



ST. MARY'S
ACADEMY TRUST

St Mary's Academy Trust

RECRUITMENT & SELECTION POLICY AND PROCEDURE

Date agreed by the HR Committee: 23rd February 2021

Date to be reviewed: 23rd February 2023

1.0 Introduction

- 1.1 The Trust aims to be an outstanding employer and the Recruitment and Selection Policy is designed to ensure that based on merit, the best applicant is appointed and all applicants have a positive experience when applying for a position.
- 1.2 Failure to select the right applicant could result in poor performance that requires managing through the Probationary Period Review Policy and/or the Improving Performance in Employment (Capability)/Teachers Capability Policy.
- 1.3 The policy provides Headteachers with clear guidance to ensure that the recruitment process will promote equality of opportunity and be free from discrimination.
- 1.4 The Trust is committed to safeguarding and promoting the welfare of children, young people and vulnerable adults and expects all employees and volunteers to share this commitment.
- 1.5 The policy has been developed in consultation with all recognised Trade Unions.
- 1.6 The policy applies to the appointment of all employees to the Trust.
- 1.7 When recruiting volunteers, Headteachers must adopt the same rigorous recruitment measures as they would for paid employees. Where an enhanced DBS check is obtained for any volunteer not in regulated activity a risk assessment should be recorded.
- 1.8 Where an alternative provision provider is used, rather than recruiting a member of staff, written confirmation from the alternative provider must be obtained detailing the safeguarding checks that have been carried out on individuals working at the establishment.
- 1.9 Written confirmation from the provider of any fee funded student teachers should be obtained detailing that it has carried out all pre-appointment checks that the school would otherwise perform.
- 1.10 For recruitment to teaching posts a member of St Mary's Academy Trust School Education Team must be on the panel.

2.0 The Process

2.1 A Vacancy Arises

- 2.1.1 A vacancy can arise for a number of reasons i.e. through restructuring or simply when an employee leaves.
- 2.1.2 If the vacancy is as a result of a restructuring or downsizing then refer to the [Managing Change Model Redundancy Policy.](#)

3.0 Reviewing the Vacancy

- 3.1 When a vacancy arises, the Headteacher should examine whether or not the post is still needed in its current form or whether the duties and responsibilities can be carried out in another way.
- 3.2 The information to support these decisions should come from discussions with the previous employee through the **Exit Strategy** process and a critical review of the post in respect of budget constraints and service requirements as detailed in the School Plan.
- 3.3 If a post is to be recruited to, the Headteacher should consider whether or not the Job Description and Employee Specification are still accurate or whether they require amending/updating. This is an opportunity for all aspects of the post to be scrutinised prior to any recruitment process commencing.
- 3.4 Headteachers must consider the performance targets expected of the post to ensure the skills/abilities are accurately reflected in the Job Description and Employee Specification.

3.5 Job Description and Employee Specification

- 3.5.1 The Job Description describes the duties and responsibilities of the post and the Employee Specification describes the personal attributes required to perform the job. The Job Description and Employee Specification form the basis of the selection criteria which will be used for both the shortlisting and interviewing process so it is vital that these two documents are accurate, relevant and up to date.
- 3.5.2 The Employee Specification contains the requirements of the post in regard to experience, training, qualifications, knowledge, skills and abilities. The information contained within this document allows potential applicants to self select at an early stage in the recruitment process so it is important that the criteria are relevant to the post, readily understood and can be demonstrated by the applicant at either the application or interview stage (or both).
- 3.5.3 If changes are made to a current Job Description and the Employee Specification, the amended documents must be re-evaluated to determine if the grade of the post will change. Please contact HR for further information.
- 3.5.4 If the post is a **new** non-teaching post the new Job Description and Employee Specification will require evaluation to determine the grade of the post prior to placing an advert. Please contact HR for further information.
- 3.5.5 If the post is a teaching post it will require a review to determine if a TLR allowance is required and if so at what level this should be.

4.0 Recruitment – Authorisation and Procedure

4.1 Establishing a Vacancy

- 4.1.1 A vacancy will have arisen due to the School creating an additional post or an existing post holder having left their employment. The establishment of a new post on the School structure will be subject to approval by the Trust Board. The recruitment to an existing vacant post, internally within the Trust, will be subject to approval by the Chief Executive.

4.2 Internal Advert

- 4.2.1 Consideration must be given to advertising the post internally within the Trust in the first instance with a one week closing date. If applicants do not meet the required benchmark then an external advert can be placed.

4.3 External Media Advert

- 4.3.1 All advertisement requests must be sent to the Trust on a job advert request form who will approve the requirement for an external advert and arrange for the post to be advertised in the appropriate media.

