken safer recruitment training);
- meet before the interviews to prepare. See para 15.3 for further information.

14.4 In addition to those individuals who have been given delegated authority by us, other members of the school may be involved in the process and be allowed to input into discussions. Only those with delegated authority, however, can make decisions (or recommendations to us) about who should be appointed.

15. Interviewing

15.1 The interview will assess the merits of each candidate against the job requirements and explore their suitability. The selection process for people who will work with children will always include a face-to-face interview even if there is only one candidate. Interviews will be well structured to be of value. They will be structured to focus on the key areas of the job description and person specification. They will test knowledge and understanding, as well as oral communication skills.

15.2 Other assessment techniques will also be considered as these further assess suitability for the role, e.g., role plays, presentations, occupational tests, written exercises, practical tasks. More than one method of assessment may be used when assessing a candidate's suitability for the role.

15.3 In preparing for the interview the panel will:

- take note of the application form and candidate's previous experience;
- be clear about the focus of the interview, the criteria being assessed against the person specification and the standard required;
- decide in advance on questions appropriate to the focus of the interview (ensuring that all questions are related to the criteria and non-discriminatory).
- In relation to interview questions:
  - agree on the questions, who is going to ask each one and who will take notes
  - ensure that hypothetical questions are avoided.
  - ensure that all questions seek positive examples and evidence.

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- consider the issues to be explored with each candidate and who on the panel will ask these
- have a Chair for the interview and a logical ordering of the questions;
- share the questioning out between the panel members;
- be clear about timings and sticking to the programme; and .
- have an agreed way of recording the applicant's responses and scoring/ weighting the applicant.

Further resources - *Interview record form F108d* is available on InfoSpace.

15.4 In addition to assessing and evaluating the applicant's suitability for the particular post, the interview panel will also explore:

- the candidate's attitude toward children and young people;
- their ability to support the school's agenda for safeguarding and promoting the welfare of children;
- gaps in the candidate's employment history; and
- concerns or discrepancies arising from the information provided by the candidate and/or a referee. Any information about past disciplinary action or substantiated allegations will be considered in the circumstances of the individual case.

15.5 Safer recruitment questions will be included at the interview. These questions will explore the applicant's attitudes and motives for working with children. This will help to demonstrate the applicant's suitability and approach to safeguarding and promoting the welfare of children.

15.6 The panel will also ask the candidate if they wish to declare anything in the light of the requirement for an enhanced DBS check with barred list check (child) or if, for whatever reason, references are not obtained before the interview, the candidate will also be asked if there is anything they wish to declare or discuss in light of the questions that have been (or will be) put to their referees.

15.7 Following amendments made to the School Staffing Regulations (England) 2009 (applicable from 1 September 2012), the panel will ask interviewees whether they have been subject, in the last two years, to their school's capability procedure.

15.8 To comply with the Code of practice on 'English language requirements for public sector workers', interviewers interviewing for roles in scope of the code will assess all candidates, fairly and transparently, to ensure they will meet the required standard. This may be done using a formal test or through conversation during the interview process.

15.09 The Governing Board will check that the candidate is who they say they are, are entitled to work in the UK and that they hold the essential qualifications as listed on the person specification. Candidates will be asked to bring documents to prove these checks to interview, along with ID documents for the DBS check.

Further resources - *Invite to interview letter (L108)* is available on InfoSpace.

15.10 The interview panel will take copies of candidate's ID and certificates and sign them to say they have seen the originals. The initial part of the DBS check can be

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undertaken online at interview. The successful candidate can then complete their part of the online check once they have accepted the offer. Proof of the checks will also be placed on the successful candidate's personal file held by the school. Unsuccessful candidate's information will be confidentially destroyed as soon as possible (interview notes and recruitment records will be retained for 6 months from the date of interview), including deleting their DBS information entered online.

15.11 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. This allows for portability of a certificate across employers. Before using the Update Service, the Governing Board will:

- obtain consent from the applicant to do so;
- confirm the certificate matches the individual's identity; and
- examine the original certificate to ensure that it is for the appropriate workforce and level of check, e.g., enhanced certificate/enhanced including barred list information.

