

# Safer Recruitment and Selection Policy

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Date of adoption: 01.09.2020

Date to be reviewed: 01.09.2022

## Introduction

This policy applies to all academies of Spencer Academies Trust. The Trust is committed to attracting, selecting and retaining employees, both permanent and temporary, who will make a positive contribution under the trust mission: to provide outstanding education and to make a difference to the life chances of local children. A motivated and committed workforce with appropriate knowledge, skills, experience and ability to succeed is critical to our outstanding education delivery.

The purpose of the Safer Recruitment and Selection Policy is to ensure that safe, equitable and transparent recruitment and selection processes are observed at all times, and that we appoint the best person for the job. The Trust Scheme of Delegation outlines the delegated responsibility and levels of authority for dealing with recruitment matters. Safer Recruitment and Selection procedures comply with current education and employment legislations and ACAS guidance, including guidance on ensuring the safety and welfare of children.

Those responsible for each stage of the recruitment process will be expected to demonstrate at all times a professional approach by dealing honestly, efficiently and fairly with all candidates. Spencer Academies Trust has a statutory duty to maintain the safety and welfare of children and young people and will implement safeguarding procedures and arrangements throughout the recruitment process.

Advice on recruitment should always be sought from the Trust Central HR Team.

## Equality and Diversity

Principles of Equalities legislation and the Equal Opportunities Policy will be upheld at every stage of the recruitment process. Principals and Hiring Managers need to be fully aware of equal opportunities legislation and this policy and will actively promote and support diversity in relation to employment opportunities.

All applications will be considered purely on merit, regardless of age, gender, race, ethnic origin, religion, disability, marital or partnership status, sexual orientation or number of dependants.

Hiring Managers will ensure reasonable adjustments are in place to ensure applicants with disabilities have fair access to and is able to participate fully in the recruitment process.

Recruitment and selection processes will be robust and transparent with clear audit trails. Equal opportunities monitoring forms will be completed and monitored to ensure full compliance.

## Safer Recruitment

All appointing bodies within the Trust are committed to the highest standards with regard to child protection and will take all necessary steps to ensure all information is checked to determine a person is safe to work with children.

The Trust's safeguarding culture will be emphasised through the job description, person specification and advertising, to deter unsuitable applicants. Every interview will include questions on safeguarding and will explore any gaps in an applicant's job history.

All applications will be made through the Trust's standard application forms, which require a complete employment history and that all gaps are accounted for. The Trust HR Team / Academy HR Contact will ensure that all the necessary pre-employment checks are carried out.

## Management of Recruitment Procedures

Spencer Academies Trust Scheme of Delegation sets out the responsibility for managing recruitment procedures and the delegated responsibility for appointing employees across the trust (see table below).

Role	Panel Members
CEO, and Directors of Education	Trust Board (minimum of 3 members)
Executive Principal	Board Member, CEO and 1 other as determined by the CEO
Principal, HoA	A panel of three from Board Member, CEO, Directors of Education/Executive Principal, Member of LGB
Trust Directors of Curriculum Subjects	CEO, Directors of Education and 1 other as determined by the CEO
Heads of Central Functions e.g. HR, Finance, Facilities, ICT etc.	CEO, ELT member and 1 other as determined by the CEO
Vice Principals and Deputy Heads	A panel of three from CEO, Director of Education/ Executive Principal and Principal/HoA. A Member of the LGB may also be part of the panel.
Assistant Principals and SLT Support Staff	Principal/HoA, Vice Principal and 1 other as determined by the Principal/HoA. This may be a member of the LGB
Associate Assistant Principals	Principal/HoA, Vice Principal and 1 other as determined by the Principal/HoA. This may be a member of the LGB
Head of Department/Faculty	Principal/HoA, appropriate Director of Subject (if applicable) and 1 other as determined by the Principal/HoA. This may be a member of the LGB
TLR Posts	Principal/HoA (or nominated representative), Director of Subject (if applicable) or Head of Department / Phase or Subject
All other Academy Teaching posts	Principal/HoA (or nominated representative), Director of Subject (if applicable) or Head of Department / Phase or Subject
All other Trust Teaching posts	Directors of Education, Executive Principals.
All Support Staff posts (other than SLT posts) Academy	Business / Finance Manager or equivalent and 1 other determined by Principal/HoA
Central Team posts	ELT member and 1 other as determined by the CEO (Central posts below Director)

As vacancies arise the Principal or their appointed representative will consider whether a replacement is required or whether internal re-structuring may be more appropriate. The decision will take into account the existing staffing structure, curriculum and organisational needs and budgetary situation. Under the principles set out in the Scheme of Delegation, any restructuring exercise must be agreed and carried out by trust central services including Human Resources.