4.4 Placing an Advertisement

- 4.4.1 The advertisement will require the following essential details:

- Publication that the advert is to be placed in
- Post Title
- Grade of the post
- Hours of work (Term time etc...)
- Weeks to be worked per year
- If the post holder be required to frequently drive on Trust related business
- Requirements for the post i.e. behaviour, experience, qualifications etc.
- Type of contract e.g. is the post permanent or fixed term
- If the post is fixed term, a reason and an end date must be given
- If the post is covered by the Disqualification under the Childcare Act 2006
- Deadline

5.0 Selection Process

5.1 Choosing the Interview Selection Panel

- 5.1.1 The panel **must** remain the same from the start of the process to the end and all members of the panel must be involved in all stages of the process.
- 5.1.2 At least one member of the panel must undertake appropriate recruitment and selection training. It is a **legal requirement for one member of the panel to have completed the Safer Recruitment Training** when recruiting to a post working with children.
- 5.1.3 The Chair of the Panel must be agreed at the start of the process. They will be responsible for coordinating the process and ensuring that collective decisions are made.

5.2 Makeup of the Selection Panel

- 5.2.1 Wherever possible, there should be a minimum of two people and a maximum of four people on the selection panel. There should be no single sex panels and the panel should aim to reflect the diverse makeup of the community. Panel members must be able to commit the time required to the selection process and once the panel members have been established they should remain the same throughout the selection process.

5.3 Shortlisting Process

- 5.3.1 The shortlisting decisions must be recorded.

5.4 Declaration of Personal Interests

- 5.4.1 If it becomes apparent that a panel member has a personal relationship with an applicant which may impact on their ability to be unbiased they must withdraw from the panel. See [Code of Conduct](#) for further information. Each panel member should individually assess each application form.

5.5 Essential Criteria

- 5.5.1 The completed application form must be assessed against the essential criteria for the post as detailed on the Employee Specification.
- 5.5.2 Following the individual shortlisting process the panel should meet and discuss their individual assessments and reach a consensus decision on which applicants are to be shortlisted/invited for interview.
- 5.5.3 The Chair should record the panel's collective decision utilising a Shortlisting Grid which will provide the reasons for not shortlisting an applicant.

5.6 Scrutinising the Application Form

- 5.6.1 The application forms must be scrutinised to identify any inconsistencies; discrepancies; gaps in an applicant's employment history; repeated changes of employment or in the case of teachers a move from a permanent post to a supply or temporary post. The panel member who has attended Safer Recruitment training should lead with this task.
- 5.6.2 If the applicant has met the essential criteria but the panel have concerns, the applicant should be shortlisted but questioned further at interview to explore reasons. An additional set of questions can be asked in respect of the concerns at the end of the interview. The panel member who has attended Safer Recruitment training should lead with this task.

5.7 Minor Criteria

- 5.7.1 In the event that there are a large number of applicants who meet all the essential criteria, then the minor criteria can be used to reduce the number of shortlisted applicants.

5.8 Disabled Applicants

- 5.8.1 All applicants with a disability who meet all of the essential criteria **must** be offered an interview to ensure they have the opportunity to demonstrate their abilities. The exception being instances where there are internal at risk applicants who must be considered in order of priority. Appropriate arrangements may need to be made for disabled applicants to attend the interview in terms of access and support.

5.9 Changes to the Employee Specification

- 5.9.1 Changes must not be made to the Employee Specification once the post has been advertised. If it becomes apparent during the process that the criteria are not appropriate, recruitment should be halted and the applicants made aware in writing. Any changes made to the Employee Specification must be subject to a further grade review.

5.10 Selection Methods

5.10.1 In addition to a face to face interview, Headteachers can consider a range of appropriate selection methods, some of which could include:

- Presentation
- Observation
- In-Tray Exercise
- Teaching Exercise

5.10.2 If testing is used, this should be scored in accordance with the Assessment Scoring System. If tests are included these should be relevant to the essential criteria and be appropriate for the level of the post.

5.10.3 To ensure fair and successful selection, Headteachers should use insights from several selection methods in the decision making process. A structured and rigorous approach is essential to help us prevent unconscious bias in selection procedures.

6.0 Preparation for Interviews

6.1 **Before the Interview**, a criminal convictions disclosure form will be sent to all candidates invited for an interview and this **MUST** be completed before the interview takes place. If any criminal convictions are detailed on the form the Chair of the panel should contact HR for advice.

6.2 Shortlisted applicants who have listed criminal convictions or cautions on their application form, should have 2 interviews. Interview 1 should be as per usual procedures, and interview 2 should be to discuss anything disclosed on the form.

