

Safer Recruitment & Selection Policy for Education Providers in Solihull

This policy sets out the terms reached by those participating in the Council's Consultation and Negotiation Framework. The only agreed modifications that can be made to it are to include the School name, and remove reference to Solihull MBC where applicable.

For School's (e.g. some Academies) not participating in the Council's Consultation and Negotiation Framework. The school must undertake negotiation and consultation with the relevant Trade Union/Staff Association Representatives before this policy is adopted by the School Governing Body. Advice is available from the HR provider on how to undertake this, if required.

This policy has been produced by SMBC human resources and SMBC education improvement service.

Safer Recruitment & Selection Policy

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This Safer Recruitment and Selection Policy provides a framework for schools to adopt and should be read in conjunction with the separate Safer Recruitment and Selection Guidance. The guidance documents are referenced throughout the policy.

1. Policy Statement

Solihull MBC and Hazel Oak School are Equal Opportunities employers. The purpose of the Safer Recruitment and Selection Policy is to ensure that the School selects the most suitable person for the job based on merit, regardless of gender, race, sexuality, marital status, pregnancy or maternity, disability, age or religious belief, and that the recruitment and selection process is carried out in a fair and consistent manner.

Solihull MBC and Hazel Oak School have a responsibility for and are committed to safeguarding and promoting the welfare of children, young people and vulnerable groups. All employees and volunteers are expected to share this commitment and to obtain the appropriate level of Disclosure and Barring Service check (DBS) and where relevant a childcare disqualification check.

2. Promoting Equality of Opportunity

Solihull MBC and Hazel Oak School are inclusive employers, who value the contributions of their employees and strive to be Employers of Choice. The population from which we recruit is constantly changing and diversifying, with people drawing their sense of identity from a range of sources. Being aware of this changing demography and the importance of identity for staff, customers and service users can make a real difference to competitiveness and our ability to deliver services.

At any point in the recruitment process SMBC or Hazel Oak School could be accused of discriminatory practice for which there is no limit on the damages payable, and our statutory equalities duties require us to go further than preventing discrimination in the recruitment and selection process. This includes the promotion of equality of opportunity, the fostering of good relations and positive attitudes amongst staff and tackling prejudice and promoting understanding. It is therefore good practice to take action to address instances of under-representation in our employee profile, for

instance by encouraging job applications from suitably qualified people who are members of under-represented communities, and being flexible in our requirements.

Mere compliance with legislation, though, is not enough. Emphasis must be placed on appreciating the benefits to the School's recruitment and selection approach that attracts the best talent from the widest possible pool.

The ACAS guide Equality and Discrimination: understanding the basics is a useful source of information – the following link will lead to this guide:

<http://www.acas.org.uk/index.aspx?articleid=3017>

3. The Purpose

This Safer Recruitment and Selection Policy provides a framework and best practice guide that will help to ensure that the School attracts, selects and retains the most suitable candidate for a post, using appropriate, fair, consistent and safe methods.

It is the responsibility of everyone involved in the recruitment and selection of employees to ensure that all applicants and potential applicants are treated fairly and that all decisions made within the process are objective and based on the requirements for the job and appropriate records are retained.

4. Responsibilities of Governors and School Leaders

All schools must appoint staff in accordance with employment law. Maintained schools must also follow the requirements set out in the School Staffing (England) Regulations and the Governing Body may delegate the responsibility for appointment to posts in line with this. Appointments in academies must be made in line with any relevant requirements set out in the Funding agreement.

Governors should ensure that safer recruitment procedures are also compliant with Keeping Children Safe in Education (KCSIE, September, 2016) and Inspecting Safeguarding in Early Years, Education and Skills (August, 2016):

– <https://www.gov.uk/government/publications/inspecting-safeguarding-in-early-years-education-and-skills-from-september-2015>

