



# Elmlea Schools' Trust

## Safer Recruitment - Recruitment Selection Policy and Procedures

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*Document History Record of recent Policy changes*

Date	Version	Author/Owner	Change	Origin of Change e.g. TU request, change in legislation
1 September 2019	1.0	Clare Sanders	New Policy for Elmlea Schools' Trust	Elmlea Junior School/EPM

Trustees/1971 'Committee	Staffing
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## Recruitment Selection Policy and Procedure

### 1. Introduction

- 1.1 The Board of Trustees is **committed to safeguarding and promoting the welfare of children and young people and requires all staff and volunteers to demonstrate this commitment in every aspect of their work.**
- 1.2 The appointment of all employees will be made on merit and in accordance with the provisions of Employment Law and [Keeping Children Safe in Education](#).
- 1.3 The Board of Trustees will ensure that people are treated solely on the basis of their abilities and potential, regardless of race, colour, nationality, ethnic origin, religious or political belief or affiliation, trade union membership, age, gender, gender reassignment, marital status, sexual orientation, disability, socio-economic background, or any other inappropriate distinction.
- 1.4 The trust will comply with the requirements of [Keeping Children Safe in Education](#) with regard to DBS and other pre-employment checks.

### 2. Delegation of Appointments and Constitution of Appointments Panels

- 2.1 The Board of Trustees will be responsible for appointment of the Chief Executive Officer of the Trust and other Senior Staff as recorded in the Trusts Scheme of Delegation.
- 2.2 The Board of Trustees Body delegates the power to offer employment, details of which can be found in the Elmlea Schools' Trust Scheme of Delegation.
- 2.3 The Headteacher is expected to involve at least one Trustee or Governor in the appointment of all teaching staff.
- 2.4 Selection panels will comprise a minimum of two people (normally three). In accordance with the statutory requirement, every selection panel will have at least one member who has undertaken Safer Recruitment Training. In addition, at least one member will have undertaken general recruitment or equalities training.
- 2.5 If a member of staff or governor/trustee involved in the recruit process has a close personal or familial relationship with an applicant they must declare it as soon as they are aware of the individual's application and avoid involvement in the recruitment and selection decision-making process.

### 3. Advertising

- 3.1 All vacant posts will normally be advertised to ensure equality of opportunity and encourage as wide a field of candidates as possible. This will normally mean placing an advertisement externally. However, where there is a reasonable expectation that there are sufficient, suitably qualified internal candidates, or staff are at risk of redundancy, vacancies may be advertised internally before an external advertisement.

### 4. Information for Applicants

All applicants for all vacant posts will be provided with:

- 4.1 A job description outlining the duties of the post and an indication of where the post fits into the organisational structure of the school. A person specification may also be provided.
- 4.2 An Application Form for completion, CVs will not be accepted.
- 4.3 An Information pack containing:
  - a description of the school relevant to the vacant post.
  - reference to the Child Protection/Safeguarding Policy.
  - DBS and other pre-employment requirements.
  - a statement that canvassing any member of staff, or member of the Governing Body, directly or indirectly, is prohibited and will be considered a disqualification.
  - the closing date for the receipt of applications.
  - outline of terms of employment including salary.

## **5. Short Listing and Reference Requests**

- 5.1 The selection panel will use an agreed short listing form. The criteria for selection will be consistently applied to all applicants. The selection panel will agree the candidates to be called for interview.
- 5.2 The selection panel will take up at least two references on each short listed candidate. If a candidate for a post working with children is not currently employed as a teacher, a reference will be sought from the most recent employment working with children to confirm details of their employment and their reasons for leaving.
- 5.3 Reference requests will ask the referee to confirm:
  - the referee's relationship with the candidate;
  - details of the applicant's current post and salary;
  - performance history and conduct;
  - any disciplinary action involving the safety and welfare of children, including any in which the sanction has expired;
  - details of any substantiated allegations or concerns relating to the safety and welfare of children;
  - whether the referee has any reservations as to the candidate's suitability to work with children. If so, the school will ask for specific details of the concerns and the reasons why the referee believes the candidate may be unsuitable to work with children.
- 5.4 References are the "property" of the selection panel and strict confidentiality will be observed. Employer testimonials or 'bearer references' i.e. those provided by the candidate and/or marked 'to whom it may concern' will not be accepted. References must be in writing and be specific to the job for which the candidate has applied. The selection panel will not accept references from relatives or people writing solely in the capacity as a friend of the candidate for any post. References will be verified and any discrepancies will be discussed with the candidate at interview.
- 5.5 If the field of applicants is felt to be weak the post may be re-advertised.

## **6. Interviews**

6.1 The format, style and duration of the interviews are matters for the Headteacher to decide in consultation with any governors involved in the process but the following will be adhered to:

### **6.1.1 Briefing:**

All candidates will be given relevant information about the school to enable the candidate to make further enquiries about the suitability of the advertised job.

### **6.1.2 The formal interview:**

Before the interviews the selection panel will agree on the interview format. The questions asked will be aimed at obtaining evidence of how each candidate meets the requirement of the job description and the person specification and each candidate will be assessed against all of the criteria for the post. The same areas of questioning will be covered for each applicant and no questions which would discriminate directly or indirectly on protected characteristics under the Equality Act 2010 will be asked. The selection process for every post, will include exploration of the candidate's understanding of child safeguarding issues. The interview will also include a discussion of any convictions, cautions or pending prosecutions, other than those protected, that the candidate has declared and are relevant to the prospective employment.