6.3 Inviting Shortlisted Applicants for Interview

6.3.1 Interviews for all posts must be face to face, this also includes via Microsoft Teams. When inviting applicants to interview they should be informed that they need to bring to the interview originals of the following:

- Qualification certificates i.e. those specified on the Employee Specification
- proof of their right to work in the UK (See guidance on Preventing Illegal Working for full details)
- Driving licence and insurance documents where required as part of the job.
- For DBS Checks either: a passport, driving licence or birth certificate. If neither of these is available, other forms of ID can be accepted.

6.3.2 If any tests have been arranged (see point 5.10), details of this must also be included in the correspondence so that the applicant can be prepared.

6.4 Requesting References

6.4.1 To comply with safer recruitment the panel **must**, PRIOR TO THE INTERVIEW, send for references for all shortlisted applicants by sending the [Reference Request Letter](#); the [Reference Request Form](#); the Job Description and Employee Specification.

6.4.2 If the applicant has **not** given their permission to contact their current employer, they can still be interviewed, however, they must be made aware that if they are the preferred candidate, references will be required before the appointment can be confirmed.

- 6.4.3 If an applicant has not provided their current employer as a referee, the reason for this should be discussed at the interview. If the applicant is from college they should provide details of their lecturer or an alternative professional referee. References from family or friends cannot be accepted in any circumstances.
- 6.4.4 For posts working with children or young people, where applicable a reference relating to a role in which the applicant worked with children should be obtained.
- 6.4.5 Character references may be required in Faith Schools; however, this must be in addition to the two employment references.
- 6.4.6 If a referee does not respond to the request for a reference, the applicant **must** be contacted to ask them to follow it up or to provide another referee.

6.5 Checking References Prior to Interview

- 6.5.1 For posts involving working with children or vulnerable adults and of a specified nature or in a specified role, and takes place:
- Frequently – once a week or more
 - Intensively – 4 days in one month or more
 - Overnight – between 2 to 6am
- 6.5.2 The panel must open the references **before** interviewing so that any concerns or issues are identified and can be explored further with the referee and taken up with the applicant at interview. The panel member who has attended safer recruitment training should take the lead and plan appropriate questions to be asked at the end of the interview.
- 6.5.3 References should be used appropriately to determine the applicant's suitability. Panel members must not use references for shortlisting purposes.
- 6.5.4 If the references reveal any inconsistencies or doubts about the person's suitability, the issues should be clarified with the referee and recorded in writing.
- 6.5.5 Any details about disciplinary action or allegations made should be considered in the circumstances of the individual case. If a sanction is no longer live then it should not be taken into account unless it is related to the Safety and Welfare of Children, Young People or Vulnerable Adults.
- 6.5.6 If a reference states a person was dismissed due to a criminal offence and this led to a conviction, this is relevant and can be considered when deciding whether to proceed with the offer.
- 6.5.7 If the referee says the person was convicted and therefore dismissed, we must check the guidance to determine whether it is a filtered offence.
- 6.5.8 If the referee does not say what offence it is, this is considered as inaccurate data and must be destroyed. If we receive such a reference, we must ask for further information to be provided, i.e. details of what the conviction was for as the inaccurate document cannot be retained on the personal file.

6.6 Questioning Against the Criteria

6.6.1 Questions must always relate to the criteria in the Employee Specification. However, it is important to probe areas of the application form if more information can be obtained about the applicant's experience, skills and abilities. The panel may decide to set a benchmark score prior to the interviews. This may be particularly useful where there are a limited number of applicants. The panel member who has attended safer recruitment training can take the lead and use the information provided in the delegate manual.

6.7 Questioning Techniques

6.7.1 There are a number of types of questions that can be used, the main ones being open and closed questions.

- **Closed questions** can be used when checking out facts, and will usually elicit "Yes" or "No" answers.
- **Open questions** can get the interviewee to talk and can often cover the topic in depth. They often begin with "What, Why, When, How, Tell me about, Please describe".
- To comply with safer recruitment hypothetical questions should not be used.

6.8 Inappropriate Questioning

6.8.1 These are any questions relating to:

- Marital status (including children)
- Gender Identity
- Ethnicity
- Disability
- Sexual orientation (including gender re-assignment)
- Religion and Belief
- Age

6.8.2 Data collected from the above is considered as sensitive. Sensitive data about an individual is only collected when an individual has given free, explicit and unambiguous consent.

6.9 Interview Assessment Sheet

6.9.1 When the questions have been agreed the [Interview Assessment Sheet](#) should be completed identifying the Essential and Minor criteria from the Employee Specification to be tested at interview, alongside the relevant factor i.e. Relevant Experience, Education and Training, General and Special Knowledge, Skills and Abilities and Additional Factors.