- Inspecting arrangements for staff recruitment and vetting (Ofsted 2016, p. 12-13)
- Safeguarding requirements for leaders and managers (Ofsted 2016, Annex 1, p. 19-21)
- Keeping Children Safe in Education September 2016 (Part three)
We advise that the Headteacher and chair of governors audit your procedures including:
 - Monthly checks of the school single central record to ensure it is up to date and appropriately maintained (including addition of any newly appointed staff). Ensure a signed record of these checks is maintained. (Guidance document 15.)
 - Decision making processes and risk assessments
 - Regularly audit procedures for recruiting new staff using the safer recruitment checklist (Guidance document 2).
 - Vetting of visitors, and auditing of the visitor book to check out the robustness of the process

4.1 Key Principles

- All recruitment should be planned in advance identifying who should be involved, allocating roles and responsibilities and agreeing the timescales.
- All vacancies must be advertised (see Section 7.4) unless there are exceptional reasons not to do so.
- All jobs must have an up to date and appropriate job description and person specification. (See Section 7.2.)
- All new unevaluated non-teaching posts must be subject to job evaluation prior to advertising.
- Wherever possible, vacancies should be included on the Council's 'First Consideration' list before advertising (See Section 7.4).

- Applicants on the 'First Consideration' list who apply for the post must be interviewed if they meet the essential criteria for the post. (See Section 7.4.)
- Applicants with a disability who meet all of the essential criteria for a post must be offered an interview.
- Prior to making a formal offer of appointment, **a minimum of two references must** be taken (standard proformas in Guidance document 11). In order to save time this may be done verbally in the first instance but written confirmation will be required. One of the referees should be the applicant's current or last manager. Where an applicant has previously worked in a school, one of the referees should be the school's Headteacher. (See Section 7.8.) As part of the appointment process for Headteacher and teachers the governing body should ask previous employers for details about whether the individual has been subject to capability procedures in the previous two years.
- All offers should be made 'subject to all pre-employment checks'. (See pre-appointment checklist guidance document 3.) Original certificates for the qualifications listed in the Person Specification as essential, and proof of identity and eligibility to work in the UK must be checked on the day of interview. (See Section 7.7, 7.8).
- All interviews and short-listing must be carried out by at least two people. Since 1 September 2014 one member of a recruitment panel (ideally the Chair) must have undertaken safer recruitment training. The trained panel member must brief any panel members on the safer recruitment process and the expectations upon everyone involved. (See Section 7.7.) All members of the group should be familiar with part three of KCSIE (2016) and the safer recruitment policy.
- Comprehensive written interview notes and the results from any other form of selection exercise must be kept on file for six months, at the end of which the information should be securely destroyed.
- For the successful applicant, interview notes and selection exercise results should be retained on their personnel file indefinitely.

- Documentation relating to applicants must be treated confidentially at all times and handled in line with Data Protection legislation (Data Protection Act 1998).

5. Responsibilities

Head Teachers have a responsibility to:

- when a vacancy occurs, assess the continuing need for the post in its current form
- review and, where appropriate, revise the job description and person specification ensuring the post is re-evaluated if significant changes are made
- approve the advertisement and its placement, having given due consideration to the Council's 'First Consideration' list (7.4)
- determine the appropriate level of pay for new starters
- ensure that all pre-appointment checks are made (Guidance document 3)
- ensure that new starters receive an appropriate induction
- ensure that the details of all new starters are logged on the school's Single Central Record (guidance document 16), and that all necessary information is communicated to the HR Shared Services Team.

The Chair of the recruiting panel has a responsibility to:

- ensure all panel members are aware of their responsibilities in the recruitment and selection process
- ensure the recruitment and selection guidelines are adhered to at all times
- ensure the process from short-listing to assessment, is carried out in a fair and consistent manner and is free from bias
- ensure the original certificates for relevant qualifications are checked, photocopied and certified (certifying your copy as being a true copy of the original)
- ensure that documents providing proof of identity and eligibility to work are checked, photocopied and certified

School's HR Advisors and the Shared Service Teams have a responsibility to:

- provide advice and guidance to Head teachers, managers and employees,

to ensure that the Recruitment and Selection Policy is followed correctly

- evaluate or re-evaluate the banding of posts as appropriate
- facilitate enhanced DBS checks with barred list checks as appropriate and childcare disqualification checks as instructed by the school
- issue a letter of appointment and statement of particulars (contract) as instructed by the school
- advise payroll of any new starters.

