



# Recruitment and Selection Policy February 2021

## **1. Introduction**

The Recruitment and Selection Policy applies to all potential candidates and existing staff within Derby Diocesan Academy Trust and Derby Diocesan Academy Trust 2 (referred to within this policy as DDAT). The policy is not contractual and may be varied by the Trust following consultation with recognised Trade Unions. It has been implemented following consultation with all recognised Trade Unions.

The purpose of this policy is to set out DDAT's approach to ensuring it is effectively resourced to meet the needs of the schools and the Trust.

This policy should be read in conjunction with the latest DfE statutory guidance: Keeping Children Safe in Education (updated annually). This policy details the recruitment processes for paid employment positions within the Trust and its schools. Further information and guidance on the appointment of volunteers, contractors, governors, agency and third-party staff, trainee/student teachers, and checks to be made on other individuals in schools can be found in Keeping Children Safe in Education and the school's Child Protection and Safeguarding Policy.

## **2. Scope**

Recruitment and selection is the process of identifying the need for a job, defining the requirements of the role, placing an advert and identifying the most suitable candidate for the role.

## **3. Aim and Key Values**

Our aim is to ensure that DDAT has a skilled and motivated workforce able to contribute to the improvement within our schools, ensuring pupils are always the priority and with safeguarding at the forefront of any decision-making. DDAT provide a range of employment opportunities and recruitment initiatives to encourage people from all communities and backgrounds to work for DDAT to ensure we are best equipped for the needs of our schools.

Our commitment to offering our children and young people life in all its fullness means that we recruit on merit and ensure the best person is recruited into each position in all circumstances.

All job vacancies are advertised openly either internally within school or both internally and externally on the DDAT website, GOV.UK Teaching Vacancies website, national publications (where appropriate), and on the relevant Local Authority website so that we reach the widest field of applicants whilst promoting equality of opportunity.

We aim to be an employer of choice and ensure that roles are advertised to the widest audience possible. However, there are times when vacancies will only be advertised internally where this is in the best interests of our existing employees (for example to mitigate against redundancies in a restructure process) and the needs of the Trust.

## **4. Roles and responsibilities**

Subject to the appropriate delegation levels as outlined in the DDAT scheme of delegation, Headteachers, School Business Managers and Governors will lead in making appointments other than Headteacher posts. They must ensure that they find the most effective way of resourcing the roles in their School and that the equality and diversity principles have been followed throughout the recruitment and selection process.

It is advised that wherever possible, the interview panel should comprise of a minimum of two, but ideally three panel members of whom at least one must hold a valid Safer Recruitment certificate.

DDAT HR will provide guidance on resourcing and advertising. The HR Team along with the DDAT Finance Team will oversee and assist with the recruitment to and management of the apprenticeship scheme.

All DDAT Central Team and Headteacher appointments will involve at least one Senior member of the DDAT Executive Team (CEO, Deputy CEO, CFO, COO) on the panel.

The Trust is committed to safeguarding and promoting the welfare of children and these recruitment procedures are in line with relevant safeguarding requirements, in particular the Department for Education's "Keeping Children Safer in Education".

The Education (Review of Staffing Structure (England) Regulations 2005 places a duty on the relevant body to review the school's staffing structure and prepare an implementation plan in accordance with this regulation.

Any amendments to the staff structure should be consulted on with staff and the recognised Trade Unions.

All jobs will be considered for part-time working in line with the needs of the school and its pupils.

All adverts should be sent to [HR@ddat.org.uk](mailto:HR@ddat.org.uk) prior to advertising.

## **5. Pre-Recruitment - Resourcing Solutions**

There are a number of possibilities for schools to consider when a vacancy occurs.

Schools should consider if it is a true vacancy and if the vacancy should be covered on a like – for – like basis or if the role could be recruited to in an alternative way e.g. same hours over more days, more hours over less weeks or less hours depending upon circumstances.

Job evaluation: Schools should check that the duties and responsibilities of a vacant position are still relevant and fit for purpose. If changes are made to the level of responsibility within the job description and/or person specification or it is a new post, schools should refer the matter to the DDAT HR Team to conduct a job evaluation. Any amendments to the staffing

structure need to be raised with the DDAT HR/Finance Team before any consultation is undertaken with staff.