Individuals will be able to see a full list of those organisations that have carried out a status check on their account

16. After the interview

16.1 An accurate written record of the decision-making process will be kept, with any decisions made based on evidence rather than intuition.

16.2 Recording the panel's view of each of the candidates in this way has four main purposes:

- ensures rigorous application of the identified selection criteria to the panel's decision;
- protects the school (and the County Council) against any future complaints or allegations of discrimination, provided that the panel has acted in a fair and objective manner;
- provides agreed, prepared information to the unsuccessful candidates; and
- provides detailed information, which can be used to evaluate the selection decision.

16.3 The Interview record form for the successful candidate will be retained with the appointment papers in accordance with the school's data protection policy. Paperwork for unsuccessful candidates will be retained for a period of six months in case individuals wish to receive feedback and/or make an unfair discrimination claim.

17. Conditional offer of appointment

17.1 A conditional offer letter will be sent to the successful candidate(s). This will include confirmation of salary and any forms the individual still needs to complete and return, prior to them commencing employment.

17.2 The new employee will be set up to be paid and will receive a written statement of particulars on or before their first day.

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Further resources - Offer letter templates (*L108b for support staff and L108c for teaching staff*) are available on InfoSpace.

17.3 A pre-employment health screening questionnaire F624a will be completed and reviewed by the Headteacher. When a pre-employment medical referral is required to be carried out the Headteacher will liaise with the school's occupational health provider to ensure the individual goes through the appropriate process and is able to carry out their work responsibilities **before** they start work. Further information regarding health questionnaires can be read in the Pre-employment health questions: guidance for employers on Section 60 of the Equality Act 2010 on equalityhumanrights.com.

Further resources - Education**HR** can undertake this process via our occupational health provider. Ask the candidate to complete the *Pre-employment health screening questionnaire F624a* as soon as possible and return the form to Education**HR** so that the pre-employment medical referral can take place.

17.4 An offer of appointment to the successful candidate will be conditional upon:

- the receipt of at least two satisfactory references*;
- verification of the candidate's identity* - this will include viewing a birth certificate as a form of ID when recruiting. This will help to verify a candidate's identity as it is important to be sure that the person is who they claim to be. This includes being aware of the potential for individuals changing their name and potentially not declaring it;
- receipt of an enhanced DBS check with barred list check (child) or an enhanced DBS check (whichever is appropriate to the appointee/role)* The school will view the DBS Certificate in person.
- verification that the candidate has the mental and physical fitness to carry out their work responsibilities including whether any reasonable adjustments are required to provide effective and efficient teaching – NB the Equality Act 2010 makes it generally unlawful to ask questions about disability and health **before** a job offer is made.
- verification of qualifications*;
- verification of professional status where required (including Instructors and Overseas Trained Teachers from 1st September 2009), e.g., QTS status (unless properly exempted), GTLS status. The Teacher Services System can be used to undertake this status check*.
- verification of the candidate's right to work in the UK*; (This now includes individuals coming from EU countries).
- (for teaching posts) verification of successful completion of statutory induction period (applies to those who obtained QTS after 7 May 1999).
- (for non-teaching posts) satisfactory completion of the probationary period (see guidance on probation);
- where the appointee has lived outside the UK, additional further checks as are considered appropriate, where obtaining an enhanced DBS check with barred list check (child) is not sufficient to establish suitability*.
- The Governing Board will not obtain an enhanced DBS certificate or carry out checks for events that may have occurred outside the UK if, during a period which

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ended not more than three months before the person's appointment, the applicant has worked:

- in a school in England, in a post:
  - which brought the person regularly into contact with children or young persons; or
  - to which the person was appointed on or after 12th May 2006 and which did not bring the person regularly into contact with children or young persons; 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.

All other pre-appointment checks will still be completed, including where the individual is engaging in regulated activity, a barred list check. The school may also choose to request an enhanced DBS certificate.