6. Scope

This policy covers all school vacancies (whether permanent, temporary or fixed term).

7. Recruitment & Selection Code of Practice

7.1 Vacancies

Existing Posts

Prior to commencing the recruitment process it is prudent to look at other alternatives. Often, particularly when an employee leaves after being in a post for a length of time, the requirements for that role have changed and it is therefore always worth considering the following:

Can the work be absorbed by the existing employees?

Does the job need to be redesigned to incorporate changes?

Does the post still require the same number of hours?

Are there other options for filling the vacancy, for example, an apprenticeship?

In addition, there may be some uncertainty about the future, for example an impending re-structure. In such circumstances it may be worth considering filling the post on a temporary supply basis, or fixed term contract (See Fixed Term Contract Guidelines) or perhaps offering it as a secondment whilst other options are explored. The School may wish to consider having a bank of supply staff that they can call upon in such circumstances. For further guidance speak to your HR provider.

7.2 Job Descriptions and Person Specifications

Every position will have a job description and person specification. Each time a position becomes vacant the job description and person specification should be reviewed to ensure that they are still accurate. If the revision is, however, more than a minor change the job evaluation may have to be reviewed to ensure it is still appropriate.

Job Description (Guidance document 4)

This document sets out the key tasks, duties and level of responsibilities for a post. It is essential that it realistically reflects the job role and should contain the following:

- Job Title/Post Number
- Reporting line
- Grade/Salary Band
- Location
- Overall job purpose
- Key tasks and duties
- Key responsibilities (staff, budgets, resources etc.)
- Any special circumstances attached to the job (for example shift work or a requirement to attend inset days or staff meetings, DBS checks, pre-appointment checks etc)
- The individual's responsibilities for promoting and safeguarding the welfare of children and young people, health and safety, data protection, promoting equality and personal development.

Be wary of making job descriptions too prescriptive as this may lead to inflexibility. It is always useful to add a caveat at the end of a job description saying that all jobs are subject to change. Any change though would have to be commensurate with the salary grade, work area and requirements of the person specification. The job description should also contain a safeguarding statement.

Person Specification (Guidance document 5)

This document sets out the attributes needed to be able to effectively perform the job. It forms the basis for the selection process, and all job applicants will be measured against the criteria set out in it. It is therefore essential that it is fit for purpose as it cannot be changed during the recruitment process. The person specification should also contain a safeguarding statement.

It should include the following:

- **Qualifications** - Remember to add 'or equivalent' if other qualifications are considered to be at the same level. For example 5 GCSEs would be equivalent to 5 'O' Levels or NVQ level 2. Qualifications should only be included where it can be demonstrated that there is a genuine requirement. In some instances relevant experience may be more appropriate. Panel Members must ensure that they understand which qualifications constitute equivalents, including overseas qualifications. (See Guidance document 13 for qualifications evidence.)
- **Experience** - Avoid statements such as '4 years experience as a Teaching Assistant' as this could be discriminatory under the Equality Act 2010. It would be more appropriate (and easier to shortlist) if the criteria were broken down into actual tasks. For example 'Experience of preparing, planning, delivering and evaluating lessons and work plans under the guidance of a teacher', 'Experience of working with children with specific educational needs'.
- **Knowledge** - Remember knowledge is different to experience. An applicant may have knowledge of an issue but no experience of dealing with it.
- **Skills/Abilities** - Avoid being too generic with skills and abilities. For example 'communication skills' – consider who the candidates would be communicating with, and what type of communication it will be, written or spoken etc. Specific skills and abilities relating to safeguarding and the welfare of children, young people and vulnerable adults should be included if appropriate.
- **Core Behaviours** - For non-teaching staff it is recommended that the person specification includes the Council/School's Core Behaviours.

- Other attributes - It is important to ensure that these are measurable and justifiable. For example criteria such as 'a good sense of humour' would be difficult to either measure or justify.

The criteria are divided into 'Essential' and 'Desirable'.