Redeployment of existing staff within the school or Trust as deemed reasonable and in accordance with existing contract of employment: Existing employees covered under DDAT's Redundancy and Restructure Procedure must be considered for any suitable vacancies. These employees should be considered before other candidates, if they meet the essential criteria for the post or could do so if they received reasonable support and training. When the Trust retains existing employees, it enables DDAT to retain their existing knowledge and experience and avoids the expense, time and any potential risk of taking on a new employee. Apprenticeships do not have an automatic right to a permanent post but may apply for such posts.

Growing our own employees through the apprenticeship scheme provides benefits to the employees in that they are trained on the job whilst increasing their knowledge and skills and DDAT has the opportunity to guide and coach the individuals in their approach to work. By planning the workforce effectively, DDAT can recruit to any vacancies which arise in a more efficient manner.

DDAT also offer work experience opportunities to give students job awareness and raise aspirations in the younger community.

5.1 Adverts - External Recruitment: DDAT advise that all vacancies are listed on DDAT website along with the relevant Local Authority website (Derby City or Derbyshire County Council). For vacancies at a senior level, schools will consider the cost and benefit of using national publications (such as TES). All adverts must include the Safer Recruitment Policy statement, a link to the Job Description and Person Specification and that all candidates must have the right to work in the UK

## **6. Talent**

It is imperative to reach a wide audience when advertising a vacancy. Attracting the right candidate from a range of diverse backgrounds with the relevant knowledge and skills is not always without complications. Therefore, adverts, job descriptions and person specifications must be clear and transparent and advertised in the correct location. If schools are struggling to fill a vacancy or have a high turnover of staff in a particular role, please speak to the DDAT HR Team who will provide support and guidance.

DDAT aims to attract and retain the best people for each role within their schools and the DDAT Central Team. A clear picture of each role should be provided in the job descriptions and person specifications. The advert should be precise and attractive to the potential candidates whilst also considering what the schools/Trust want to achieve from their candidates. Things to consider when aligning individuals' values and attitudes to organisational values are:

- Skills
- Experience

- Knowledge
- Behaviours
- Attitude to education
- Approach

Individuals' values and attitudes are more difficult to change or develop than the individuals' skills, experience and knowledge.

## **7. The interview process – Application Form**

DDAT has created a job application form which should be completed for all roles. CV's will not be accepted in any circumstances. The application form has been created in a clear and structured way which captures information about the applicant. This enables the school/Trust to make effective decisions through the selection process as the individuals' qualifications, employment, education and suitability are set out in a clear format.

The recruitment panel (shortlisting and interview processes) should consist of at least three people e.g. conducted by the same group of people throughout to ensure consistency. It is recommended that at least one of the recruiting panel is a higher grade than the role being interviewed for. If schools require guidance or training on the application process, please contact the DDAT HR Team. If an application form has been submitted electronically, this must be signed when the candidate attends interview.

If an applicant declares that they have a disability and they meet all the essential criteria of the person specification; the school/Trust will invite the applicant to interview in accordance with the Disability Confident Guaranteed Interview Scheme.

## **8. Shortlisting**

In shortlisting candidates, the panel must only consider factors relevant to the post as detailed in the job description and person specification. All information considered must be contained within the application form and covering letter.

Application forms should be scrutinised by each panel member independently to ensure they meet all the essential aspects of the person specification requirements, that the forms are fully completed and that any gaps in employment are explained. Any discrepancies, anomalies or concerns should be considered during shortlisting and if shortlisted, explored and verified during the interview process. Panel members will each create an independent record of their shortlisting, before these are then collated and discussed by the full panel to decide the final shortlist.

The Trust is committed to ensuring that safeguarding is a top priority, therefore where appropriate potential candidates' social media presence or other online activity will be checked prior to interview, and records made of any offensive or inappropriate material. This process may include a search for the candidate via Google, Facebook, LinkedIn, Twitter, YouTube and any other social media platform.

Selection criteria can be weighted to recognise more important aspects of the post. Reasons for shortlisting or rejecting applicants in line with the job description and person specification should be recorded and kept.

Due to high responses to our adverts we are unable to contact every applicant, therefore if an applicant has not been contacted within 7 days of the advertised shortlisting date, then they will have been unsuccessful in their application.