- Prohibition order check (teachers) [1]. This check is a statutory requirement for individuals undertaking unsupervised or undirected teaching work e.g., teachers. The check can be undertaken using the Teacher Regulation Agency.*
- Prohibition order check (support staff): it is not a statutory requirement but this check will be undertaken on all new appointments where the candidate may be involved in teaching work e.g., HLTA's, cover supervisors or where someone applying for a TA role indicates that they have QTS or have previously worked as a teacher. This is to prevent a person from working in a role that would contravene any Prohibition order in place.
- Childcare (Disqualification) Regulations 2009 check where relevant. These checks are required of certain staff in schools and academies*.
- Section 128 direction check (Applicable to Governors who the Governing Board propose will be recruited as a governor): A section 128 direction prohibits a person from being a governor if they are subject to a section 128 direction. This check will be undertaken for any Governors who the Governing Board propose will be recruited as a governor.

  To subscribe to the Teacher Regulation Agency to undertake prohibition order and QTS checks, visit Teacher status checks: information for employers on gov.uk.

17.5 If a new employee is unable to produce their P45 the HMRC new starter checklist will be sent to them. Timely completion of the HMRC new starter checklist will prevent the employee from being emergency taxed.

17.6 With the exception of an enhanced DBS check with barred list check (child), those mandatory checks above marked * will be completed **before** a person's appointment.

17.7 All checks will be confirmed in writing and retained on the personnel file (subject to the school's data protection arrangements and the arrangements in place for the correct handling, use, storage). Any unsatisfactory checks, or discrepancies in the

[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.

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information provided, will be followed up. No DBS disclosures will be copied or held on file.

17.8 Where a decision is made not to appoint someone because of their conviction(s) this will be documented clearly so if challenged, the decision can be defended in line with the school's policy on the recruitment of ex-offenders.

Further resources - *Childcare (Disqualification) Regulations requirements guidance G112b.* DBS risk assessment for commencing employment before DBS received F112b

18. Overseas applicants or applicants who have lived or worked outside the UK (including EU and EEA member states)

18.1 Prescribed checks laid out in para 17.4 will be undertaken, including additional checks as appropriate, in respect of staff members who have lived outside the United Kingdom.

18.2 The Teaching Regulation Agency's Teacher Services system no longer maintains a list of those teachers who have been sanctioned in EEA member states. Therefore, any further appropriate checks will be made, so that any relevant events that occurred outside the UK can be considered. These checks could include, where available:

- criminal records checks for overseas applicants (further information can be found here on the government website)
- obtaining a letter of professional standing from the professional regulating authority in the country in which the applicant has worked. This is usually the Department/Ministry of Education but varies across countries. Advice about which regulatory or professional body applicants should contact is available from the UK ENIC and for EU/EEA and Switzerland via the Regulated Professions database. Applicants can also contact the UK Centre for Professional Qualifications who can signpost them to the appropriate EEA body.

  DfE guidance on employing teachers from outside of the UK can be found here on gov.uk.

  Further resources - A list of documents acceptable as proof of entitlement to work in the UK and guidance notes are included in *Right to work in the UK – evidence of entitlement form F108a.*

19. Criminal convictions and suitability to work with children

19.1 Steps will be taken to ensure that candidates are adequately assessed for their suitability to work with children, which includes ensuring that any relevant criminal convictions are identified and taken into consideration where necessary. In assessment of these risks, shortlisted candidates will be asked to complete the *Disclosure of Criminal Convictions and Suitability to Work with Children Form F112f*. Candidates will not be asked to complete this form prior to shortlisting. Where this form is completed electronically applicants will be asked to sign a hard copy at interview.

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19.2 DBS clearance, where it is required, will be obtained prior to employment commencing. In exceptional circumstances, where this is not possible, discretion will be used to allow the person to start work but appropriate arrangements will need to be made to ensure the individual does not have unsupervised access to children until the disclosure is received and deemed satisfactory. In these circumstances, other employment checks listed here will need to have been completed:-

- obtaining and scrutinising comprehensive information from the person, and taking up and satisfactorily resolving any discrepancies;
- obtaining independent professional and character references that answer specific questions to help assess the person's suitability to work with children and following up any concerns;
- face to face interview that explores the person's suitability to work with children as well as their suitability for the post;
- verifying the person's identity;
- verifying that the person has any academic or vocational qualifications claimed;
- checking their previous employment history and experience;
- verifying that they have the mental and physical fitness to carry out their work responsibilities;
- a check against the DBS children's barred list.
- check of their eligibility to work in the UK;
- prohibition order check;
- section 128 direction check (school governor positions only).