6.9.2 The first two boxes should detail the question to be asked to explore the applicant's ability to meet the criteria and the evidence required (model answer). The third box is for notes to be taken during interview.

6.10 Supplementary Questions – Concerns / Discrepancies / Gaps in Employment

6.10.1 There may be a number of supplementary questions that need to be asked dependent upon the individual's personal information supplied in the application form/reference. These can include:

- Gaps and discrepancies in the applicant's employment history;
- the reasons for a history of repeated changes in employment without any clear career progression, or in the case of teachers, a mid-career move to supply teaching or temporary work or midterm move;
- the applicants' attitude toward children, young people or vulnerable adults;
- their ability to support the Trust's agenda for safeguarding and promoting the welfare of children;
- concerns or discrepancies arising from the information provided by the applicant and/or a referee and;
- ask the applicant if they wish to declare anything in light of the requirements for a DBS Check.

The panel must be prepared to probe when they feel that the applicant has not given a complete answer.

7.0 The Interview

7.1 Arrangements need to be made to meet and greet the applicants on arrival. The designated person can also be responsible for taking copies of the requested documentation from each applicant.

7.2 To ensure a professional interview, the interview should be planned and it should be agreed which panel member will ask which questions. All panel members should score applicants in accordance with the following scoring system:

1. Does not meet the criterion – showed no evidence of the skills/experience/ability.
2. Barely adequate – evidence only had some relevance.
3. Adequate – evidence was relevant and showed some knowledge and understanding.
4. Good – evidence answered the question and showed knowledge and understanding.
5. Excellent – evidence demonstrated an in-depth knowledge and understanding.

7.3 Undertaking the Interview

7.3.1 Each panel member should record the interview, assess the responses the applicant has provided and score each question on the [Interview Assessment Sheet](#) and then complete the Overall Individual Score box. To avoid influencing other panel members, **do not at this stage discuss an applicant until all panel members have completed making their notes and scores.**

7.4 Selecting the Right Applicant

7.4.1 At the end of the interview process the Chair should encourage discussion about each applicant's overall performance, including any tests and presentations in order to arrive at an agreed score against each question. This will enable the panel to compare all the scores and reach a decision and this must be recorded

on each panel member's [Interview Assessment Sheet](#). The Overall Panel Score box is then completed. The panel should appoint the applicant with the highest score against the Essential Criteria. The box, to indicate whether the applicant has been selected or not, must be completed. Where an applicant is not selected for appointment the reasons should be given in the box provided.

7.4.2 If a benchmark score was set and the highest score has not met the benchmark then the panel will need to consider re-advertising the post.

7.4.3 If two applicants' essential criteria scores are equal or very close **and one of the two applicants is disabled, the post must be offered to the disabled applicant**. If there are no disabled applicants and the scores are equal, the panel should add on the scores from the Minor Criteria and appoint the applicant with the highest score. If the panel is unable to make a decision, the two applicants must be invited back for further questioning on the existing criteria.

7.4.4 If the successful applicant is disabled, reasonable adjustments **must** be implemented before the post is offered. Contact HR for further guidance.

7.5 Verification of Qualifications

7.5.1 The Chair of the panel must check the authenticity of qualification documents; copies are not acceptable. If the applicant cannot produce an original certificate or a certified copy, or a letter of confirmation from the awarding body, they will need to contact the awarding body themselves to obtain written verification. Where a qualification cannot be verified / produced then no offer of employment can be made.

7.6 Verification of Right to Work

7.6.1 At the interview, the Chair of the panel **must** check all applicants' proof of their right to work in the United Kingdom. For any queries in relation to "preventing illegal working" contact HR.

7.7 Verifying the Shortlisted Applicants Identity

7.7.1 At the interview, the Chair of the panel **must** check and verify the shortlisted applicants identify and pass this information to the school office to complete the on-line DBS form system.

7.8 Preferred Candidate

7.8.1 The preferred candidate can be made a "conditional" offer of employment only to comply with safer recruitment and **must** be informed of any outstanding checks that are needed e.g. medical clearance, DBS clearance (where necessary) and satisfactory references.

7.9 Unsuccessful Applicants

7.9.1 Unsuccessful applicants should be informed of the outcome and given details of who they should contact for feedback. The Chair of the panel should provide positive and constructive feedback, identifying key areas where the applicant performed well and how the weak areas could be improved for future interviews.