Essential

Essential criteria are those without which the applicant would not be able to do the job effectively i.e. the minimum requirements for the job. Applicants who do not meet the essential criteria **cannot** be short-listed or appointed. When setting essential criteria it is important not to be over prescriptive as this will reduce the potential pool of applicants unnecessarily.

Desirable

Desirable criteria are those which enable the applicants to perform the job more effectively. Setting desirable criteria can help with the short-listing process by reducing the number of candidates to take forward for the selection process.

All criteria, however, whether **essential** or **desirable** must be:

- Relevant - can the criterion be directly related to the requirements of the job?
- Measurable - when writing person specifications, how the requirements will be measured should be specified e.g. application form, interviews, tests etc. Identifying all criteria as being measurable from the application form will make shortlisting more time consuming. As a general rule, experience and qualifications are probably the most appropriate criteria to measure from an application form.
- Free from bias – do any criteria have a discriminatory effect or impact adversely on any particular group(s)?
- Specific - e.g. “good educational background” – what is considered to be good? An alternative could be “educated to degree level’ although this would need to be justifiable.

7.3 Planning

Before commencing advertising, it is important to plan the recruitment and selection process. This will include deciding on who will be involved in the process and who will be the chair of the recruitment panel. One member of the panel must have undertaken safer recruitment training. Consideration also needs to be given to timescales. Dates should be set and rooms booked for key activities such as shortlisting, testing, interviewing etc. It is important that timescales are realistic and achievable. HR are able to provide advice on planning the recruitment process.

The recruitment and selection flowchart in Guidance document 1 and the Safer Recruitment Checklist in Guidance document 2 can be used to assist planning along with the pre-appointment checklist in Guidance document 3.

7.4 Advertising

The aim of advertising is to attract the right applicants for the job, and to promote the Council and School as Employers of Choice. Solihull MBC recommends that all vacancies are advertised on the West Midlands Job Portal (WM Jobs).

Recruitment advertising can be very expensive and care should be taken to ensure that advertisements are placed where they are likely to attract the most suitable applicants at the least cost. Consideration needs to be given to the target market, for instance, how senior the post is, how many applicants there are likely to be.

First Consideration

The 'First Consideration' list operates within the Council and enables employees who are at risk of redundancy or unable to perform their current role due to ill health the opportunity to apply for vacancies within the Council prior to wider circulation. Being on First Consideration gives the individual the right to be short-listed for a vacancy where they possess the essential requirements for the post (as set out on the Person Specification).

Solihull MBC requests that schools place their vacancies on the Council's 'First Consideration' list prior to advertising more widely, unless the Headteacher determines that it is not appropriate to do so. Advice should be sought from the Schools' HR Advisor in these circumstances.

Advertising Methods

- **Internal Recruitment** – Internal only recruitment can be considered where:

- (i) There is an overall reduction of employees within the School within the context of the management of change policy;
- (ii) The external market has been tested within the preceding six month period and the response generated was inadequate or inappropriate **and** an adequate internal market exists for competitive selection to take place.
- (iii) Significant resources have been invested in the professional and career development of potential internal candidates and an adequate internal market exists for competitive selection to take place.
- (iv) Filling a vacancy internally will create another vacancy which will then be advertised externally.

Please note under the Agency Workers Regulations, which came into effect from 1st October 2011, 'Internal Only' advertisements are open to employees and agency workers who are placed with the School during the period the vacancy is 'live'.

External Recruitment

Suggested methods include:

- **West Midlands Recruitment Portal**– Solihull MBC recommends that School's place all vacancies on the www.wmjobs.co.uk website, enabling candidates to apply online or to download an application form.
- **Internet** – In addition to the use of the School's own website, generic

recruitment websites and media websites linked to press advertising should also be considered. These are considerably cheaper than advertising in the press and the number of job seekers who use internet sites is increasing.