The person will not be deployed to work directly with children or in a situation where they can have unsupervised access to children. In other words, all possible action has been taken to ensure that no risk to children could arise. In these situations, a full risk assessment will be undertaken.

19.3 Appropriate supervision for individuals who start work prior to the result of a DBS Disclosure will reflect what is known about the person concerned, the nature of their duties and the level of responsibility they will carry. For all employees without completed DBS Disclosures it will be made clear that they are subject to this additional supervision, and that the arrangements for this are to be reviewed regularly, at least every two weeks until the DBS Disclosure is received.

19.4 The Single Central Record (SCR)

Under the terms of the School Staffing (England) Regulations (as amended) schools are statutorily required to maintain records of the recruitment checks they make in a Single Central Record (SCR).

Note - The following guidance and template for completing the SCR has been provided to assist schools to meet statutory requirements and should be used in conjunction with the statutory guidance on the requirements of the SCR as outlined in Part 3 of *Keeping Children Safe in Education* statutory guidance.

Strategy consideration - It is strongly recommended that schools access the additional advice and information regarding safer recruitment checks and the SCR which can be found via InfoSpace and on the Ofsted website.

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View the Single Central Record template on schools.norfolk.gov.uk.

20. Feedback

20.1 Unsuccessful candidates will be informed of the result as soon as possible. However, it may be appropriate to delay this for certain candidate(s) until the successful candidate has definitely accepted the post in case the second (or third) choice needs to be considered should the first choice candidate decline the offer of employment.

Further resources - *Interview – Unsuccessful candidate template letter L108d.*

20.2 Unsuccessful candidates will be offered feedback. All panel members will discuss and agree the feedback to be given to unsuccessful candidates.

20.3 Feedback will be constructive, focusing on strengths and areas for development in relation to the agreed selection criteria for the post.

20.4 Where feedback is being given face-to-face, arrangements will be made to ensure privacy, freedom from interruption and sufficient time. Timescales for the process may result in feedback being given over the telephone. The quality of feedback and the time taken in such circumstances will be no less than would be given through face-to-face feedback.

21. Other types of workers

Supply and agency staff

21.1 It is important that the same thorough checks are made on anybody who will be working in the school on a supply basis as would be made if they were being directly employed by the school (or who will be providing education on the school's behalf, including through online delivery). Supply teachers who have not been subject to the appropriate checks will not be employed to work with children.

Strategy consideration – All supply teachers who are available on the Norfolk Supply Register (NSR) have been subject to robust safer recruitment checks and evidence has been produced. Where you book teachers with the NSR, you will receive confirmation that all checks have been undertaken.

21.2 Before taking on agency or NSR supply staff, the agency/NSR will be asked to provide direct written confirmation certifying that all the checks required by the school for its own employees have been satisfactorily completed by the agency.

21.3 The written confirmation will state that relevant DBS checks have been requested for that individual, whether or not the checks have been received, and if received, whether it included any disclosed information. Where there is disclosed information, the school, will obtain a copy of this from the agency/NSR. It must also state, where relevant, that a satisfactory childcare (disqualification) regulations declaration has been provided.

21.4 If a DBS disclosure is pending, this fact will also be notified to the Headteacher with details of when the disclosure was sought.

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21.5 Confirmation of relevant checks from the supply agency/NSR will be recorded on the Single Central Record.

Students (Work experience)

21.6 Where individuals undertake work experience placements with the school, those aged 16 and over may require a DBS check. Identification checks are required for all volunteers. The Childcare Regulations (including disqualification from childcare) apply to all volunteers providing early years or later years childcare.