## **9. Selection Process**

Successful applicants should be given appropriate notice to attend the interview process and be informed in writing of the format and any assessment preparation required. Where possible, the date for interviews should be included in the job advertisement. The invitation to interview letter will ask if candidates have any specific requirements that need to be taken into account. Candidates should also be asked to bring all certificates of relevant qualifications and identification documents to the interview.

If a disabled person cannot carry out the planned assessment or is disadvantaged due to their condition the assessment may need to be revised. The panel should be clear what selection criteria from the job description/person specification is being tested in each assessment.

The process should always include a face-to face interview even if there is only one candidate. Interview questions should be planned by the panel in advance. Questions should be open questions which are relevant to the post. All candidates will be asked the same questions to enable a fair comparison against the criteria, with the exception of questions arising from their application or references. In line with the candidate's response to the set questions the panel may ask relevant supplementary probing questions.

All candidates should be asked if they require any assistance in order to fulfil the duties and responsibilities of the post should they be appointed. A disability should not be considered as grounds for non-selection. In accordance with the Equality Act 2010, every effort should be made to identify and make suitable adjustments to meet the needs of the successful candidate.

## **10. Offer of Employment**

The panel should record their findings and reasons applicants are successful or unsuccessful. The successful candidate will be informed of the intention to offer then the post on condition of satisfactory references and pre-employment checks, and therefore they should not resign from their current post until all clearances have been obtained.

When a decision has been made to appoint, and the successful candidate declines the offer of employment, the recruiting panel can offer the job to the next suitable candidate if they are appointable. This process can be followed up to six months after the original interview/appointment date and also applies to new vacancies with the same roles, responsibilities and accountabilities.

## **11. Unsuccessful Candidates**

Unsuccessful candidates sometimes request written or verbal feedback to assist them in future recruitment and selection processes. Feedback provided must be accurate, genuine and factual but also provided in a timely manner.

Fair recruitment processes must be followed as unsuccessful candidates may be able to bring a complaint under the Equality Act 2010 for discrimination.

## **12. Recruitment, Selection and Pre-Employment Vetting**

DDAT is committed to creating a culture of safe recruitment and, as part of that, adopt recruitment procedures that help deter, reject or identify people who might abuse children.

This part of the policy describes those checks that are or may be required for any individual working in any capacity at or visiting DDAT schools. The Trust will act reasonably in making decisions about the suitability of any prospective employee based on checks and evidence, including criminal record checks (Disclosure and Barring Service (DBS) checks), barred list checks and prohibition checks, together with references and interview information.

The level of DBS certificate required, and whether a check for any prohibition, direction, sanction, or restriction is required, will depend on the role that is being offered and duties involved.

As the majority of staff will be engaging in regulated activity, an enhanced DBS certificate which includes barred list information will be required for most appointments. In summary, a person will be considered to be engaging in regulated activity if, as a result of their work, they:

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

For all other staff who have an opportunity for regular contact with children who are not engaging in regulated activity, an enhanced DBS certificate, which does not include a barred list check, will be appropriate. This would include contractors who would have the opportunity for contact with children and who work under a temporary or occasional contract.

A supervised volunteer who regularly teaches or looks after children is not in regulated activity. The government has published statutory guidance on supervision in relation to regulated activity. When schools or the Trust are considering which checks should be undertaken on volunteers, they should have regard to that guidance. However, DDAT and its schools may choose to carry out an enhanced DBS check, without barred list information, in certain circumstances.

In addition to obtaining any DBS certificate as described above, any member of staff who is appointed to carry out teaching work will require an additional check to ensure they are not prohibited from teaching. For those engaged in management roles an additional check is required to ensure they are not prohibited under section 128 provisions.

### **13. Prohibitions, Directions, Sanctions and Restrictions**

Teacher prohibition and interim 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 must not be appointed to a role that involves teaching work.

Teacher prohibition orders are made by the Secretary of State following consideration by a professional conduct panel convened by the TRA. Pending such consideration, the Secretary of State may issue an interim prohibition order if it is considered to be in the public interest to do so. The TRA's role in making prohibition orders and the process used to impose them are described in more detail in its publication *Teacher Misconduct: The Prohibition of Teachers*.