6.2 The recruitment documentation will be retained for six months from the date of interview. Under the Data Protection Act 1998, applicants have the right to request access to notes written about them during the recruitment process. After 6 months all information about unsuccessful candidates will be securely destroyed.

## **7. Offer of Employment by the Selection Panel**

7.1 The offer of employment by the selection panel and acceptance by the candidate is binding on both parties subject to verification of right to work in the UK, qualifications requirements, satisfactory DBS Enhanced Disclosure, teacher prohibition and barred list checks, pre-employment medical screening and satisfactory references. The successful candidate will be informed, normally by offer letter, that the appointment is subject to satisfactory completion of these checks.

## **8. The Right to Work in the UK**

There are laws in place to ensure that only those entitled to live and work in the United Kingdom are offered employment. It is a criminal offence for employers to employ someone whose immigration status prevents them from working in the UK.

A potential employee will be asked to provide information in accordance with Appendix 1.

The school will check and copy the relevant pages of the documentation and retain the information on the personal file.

All job applicants will be treated in the same way and will be required to produce the relevant documentation before any job offer is confirmed. Failure to produce the relevant documentation will result in the job offer being withdrawn.

### **European Economic Area**

Nationals from European Economic Area countries can enter and work in the UK without any restrictions, just like British Citizens. The same is also the case for their immediate family members. The relevant documents will be checked as above.

### **Personnel file and Single Central Record**

9.1 Recruitment and selection information for the successful candidate will be retained securely and confidentially for the duration of his/her employment with the school including:

- application form – signed by the applicant
- interview notes – including explanation of any gaps in the employment history
- references – minimum of 2
- proof of identity
- proof of right to work in the UK
- proof of relevant academic qualifications
- evidence of medical clearance from the Occupational Health service
- evidence of DBS clearance, Barred List and Teacher Prohibition checks
- offer of employment letter and signed contract of employment

9.2 The school will maintain a Single Central Record of employment checks in accordance with [Keeping Children Safe in Education](#).

## **10. Start of Employment and Induction**

10.1 The pre-employment checks listed in paragraph 9.1 above must be completed before the employee starts work. Exceptions will only be made in circumstances where a risk assessment has been undertaken. Exceptions will never be made in the case of the Barred List and Teacher Prohibition checks.

10.2 All new employees will be provided with an induction programme which will cover all relevant matters of school policy but in particular safeguarding and promoting the welfare of children.

**Appendix 1 – Right to Work Checks (Details of right to work recorded in Jan 2019 and were taken from the BCC Safer Recruitment Policy)**

**Lists of acceptable documents for right to work checks**

List A

A passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK.

A passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.

A Registration Certificate or Document Certifying Permanent Residence issued by the Home Office to a national of a European Economic Area country or Switzerland.

A Permanent Residence Card issued by the Home Office to the family member of a national a European Economic Area country or Switzerland.

A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.

A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.

A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland, **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

A certificate of registration or naturalisation as a British citizen, **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

List B

**Group 1 – Documents where a time-limited statutory excuse right to work exists.**

**It is the school's responsibility to check the expiry date and employment must not exceed this.**

A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to do the type of work in question.

A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to do the work in question

A **current** Residence Card (including an Accession Residence Card or a Derivative Residence Card) issued by the Home Office to a non-European Economic Area national who is a family member of a national of a European Economic Area country or Switzerland or who has a derivative right of residence

A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with a valid endorsement indicating that the named person may stay in the UK, and is allowed to do the type of work in question, **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

### **Group 2 – Documents where a time-limited statutory excuse (right to work) lasts for 6 months**

A Certificate of Application issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a family member of a national of a European Economic Area country or Switzerland stating that the holder is permitted to take employment, which is **less than 6 months old together with a Positive Verification Notice** from the Home Office Employer Checking Service.

An Application Registration Card issued by the Home Office stating that the holder is permitted to take the employment in question, **together with a Positive Verification Notice** from the Home Office Employer Checking Service.

A **Positive Verification Notice** issued by the Home Office Employer Checking Service to the employer or prospective employer, which indicates that the named person may stay in the UK and is permitted to do the work in question

### **Countries in the EU and EEA**

The European Union (EU) is an economic and political union of 28 countries. It operates an internal (or single) market which allows free movement of goods, capital, services and people between member states.

#### **EU countries**

The EU countries are:

Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the UK.

#### **The European Economic Area (EEA)**

The EEA includes EU countries and also Iceland, Liechtenstein and Norway. It allows them to be part of the EU's single market.

Switzerland is neither an EU nor EEA member but is part of the single market - this means Swiss nationals have the same rights to live and work in the UK as other EEA nationals.

There has been no change to the rights and status of EU nationals in the UK, and UK nationals in the EU, as a result of the referendum.

Employers Helpline 0845 010 6677

Employers Information - [www.ind.homeoffice.gov.uk](http://www.ind.homeoffice.gov.uk)