Further resources - *Disclosure Barring Checks Policy and Procedure P112 on InfoSpace.*

Contractors

21.7 Where contractors are used, the Governing Board will ensure that any necessary pre-employment checks, such as the appropriate level of DBS checks, have been completed. Where the checks have been undertaken by an agency, written confirmation of completed checks will be included on the Single Central Record, including the date confirmation was received and whether details of any enhanced DBS certificate has been provided.

Where contractors and agency staff are used, the Governing Board will ensure that the terms of the contract require the contractors to adopt and implement measures in accordance with their safeguarding requirements. Agencies and contractors' compliance with this requirement will be monitored.

If an individual working in the school is self-employed the school will consider obtaining the DBS check.

Volunteers

21.8 For some types of voluntary work, the recruitment process can be very informal. However, because the volunteer roles, in most cases, have some degree of responsibility (e.g., working with pupils), selection processes need to be robust to ensure only the right volunteers are recruited. Therefore, a similar process to paid staff will be followed when securing volunteers. The recruitment process and checks may need to be adapted dependent upon the particular role, but the principal safeguards and features of the recruitment and selection process will be the same.

Further resources - *Recruiting and managing volunteers G120* on InfoSpace.

Barred list checks cannot be undertaken for volunteers except in very specific circumstances (such as unsupervised volunteers). Risk assessments and professional judgement will be used when deciding whether to obtain an enhanced DBS certificate (free of charge) for any volunteer not engaging in regulated activity.

Existing volunteers will not have to be re-checked if they have already had a DBS check (which will include children's barred list information if engaging in regulated activity). However, if there are concerns a new DBS check will be considered.

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Where volunteers are recruited from another organisation, assurance will be obtained from the organisation that the person has been subject to a proper recruitment process that includes the necessary safeguards.

22. Induction of new employees

22.1 The final stage of the recruitment process is effective induction. It is essential to induct the new employee so that they are properly equipped to work well and feel part of the school. The degree of induction will vary dependant on the type of role the person will undertake, whether the employment is short or long term and other factors. Whatever the induction does cover, no new member of staff will begin without clarity about safeguarding and child protection arrangements, emergency procedures (fire alarm, etc), knowing who they report to, and the location of toilets, staff room, drink/food facilities and so on. In addition, safeguarding and child protection training (including online safety, which will include an understanding of the expectations, applicable roles and responsibilities in relation to filtering and monitoring) will be undertaken at induction. This training will be regularly updated thereafter.

Further resources - *Induction checklist C502* provides a framework for employee induction.

23. Employee Files

23.1 The Governing Board will establish and maintain employee files for all school staff. These will contain copies of all documents relating to the employee throughout the recruitment process (including copies of documents used to verify the successful candidate's identity, right to work and required qualifications) and a copy of the statement of particulars confirming the terms and conditions of the appointment.

24. Probation

24.1 Some non-teaching staff will be subject to a probationary period. Those subject to a probationary period will be made aware of this and any concerns are raised with the individual as and when they arise with appropriate support being made available.

Further resources - *Probation model policy P113*, *Probation model procedure P113a* and *Probation evaluation form F113*. If significant concerns arise during the probationary period, contact Education**HR** for support.

25. Data Protection

Personal data collected and processed for the purpose of this policy and procedure will be handled in accordance with the data protection policy and applicable statutory obligations. Any personal data collected is held securely and accessed by, and disclosed to, individuals only for the purposes of employee management or to comply with statutory reporting obligations. Inappropriate access to, or disclosure of, employee data constitutes a data breach and should be reported without delay, in accordance with the data protection policy. It may also constitute a disciplinary

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offence in which case it would be dealt with under the disciplinary policy and procedure.

Further resources - See *Discipline model procedure for schools P303* on InfoSpace.

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Appendix A – Responsibilities of the Governing Board, Headteacher and Local Authority Maintained Schools only

The *School Staffing Regulations 2009* is the current statute dealing with responsibilities for appointment of staff in schools. This appendix outlines the main responsibilities and highlights particular discretions available for the Governing Board to consider. It is not a full copy of the regulations but serves to highlight the main issues relating to the appointment of staff.