A section 128 direction prohibits or restricts a person from taking part in the management of an independent school, including academies and free schools. A person who is prohibited is unable to participate in any management of an independent school such as:

- a management position in an independent school, academy or free school as an employee;
- a trustee of an academy or free school trust; a governor or member of a proprietor body for an independent school; or
- a governor on any governing body in an independent school, academy or free school that retains or has been delegated any management responsibilities.

The Secretary of State is able to make directions prohibiting individuals from taking part in independent school management under section 128 of the Education and Skills Act 2008. Individuals taking part in "management" may include individuals who are members of proprietor bodies (including governors if the governing body is the proprietor body for the school), and such staff positions as follows: head teacher, any teaching positions on the senior leadership team, and any teaching positions which carry a department headship. Whether other individuals such as teachers with additional responsibilities could be prohibited from 'taking part in management' depends on the facts of each case.

A section 128 direction disqualifies a person from holding or continuing to hold office as a governor of a maintained school.

The grounds on which a section 128 direction may be made by the Secretary of State are found in the relevant regulations.

#### **Historic General Teaching Council for England (GTCE) sanctions and restrictions**

There remain a number of individuals who are still subject to disciplinary sanctions, which were imposed by the GTCE (prior to its abolition in 2012).

#### **European Economic Area (EEA) regulating authority teacher sanctions or restrictions:**

From 1 January 2021 professional regulators in the EEA (EU, Iceland, Liechtenstein, and Norway) will no longer share information about sanctions imposed on EEA teachers with the Teaching Regulation Agency (TRA) and therefore the TRA will no longer maintain a list of EEA teachers with sanctions.



Teachers who qualified in the EU, EEA and Switzerland will need a letter of professional standing when applying for QTS in the UK from 1 January 2021.

Schools must undertake further safeguarding checks on applicants that have lived or worked outside the UK. This should include an enhanced DBS with barred list information, and a letter of professional standing issued by the professional regulating authority in the country in which they worked.

These sanctions and restrictions are imposed by EEA professional regulating authorities on or after 18 January 2016 and which have been notified to the TRA.

### **How to check for prohibitions, directions, sanctions and restrictions - Teacher Services checking system**

Checks for all prohibitions, sanctions and restrictions described above can be carried out by logging onto the Secure Access/DfE Sign-in Portal via the Teacher Services' web page. Secure Access/DfE Sign-in is a free service available to all schools and colleges. Registration is required for first time users and can be requested from Teacher Services. Further information about using this system to carry out a range of teacher status checks including verification of qualified teacher status (QTS) and the completion of teacher induction or teacher probation can be found at: <https://www.gov.uk/guidance/teacher-status-checks-information-for-employers>

A section 128 direction will also be disclosed where an enhanced DBS check with barred list information is requested, provided that 'children's workforce independent schools' is specified in the parameters for the barred list check.

### **Childcare disqualification**

For staff who work in childcare provision or who are directly concerned with the management of such provision, the school needs to ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the Childcare (Disqualification) Regulations 2018. Further information on the staff to whom these regulations apply, the checks that should be carried out, and the recording of those checks can be found in Disqualification under the Childcare Act 2006 statutory guidance.

## **14. Pre-Appointment Checks**

Any offer of appointment made to a successful candidate, including one who has lived or worked abroad, must be conditional on satisfactory completion of the necessary pre-employment checks. When appointing new staff, DDAT and its schools will:

- verify a candidate's identity. Identification checking guidelines can be found on the GOV.UK website;
- obtain (via the applicant) an enhanced DBS certificate (including barred list information, for those who will be engaging in regulated activity);
- obtain a separate barred list check if an individual will start work in regulated activity before the DBS certificate is available;
- verify the candidate's mental and physical fitness to carry out their work responsibilities. After having been offered a role, a job applicant can be asked relevant questions about

disability and health in order to establish whether they have the physical and mental capacity for the specific role;

- verify the person's right to work in the UK. If there is uncertainty about whether an individual needs permission to work in the UK, then prospective employers, or volunteer managers, should follow advice on the GOV.UK website;
- if the person has lived or worked outside the UK, make any further checks the school or Trust consider appropriate.

In addition, DDAT will:

- ensure that a candidate to be employed to carry out teaching work is not subject to a prohibition order issued by the Secretary of State, or any sanction or restriction imposed (that remains current) by the GTCE before its abolition in March 2012;
- check that a person taking up a management position is not subject to a section 128 direction made by the Secretary of State.