Where the Principal determines that the vacancy is suitable for an internal advert this must be discussed and agreed with the CEO, or their appointed representative. The recruitment process will be agreed at this stage.

Recruitment procedures will be supported by the Trust Central HR Team and the Academy HR contact as appropriate.

## **What to do when a vacancy arises**

In all cases, before an advert is placed, approval must be sought from the Trust Executive Team to recruit to vacancies within the academy structure, to create new roles and replace existing roles, including responsibility allowances. Approval must be sought for both permanent and temporary roles. The advert, job description and person specification must in all cases be referred to the Trust Executive Team, via the Trust Central HR Team, for approval prior to advertising the post.

## **Advertising a Vacancy**

The Directors of the Trust, Principal or their delegated representative will determine how and where a post will be advertised according to circumstances prevailing at the time. All external vacancies will be advertised on the Trust website and other appropriate media. The closing date for applications will normally be at least two weeks after advertisement. For internal posts the closing date may be shortened to one week.

When advertising a vacancy, the agreed trust advert template must be used, detailing the following (where appropriate):

- Job Title
- Salary – ensuring actual pro-rata salary is stated for part time / term time only vacancies
- Hours of work
- Location of the vacancy
- Closing date
- Anticipated interview date
- Statement about the Trusts commitment to safeguarding and promoting the welfare of children and young people

Internal posts will be advertised using the Trust recruitment portal, via the e-mail vacancy bulletin, Trust website and staff notice boards as deemed appropriate by the Principal. As a minimum, applicants will be invited to submit an expression of interest, usually in the form of a letter of application. Internal references must also be provided and taken up.

## **Shortlisting**

The Principal or their delegated representative should establish who will be involved in the recruitment process. To ensure consistency, the panel members should be involved throughout the shortlisting and interview process.

There is a statutory requirement that at least one of the panel members has completed Safer Recruitment Training.

Shortlisting should not begin until after the closing date (unless specified within the advert) and should be completed by at least two members of the selection process. Selection will be based only against the agreed criteria within the person specification, using information contained within the application. The Principal / Hiring Manager must ensure the selections are justified and that records are made and retained for at least 6 months.

The decision made must then be communicated promptly to successful candidates to invite for interview. The recommended timescale from the date of invites received to interview date is 5 working days. Candidates will be notified that references will be requested at this stage and that failure to provide referees will mean they could be withdrawn from the interview process.

The invitation to interview could be made via email or letter and should include the itinerary and location of the interview, instructions for pre-interview tasks, maps and parking arrangements and how to confirm acceptance and request any reasonable adjustments that may be required. Applicants must also be advised to bring identification with them that confirms their right to work in the UK.

## **Interviews**

The interview process will normally be conducted as follows:

- candidates are welcomed at the start of the day by the Principal, trust lead or their appointed representative and are given an introduction to the academy or place of work and full details of the day's arrangements;
- a curriculum, department, key stage leader, support staff team leader or other internal recruitment lead may present an introduction to the faculty or team and may arrange for a tour of the academy or place of work;
- where appropriate candidates will be observed teaching. Other selection activities will be dependent upon the nature of the post being filled, e.g. desk-top exercise, panel interviews, demonstration of practical/presentation skills, student representative panel etc. These activities should be linked closely to the Job Description and Person Specification;
- the candidate's suitability to work with children will be explored at interview asking open-ended questions, as well as questions which explore the candidate's attitude towards child protection;
- employees will be recruited on the knowledge, experience and skills needed for the job and their potential contribution to the Trust;
- at the conclusion of the interview the panel will establish whether each person remains a firm candidate and ensure that candidates know the arrangements for communicating the decision;

References should be provided to the panel before interviews take place, allowing the panel to scrutinise and seek clarification from the referee or the candidate during interview.

Panel members will assess the candidates' performance against the criteria within the person specification at the end of the interview. Interview notes are taken by panel members. An accurate record of the selection decision must be kept and any selection system used must be justifiable.

## **Making an Offer of Appointment**

The appointment and agreement process will be as follows:

- when agreement to appoint is reached, the chosen candidate will be offered the post verbally and by no later than 5 working days after interview. A verbal agreement is binding on all parties. The person advising the successful candidate must make it clear that the offer is subject to agreed timescales, start dates and satisfactory pre-employment checks;
- a welcome email will be sent by the Trust Central HR Team/Academy HR Contact confirming the offer of appointment, the start date, the salary and that the contract will be issued within 14 days, subject to the Trust/Academy receiving written acceptance and in any event prior to the employee start date. The welcome

email will also include safeguarding documents, the link to complete a DBS check, and other onboarding documents as appropriate;

- an offer letter will be sent by Trust/Academy HR Contact, as appropriate, confirming the terms and conditions of the appointment and that the offer is subject to satisfactory pre-employment checks being completed. Where appropriate the offer letter will also confirm the date their employment commences with Spencer Academies Trust.