All appointments

Giving and receiving advice

Community and voluntary controlled schools:
The Local Authority has a statutory entitlement to send a representative to all proceedings relating to the selection or dismissal of any teacher (including the Headteacher and deputy Headteacher) and offer advice. If the local authority decides to send a representative, they must be allowed to attend. Any advice offered by the local authority at these proceedings must be considered by the Governing Board (or those to whom the function has been delegated) when reaching a decision. All advice offered by the local authority, and decisions made by the Governing Board in the light of that advice will be fully documented.

Delegation of Authority

All maintained schools.
The Governing Board may delegate any of its functions relating to the appointment of teachers (other than Headteacher or deputy Headteachers) to:

- the Headteacher; or
- one or more governors; or
- the Headteacher and one or more governors.

If the delegation is made to governors only, the Headteacher is entitled to attend all relevant procedures and offer advice which the governor or governors must consider.

The delegation of functions will be agreed by the whole Governing Board and reviewed at least annually.

When considering whether to delegate to one governor, or to a small group, the Governing Board:

- should be mindful of the corporate responsibility of all governors for any act in the name of the Governing Board;
- should consider whether one member of the group is a professional; and
- should avoid placing staff governors in a position where they would effectively usurp, or undermine the role of the Headteacher as professional adviser to the governors.

When considering whether to delegate to the Headteacher, the Governing Board will consider:

- the regulatory position;
- the person's level of experience;
- whether the functions relate to senior management;

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- whether an appeals process might be compromised;
- in schools with a religious character, any agreed staffing policies which provide for governor involvement in the interests of preserving the school's religious character;
- the views of the Headteacher; and
- the desirability or otherwise of so delegating, and the advantages and disadvantages of doing so.

The Governing Board will also agree under what circumstances the delegated functions will be removed from the Headteacher, how the removal will be implemented and who may assume responsibility for the functions that have been removed. Particular issues that should be considered are where:

- a Headteacher is subject to suspension, disciplinary procedures, disciplinary sanctions or capability procedures;
- the Local Authority has made representations to the chair of the Governing Board regarding serious concerns about the performance of the Headteacher; and
- the Headteacher has failed to abide by the financial limits agreed by the Governing Board for any school purpose.

The Headteacher will have the opportunity to make representations on any decisions to discontinue delegated functions.

The Governing Board will also agree if, and under what circumstances, delegated functions will be restored and how the restoration will be implemented.

The Governing Board should consider and agree whether the delegation of functions should continue in the event of an acting Headteacher being used or if the deputy Headteacher is asked to undertake the duties of the Headteacher in the long term absence of the Headteacher.

It is recommended that the Governing Board delegates functions relating to staff appointments outside of the leadership group to the Headteacher, unless it thinks this would be inappropriate. Subsequent appeals procedures should be delegated to one or more governors not involved in the original determination in order to provide a greater degree of impartiality.

The Governing Board will document fully all decisions made and may want to consider the use of standing orders.

Where functions have been delegated, the person (or persons) to whom the functions have been delegated cannot delegate the functions to another person or persons.

If the functions relating to appointments and dismissals of teachers (other than the Headteacher or Deputy Headteacher) and support staff are not delegated to the Headteacher, the Headteacher has a right to attend and offer advice at all relevant proceedings. Any advice given must be considered by the governor, or governors to whom the delegation has been made.

Headteacher and Deputy Headteacher appointments

The Governing Board must notify the local authority in writing of:

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- any vacancy for the Headteacher; and
- where it identifies either a current or new post of deputy Headteacher as one to be filled.

Specific processes exist for the recruitment of Headteachers and these can be accessed through the Local Authority (or diocese for church schools). No further detail from the Schools Staffing Regulations is, therefore, given here.

Deputy Headteacher appointments

The 2009 Regulations specify that the Governing Board must advertise the vacancy or post in such manner as it considers appropriate, unless it has good reason not to. It is recommended that the Governing Board seeks advice from their local authority and diocesan authority, before deciding not to advertise.

The appointment process will be conducted in a fair and open manner that does not contravene any discrimination legislation and includes safer recruitment measures.