## **15. Employment History and References**

DDAT and its schools will always ask for written information about previous employment history and check that information is not contradictory or incomplete. The referees should be identified on the DDAT references and monitoring form.

The purpose of seeking references is to allow the school and/or Trust to obtain objective and factual information to support appointment decisions. References will always be obtained from the candidate's current employer. Where a candidate is not currently employed, verification of their most recent period of employment and reasons for leaving will be obtained from the school, college, local authority or organisation at which they were employed.

References will be scrutinised and any concerns resolved satisfactorily, before the appointment is confirmed, including for any internal candidate. Obtaining references before interview, will allow any concerns they raise to be explored further with the referee and taken up with the candidate at interview. They will always be requested directly from the referee and from a senior person with appropriate authority, not just a colleague.

DDAT will not rely on open references, for example in the form of 'to whom it may concern' testimonials, nor will DDAT only rely on information provided by the candidate as part of the application process without verifying that the information is correct. Where electronic references are received, DDAT will ensure they originate from a legitimate source.

On receipt, references will be checked to ensure that all specific questions have been answered satisfactorily. The referee will be contacted to provide further clarification as appropriate, for example if the answers are vague or if insufficient information is provided. They will also be compared for consistency with the information provided by the candidate on their application form. Any discrepancies will be taken up with the candidate.

Any information about past disciplinary action or allegations that are disclosed will be considered carefully when assessing the applicant's suitability for the post (including information obtained from the Teacher Services' checks referred to previously). Further help and advice can be found on the Advisory, Conciliation and Arbitration Service (ACAS) website.

DDAT recommend that one panel member who is Safer Recruitment trained should be nominated to scrutinise the references to ensure questions have been answered satisfactorily. They should compare the reference against the application form to ensure consistency. The referee may be contacted by phone and asked to provide further written evidence on omissions or to gain further clarity. The panel member can advise the remaining panel members of any questions to be explored during the interview to address any discrepancies between the reference and application form.

In accordance with the Equality Act 2010, sickness absence data will be sought for and discussed with the successful candidate only when a conditional offer has been made. If a candidate requires reasonable adjustments to attend an interview and selection process, these must be requested in advance. An appointment must not be made if there are no suitable candidates following the formal process.

The DDAT offer letter should be completed and sent to successful candidates. The offer letter advises the candidate that the role is subject to a number of checks such as an enhanced DBS before employment can commence. This is available on Google Drive. New employees will only commence work once **all** relevant checks have been completed, and not before.

#### **Providing References:**

References should not contain any misstatements or omissions. There should be no content that would come as a surprise to the employee to whom the reference concerns. Absence or health related data should not be provided until a formal conditional offer has been made. The DDAT HR Team are able to provide advice and support as appropriate.

## **16. Single Central Record**

It is a legal requirement for Schools to maintain and regularly update their single central records. All new employees will be added to the record which will include:

- All Staff (including supply staff) who work at the school.
- All others who work in regular contact with children in the school, including volunteers.

For each individual the single central record will outline whether or not the following checks have been carried out/certificates obtained, along with the date of the check:

- An identity check
- A barred list check
- An enhanced DBS check
- A prohibition from teaching check
- Further checks on people living or working outside the UK
- A check of professional qualifications
- A check to establish the person's right to work in the UK

## **17. Retention of documentation**

The successful candidate's application form and interview notes (along with any other interview material) must be kept and form part of the employees personnel file. A copy of the DBS certificate will be placed on the successful candidates file for the duration of the employment and a new enhanced DBS completed every three years. The self-declaration forms should also be kept on the employees' personnel file and updated annually.

In accordance with GDPR, documentation and application forms relating to unsuccessful candidates should be retained for a period of 6 - 12 months before being destroyed securely and in line with the DDAT Data Protection Policy.

## **18. Exit Interviews**

It is good practice to offer an exit interview to employees who have resigned from their post. This will allow the employee the opportunity to feedback on their experiences in school and help the school to identify areas for improvement. The school/Trust will always seek to address any concerns or grievances an employee may have.

Exit interviews should be offered with an appropriate line manager or if concerns about their line manager have been raised then an alternative manager. If appropriate, the Chair of Governors may lead the interview.

Upon request the employee may be provided with feedback on any actions put in place as a result of the exit interview. Information or actions relating directly to staff member will not be shared.