Unsuccessful candidates should be advised no later than 3 working days after the successful candidate has accepted the post. Feedback should always be offered to unsuccessful interviewees and provided if requested in a timely manner. The outcome of the interview will be published as appropriate as soon as possible after all candidates have been contacted.

For internal interviews, every effort will be made to ensure that the outcome is communicated to short-listed candidates before publication of the outcome. A debriefing opportunity and discussion will be offered to unsuccessful internal candidates within one week.

## **Pre-employment Checks**

Any offer of employment 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 members, the Trust/Academy HR Contact must:

- Verify a candidate's identity. Please refer to the ID checking guidance issued by the Trust. All candidates must produce their birth certificate as part of the pre-employment check
- Obtain a certificate for an enhanced DBS check which will include a barred list check for all who will be engaging in regulated activity
- Verify the candidates physical and mental fitness to ensure that the candidate is medically suitable for the proposed job and to advise, where necessary, on any reasonable adjustments to their work or workplace
- Verify the candidates right to work in the UK. If there is any uncertainty about whether a person needs permission to work in the UK, please check and follow the guidance on GOV.uk, or consult with the Trust HR Team
- If the candidate has lived or worked outside the UK, to make further checks in line with Trust guidance
- Verify professional qualifications as required
- Ensure all required checks are entered onto the Single Central Record before the candidates start date with the Academy / Trust

During the recruitment process, candidates will be asked to confirm that they understand providing false information in an application is a serious matter which could result in summary dismissal if the applicant has been selected, and that failure to disclose information or providing false information in relation to criminal records is an offence which could lead to prosecution

Candidates will also be advised that once the DBS application has been verified and submitted for processing, a decision to withdraw from the offer of employment will result in being charged for the DBS check at the rate applicable at the date of the policy.

if any individual is allowed to start work in regulated activity before the outcome of a DBS check is available, the individual must be appropriately risk assessed and supervised. All other checks including a separate barred list check and risk assessment, must also have been completed by the Principal or their appointed representative.

## Rehabilitation of Offenders

Applicants will only be asked to declare convictions and cautions that are not protected under the amendments to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020)

The amendments to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020) provides that when applying for certain jobs and activities, certain convictions and cautions are considered 'protected'. This means that they do not need to be disclosed to employers, and if they are disclosed, employers cannot take them into account. Guidance about whether a conviction or caution should be disclosed can be found on the Ministry of Justice website.

Standard and Enhanced DBS certificates will include details of convictions and cautions (excluding youth cautions, reprimands and warnings) recorded on the PNC. A 'specified offence' is one which is on the [list of specified offences](#) agreed by Parliament which will always be disclosed on a Standard or Enhanced DBS certificate, regardless of how long ago it was given. This includes where a specified offence receives a caution (but not youth cautions, reprimands or warnings).

As a result of the 2020 amendment, Interview questions regarding the disclosure of offenses should now be:

- Do you have any unspent conditional cautions or convictions under the Rehabilitation of Offenders Act 1974?
- Do you have any adult cautions (simple or conditional) or spent convictions that are not protected as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2020?

In all cases where criminal convictions are disclosed, advice should be sought from the Trust Central HR Team.

## Record Keeping and Data Protection

All who are involved in the recruitment process must comply with the Data Protection Act 1998 for job applicants. Therefore, appropriate security measures should be taken to prevent unauthorised or unlawful processing, disclosure, destruction, loss or alteration of information.

The application process should advise a candidate that their application will be kept on file for a certain period of time and that it will not be disclosed to any third parties without their consent.

Recruitment records, whether kept in hard copy or electronic format, should be retained for no longer than 6 months after the recruitment exercise where possible. The statutory period during which an unsuccessful applicant may bring a discrimination claim arising from the recruitment process is 3 months, but it is possible for this period to be extended by the Tribunal in exceptional circumstances

Information about successful applicants' criminal convictions collected during the recruitment process should be deleted once this has been verified by DBS. Copies of DBS checks should not be retained.

Whilst notes should be kept during the recruitment process (e.g. during interviews), these notes may constitute personal data and would be disclosable to an applicant as part of a subject access request.



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