The Governing Board will consider the most appropriate way of advertising the post. It will decide the best way of reaching its target audience, taking into consideration the type of media to be used and the level of exposure the advertisement will receive. A decision not to advertise will only be taken if the Governing Board can demonstrate there is good reason not to and that it does not leave them open to challenge. All decisions will be documented fully, as the Governing Board will need to demonstrate that it has acted reasonably if it is challenged.

The Governing Board must appoint a selection panel consisting of at least three of its members, excluding the Headteacher. As three is the minimum number of panel members it is possible to have all the Governing Board on the selection panel. In deciding the size of the panel the Governing Board needs to be mindful of the possibility that an individual may lodge a grievance against the panel and the fact that in such circumstances the Governing Board would need to be able to give that person a fair hearing.

The appointment of the panel cannot be delegated by the Governing Board.

It is the role of the panel to:
- select applicants for interview;
- interview the applicants selected; and
- where appropriate, recommend one of the interviewed applicants to the Governing Board for approval.

In community, voluntary controlled, community special and maintained nursery schools, where the person recommended by the selection panel is approved by the Governing Board for appointment then, unless they fail the relevant checks, the Local Authority must appoint that person.

If:
- the selection panel does not make a recommendation to the Governing Board, or
- the Governing Board does not approve the selection panel's recommendation; or

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- in the case of a community or voluntary controlled school, the authority declines to appoint the person approved by the Governing Board because they have failed the relevant checks,

the selection panel may carry out the selection process again or, in the case of the last two bullets, recommend an existing applicant identified as being suitable through the current selection process.

All other teaching appointments

Notification to the Local Authority of a vacancy

All maintained schools
Where the Governing Board decides to recruit a teacher to a post that is to be filled for a period of more than 4 months, it can be required to send a specification of the post to the Local Authority and to consider any nominated candidates out forward by the Local Authority for consideration against the selection criteria.

In the interest of fair and open recruitment, consideration will be given to advertising the post and how best to bring it to the attention of persons qualified to fill it, including making use of any the local authority's advertising platforms (e.g. Education Job Finder).

Appointment

Community and voluntary controlled schools
The local authority must appoint person selected by the Governing Board, unless they fail the relevant checks. If the local authority declines to appoint a person selected by the Governing Board, the Governing Board may select an existing candidate or repeat the selection process in full.

Foundation and voluntary schools,
There are no similar requirements (as the employment relationship is with the Governing Board and not the local authority).

Support staff appointments

Community and voluntary controlled schools
Governing bodies will be mindful of their obligations under equal pay legislation when making recommendations about support staff pay and grading. Any such recommendation may have implications for other staff working for the local authority. In putting together the job specification for the post, the Governing Board should refer to the agreed local authority job profiles and associated guidance. When considering what grade to recommend for the post, the Governing Board may wish to seek advice from the local authority which has greater experience of determining the appropriate grades for individual posts. Where the Governing Board wishes to employ support staff to take on a new kind of role that does not have a direct comparator within the local authority, it should consult the local authority at the point of determining the job specification. The Governing Board should consider any pay and grading issues the local authority may raise before putting forward a formal recommendation. The Governing Board may recommend a person to the local authority for appointment. The recommendation must include a job specification which contains:

- the duties to be performed;

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- the hours of work (where the post is part time);
- the duration of the appointment;
- the grade; and
- the remuneration.

The recommendations will include sufficient detail to allow the local authority to come to a view on the appropriateness of the recommendation and the grade recommended must be on the scale of grades used by the local authority. In making the recommendations on pay and grading, the Governing Board should have regard to the responsibilities of the post and to the pay scales, terms and grading applicable for similar roles or work throughout the Local Authority area. Where the local authority has discretion with regard to remuneration, it must exercise that discretion in accordance with the Governing Board's recommendation. Local authorities have discretion if any provisions regulating the rates of remuneration or allowances payable to their employees either:

- do not apply to that appointment; or
- leave to the authority any degree of discretion as to the rate of remuneration.