8.0 Pre-Employment Checks

- 8.1 Irrespective of whether the candidate is internal or external, the same pre-employment checks will be taken using the recruitment checklist.
- 8.2 The following checks must be carried out prior to the preferred candidate commencing in the role:
- References
 - Disqualification under the Childcare Act 2006 and the 2018 Regulations
 - Right to work in the UK
 - ID Evidence
 - Copies of qualifications
 - Medical clearance
 - Prohibition Check (teachers and teaching assistants)
 - DBS (including Barred list check)
 - Section 128 check for management roles
 - Overseas check (where applicable)
 - Evidence of Eligibility to Work in the UK - Settlement Scheme Status
- 8.3 In all cases where an applicant has worked or been resident overseas in the previous ten years a check of the applicant's criminal record from the relevant authority in that country will be required. Please note however overseas checks must be carried out **by the applicant** and they will be required to provide the information to the panel on request. The Chair of the panel should direct the preferred candidate to the Home office website which provides details of overseas checks.
- 8.4 For posts working with children up to and including reception class age and, under 8 outside of normal working hours, the preferred candidate will be required to complete a self-disclosure form to check that they do not meet any of the disqualification criteria. Where the preferred candidate meets any criteria, they can apply for a waiver to Ofsted however they must not be employed until Ofsted have issued a waiver. If no waiver is issued the offer must be retracted.
- 8.5 We have the legal duty to refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult where:
- The harm test is satisfied in respect of that individual.
 - The individual has received a caution or conviction for a relevant offence, or if there is reason to believe that the individual has committed a listed relevant offence.
 - The individual has been removed from working (paid or unpaid) in regulated activity, or would have been removed had they not left.
- 8.6 EU Settlement Scheme (Settled and Pre-Settled Status) – If the preferred candidate is an EU, EEA, or Swiss Citizen, they must have applied to the EU Settlement Scheme to continue living in the UK after 30 June 2021. They can also apply if they are the family member of an eligible person of Northern Ireland.
- 8.7 If their application is successful, they will receive either settled or pre-settled status. Which status they receive is dependent on how long they have lived in the UK when they apply. Their rights will be different depending on which status they receive and when they started living in the UK. For more information, please go to: -

9.0 Paperwork

New Starters

- 9.1 When all of the above pre-employment checks have been completed and are satisfactory, the Chair of the panel will contact the individual to arrange a start date and complete the appropriate documentation to generate a contract of employment. The new starter form and adjoining paperwork must be emailed to the HR and Payroll Inbox. Incomplete/inaccurate forms/documents will be returned which may cause delays with pay and the issuing of a contract therefore it is essential that the documents are checked before they are sent.
- 9.2 A completed, signed recruitment checklist by the Headteacher.
- 9.3 The Retention schedule must be checked and dates diarised for retaining and destroying documents.

Unsuccessful Applicants

- 9.4 Paperwork of unsuccessful applicants must be delivered to the Central team who will ensure it is retained and destroyed in accordance with the Trust's retention schedule.
- 9.5 The Retention schedule must be checked and dates diarised for retaining and destroying documents.

10.0 Recruitment Complaints Procedure

- 10.1 Should a complaint be raised by an applicant during the recruitment process, the [Complaints Procedure](#) should be followed. The process should stop until the complaint has been fully investigated.

11.0 Data Impact Assessment

- 11.1 At all stages of this procedure data obtained will be used only for the purpose for which it is intended which is to calculate protection of earnings payments, and will be stored securely with restricted access limited to the Chief Executive, HR and Payroll. Following the process data will be stored on the electronic personal file for the new starter, for the duration of the employee's employment with the Trust and for 6 years thereafter. The data will be destroyed at this time using a confidential shredding service.

12.0 Equality and Diversity

- 12.1 The Trust adheres to the Equality Act 2010. The policy has been equality impact assessed by the HR Committee, if on reading this policy you feel there are any equality and diversity issues, please contact St Mary's Academy Trust who will if necessary ensure the policy is reviewed.

12.2 Equalities Monitoring

- 12.2.1 The Trust has a duty under the Race Relations Amendment Act 2000 to monitor applications for employment.

12.2.2 Equalities monitoring helps to show whether the Trust's workforce reflects the borough's diverse community and if practices and procedures are fair to all groups.

12.2.3 Monitoring is also necessary in respect of gender, disability, religion and belief, sexual orientation and age at both the shortlisting and appointment stages.

13.0 Income Tax and National Insurance Contributions

13.1 Payment of salary and wages are assessable to tax under Schedule E (75) [ICTA 1988, S150, FA 2002, S35].

13.2A contract of employment will usually give rise to payment of salary or wage. As such any payment of salary or wage made by the Trust under a contract of employment will be subject to income tax and national insurance in the normal manner.