- **JobCentre Plus** - Solihull MBC recommends that schools forward their external vacancies to JobCentre Plus. Please seek further advice from your HR Advisor if necessary.
- **Local Newspapers and Local Radio** – should only be considered for jobs which are very difficult to fill. Radio is only suited to volume recruitment.
- **National Newspapers** – are suitable for managerial, professional or specialist vacancies where there is an expectation that applicants would be willing to relocate but consideration should be given to placing the advert on-line instead of the paper press.
- **Specialist and Professional Journals** – should be considered where a specific group of potential applicants need to be reached but as before using the website is a more cost effective option.
- **Colleges and Careers Services** – Often colleges have their own websites which allow vacancies to be placed free of charge.
- **Job Fairs/Open Days** - These provide an opportunity to meet with potential candidates. They provide a useful way of promoting the Council and School as an Employer of Choice.
- **Recruitment Agencies/Consultants/Executive Search (Head-hunters)** – These should only be used if normal recruitment has been unsuccessful. Or for very specialist roles where it is known that there are very few people available with the required knowledge and experience. Using Executive search is likely to be expensive charging a percentage of the starting salary.

Copy Writing

Guidance document 6 provides some sample adverts.

All recruitment advertisements must clearly state:

- The Safer Recruitment Policy statement as outlined in Section 1 of this policy.
- Project a positive image of the school and Solihull MBC, promoting them as Employers of Choice.
- Include sufficient information regarding the job, including the key essential criteria. This will enable applicants to assess their ability to do the job and make an informed decision as to whether to request further information or apply for the post.
- Contain all the appropriate logos, for example 'two ticks' to show that you encourage applications from disabled people and wording regarding equal opportunities and safeguarding children, young people and vulnerable adults. Note: The two tick scheme is a recognition given by Job Centre Plus to employers who have agreed to take action to meet five commitments regarding the employment, retention, training and career development of disabled employees.
- Avoid using jargon, acronyms or terminology which are not easily understood by the target population.
- Encourage on-line applications by referring potential applicants to the School website or the West Midlands Recruitment Portal for further information
- Reference the need for the successful applicant to undertake an enhanced disclosure via the Disclosure and Barring Service (7.8).

The DBS is responsible for administering three types of checks:

- **Standard:** a check of the Police National Computer (PNC) records of convictions, cautions, reprimands and warnings;
- **Enhanced:** a check of the PNC records as above, plus other information held by the police that is considered

relevant by the police; and

- **Enhanced, which will automatically include barred list information:** for people working in regulated activity with children. This adds checks of the DBS Children's Barred List to the enhanced check.

Regulated activity

The full legal definition of regulated activity is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012. HM Government have produced a factual note on Regulated Activity in relation to Children: scope. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/550197/Regulated_activity_in_relation_to_children.pdf

Regulated activity as defined in KCSIE (September 2016), p.24 includes:

- a) teaching, training, instructing, caring for (see (c) below) or supervising children if the person is unsupervised, or providing advice or guidance on well-being, or driving a vehicle only for children,
- b) work for a limited range of establishments (known as 'specified places', which include schools and colleges), with the opportunity for contact with children, but not including work done by supervised volunteers;

Work under (a) or (b) is regulated activity only if done regularly. Some activities are always regulated activities, regardless of their frequency or whether they are supervised or not. This includes:

- c) relevant personal care, or health care provided by or provided under the supervision of a health care professional:
 - personal care includes helping a child, for reasons of age, illness or disability, with eating or drinking, or in connection with toileting, washing, bathing and dressing;
 - health care means care for children provided by, or under the direction or supervision of, a regulated health care professional.