The Local Authority may, within seven days of receiving the job specification, make written representations to the Governing Board relating to the grade or remuneration to be paid. On receiving such representations, the Governing Board must (Regulation 17(6)):

- consider the representations; and
- where it decides not to change the grade or remuneration, notify the local authority in writing of the reasons.

Note: The requirements detailed above are covered by the arrangements put in place by the Local Authority through its Modern Reward Scheme.

The Local Authority must appoint the person recommended by the Governing Board, unless they fail the relevant checks.

Nature of contracts

Contracts will be permanent unless there is good reason for them not to be, and governing bodies should be mindful of the Fixed-term (Prevention of Less Favourable Treatment) Regulations 2002 when considering the use of fixed-term contracts.

Record keeping

All decisions made by the Local Authority or Governing Board will be documented fully.

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Appendix B – Options for filling vacancies

Options the school may wish to consider when a vacancy arises:

Type	Description
Is the job still required?	Consider if the job is still required. If so, give consideration to if it is still required in the same way as before. Could it become a flexible working opportunity? Do the hours still need to be the same? Could the work be shared amongst/reallocated to existing employees?
Acting up opportunities	Consider whether the role could provide a development opportunity for another member of staff. This may include 'acting up' to a higher graded post.
Supply	Consider if a supply teacher could undertake the work on a short term basis. The Norfolk Supply Register can provide supply teachers on the same day or for more long term cover e.g. maternity leave.
Agency workers	Agency workers can quickly cover work and may be more cost effective than advertising externally for a short-term appointment. However, agency workers can be expensive if used over a long period of time and the agency worker will acquire various employment rights. If an agency worker has been on an assignment for six months a decision must be made to determine if this is still an appropriate way to provide cover. Additionally, the agency may charge if the worker is taken onto a contract.
Talent pools	Consider requesting a search of EducationHR talent pools for a suitable candidate(s) to interview for the post. The following talent pools are available: • ECT Talent pool • SEND Teacher Talent pool • Teacher talent pool • Teaching Assistant Talent pool
Redeployment talent pool	All vacant posts can be considered for redeployees.
Advertising	The post could be advertised internally to the school or externally (e.g. via Education Job Finder and/or geo-targeted recruitment campaigns from Education**HR**). There are many advertising options to consider ensuring the post has maximum exposure.

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Appendix C – Table of changes

Date of change	Paragraphs affected	Summary of update
14/10/2024	12.7	Addition of paragraph to ensure that recruiting managers always verify any information with the person who has provided the reference.
15/02/2024	17.3	Reference to F108b/F108c removed as no longer held on InfoSpace.
15/01/2024	Appendix B 5.6	New appendix added to detail guidance on options for filling vacancies. Added bullet point to state that the recruitment pack will include that all shortlisted applicants will undergo an online check.
06/07/2023	7.4 18.1 18.3 18.8 23.1 24.1	Paragraph added to confirm a copy of the school's safeguarding and child protection policy and practices and policy on employment of ex-offenders will be provided at application stage. Clarified that any offer of employment is conditional Re-arranged para to be clearer for all customers (payroll and non-payroll) Added para to make it clear that where a decision is made not to appoint someone because of the conviction it will be documented clearly. Updated to include reference to essential induction training including safeguarding and child protection training (including online safety) Updated to clarify that copies of documents used to verify the successful candidate's identity, right to work and qualifications are kept on the employee file.
15/09/2022	16.4 22.1 22.7	Making it clear that the interview panel will consider any information about past disciplinary action or substantiated allegations in the circumstances of the individual case Making it clear that supply and agency staff must have the same checks as those being directly recruited, including providing education through online delivery Made the Contractors paragraph clearer in terms of recording checks on the SCR and considering undertaking DBS checks for self-employed individuals
07/07/2022	All	Recruitment and Selection Policy P108 merged with former Recruitment and Selection Guidance G108f to create a single policy and procedure. Updated to include the following in light of KCiSE 2022: that existing volunteers do not need to be re-checked if

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		they have already had a DBS check, relevant databases for overseas checks updated, CV's can only be accepted alongside application forms, online searches on shortlisted applicants can be carried out as part of due diligence

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