DBS Update Service

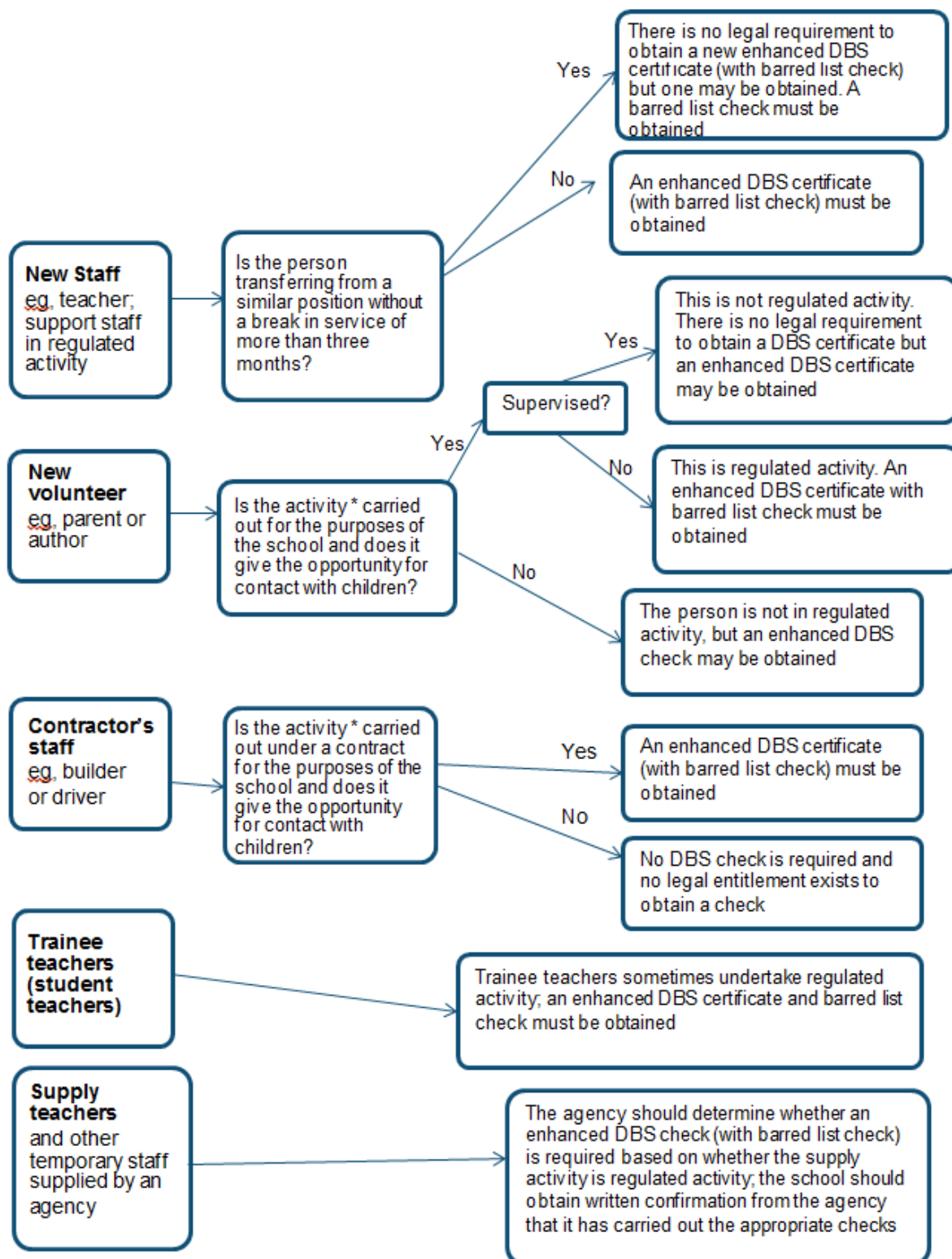
Individuals can join the DBS Update Service at the point an application for a new DBS check is made, enabling future status checks to be carried out to confirm that no new information has been added to the certificate since its issue. This allows for portability of a certificate across employers.

Before using the Update Service schools or colleges must:

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

The school or college can then subsequently carry out a free online check. This would identify whether there has been any change to the information recorded, since the initial certificate was issued and advise whether the individual should apply for a new certificate. Individuals will be able to see a full list of those organisations that have carried out a status check on their account. Further information about the update service can be found at <https://www.gov.uk/>

Flowchart of Disclosure and Barring Service criminal record checks and barred list checks from KCSIE (September 2016) pg 30



* Activities listed under the guidance's definition of regulated activity and which are carried out 'frequently'

Job Packs/Microsites

When advertising nationally or for a senior post, it is worth considering including other documentation as part of the recruitment pack in addition to the job description and person specification. This may include information regarding your school (including its locality and community), a school prospectus, the school's aims, objectives, ethos, educational philosophy. Other information may include; organisation of classes and staffing, governing body – governors latest annual report, parental partnerships, community links, location map and plan of school, Ofsted summary and action plan, performance results, school website address, school improvement/development plan, child protection policy and procedures. It may also include information about Solihull as an area, information relating to the council and the terms and conditions of employment. It also provides an opportunity to brand the organisation/school as an Employer of Choice for people from all communities.

7.5 Applications

Applications will only be accepted on Solihull MBC application forms (or a similar standard Form if SMBC is not the employer) unless not accepting a CV, is considered a potential breach of the Council's/School's duties under the Disability provisions in the Equality Act 2010 (please seek HR guidance in such situations). This would most likely relate to an applicant with a learning disability where a CV would be considered a reasonable adjustment.

Applications received after the closing date will not be accepted unless exceptional circumstances apply.

When a hard or electronic copy of an application form is returned to School, the Recruitment Monitoring Form containing details of applicant age, gender, ethnicity etc. should be removed. The data it contains should then be collated and stored securely on a database, by someone who will not be involved in the short-listing process. The data should be kept for six months and then securely destroyed.

It is important that monitoring information is collated and used to inform future recruitment and selection practices, to ensure that they are effective and offer equality of opportunity. Such monitoring information may be the subject of a

Freedom of Information Request, and is evidence of the School's compliance with the Public Sector Equality Duty. As such the School must be able to provide this information if requested.

7.6 Short-listing

Short-listing, particularly where there are a large number of candidates, is a time consuming process. As part of the recruitment planning process, time should always be set aside to enable it to be done properly.

It is essential that short-listing is carried out in a methodical and objective way. A record of the reasons for rejection must be kept for six months. This will enable the School to justify the decisions made if required.

Where the person short-listing identifies a potential conflict of interest (e.g. they know a job applicant personally) they should disclose this immediately to the chair of the panel (in case of chair seek advice from HR / School Advisor) and withdraw from the process and appoint an alternative person to make the selection.

Short-listing Guidelines

All applicants can request to see written evidence of the short-listing process. As such the following guidelines **must** be adhered to:

All applications should be checked to ensure that they are fully completed and that the information provided is consistent and does not contain any discrepancies.

Panel members should take a systematic approach to short-listing by assessing whether candidates meet the criteria. The Short-listing Matrix in Guidance document 7 is a useful tool that should be used.

Short-listing should be carried out by at least two people who will participate in the selection process. To ensure the process is objective, each person should shortlist independently and then come together as a panel to make the final decision.

All applicants must be assessed against the criteria on the person specification only, and not each other.

Applicants should only be assessed against the criteria that have been identified on the person specification as being measured from the application form.

Posts that involve working with children, vulnerable adults or are a position of trust are exempt from the provisions of the Rehabilitation of Offenders Act 1974 which means applicants must disclose details of unfiltered convictions including reprimands, formal warnings and cautions. Guidance and criteria on the filtering of convictions can be found on the Disclosure and Barring Service website. Any information given by applicants will be treated as confidential and will be considered only in relation to posts to which the order applies. This information cannot be used for short-listing purposes. If you require any further advice please contact your HR Advisor. Please also refer to the SMBC Disclosure Policy.

The shortlist should consist of those applicants who best meet the criteria set out in the person specification.

Selection criteria cannot be changed or new criteria introduced at this point in the process.

In the first instance, applications should be sifted into those that meet the essential criteria in the person specification. If this produces too many applications the desirable criteria should be used to further reduce the number. Desirable criteria should only be used to reduce large numbers of applicants who appear to meet the essential criteria.

Applicants who do not meet all the essential criteria must not be interviewed.

Applicants with a disability who meet all the essential criteria must be offered an interview.

Beware of making assumptions when reading application forms.

Short-listers are looking for evidence. An applicant stating that he/she meets all the criteria is not sufficient neither are statements such as 'I have good interpersonal skills'. Successful applicants must give specific examples to back up such statements.

Personal information such as age, gender, ethnic background, etc. should not,

in any circumstances, be taken into account when short-listing – this part of the application form should be removed prior to short-listing to prevent potential bias or accusations of bias.

As application forms contain personal information they should be treated as confidential and must be kept securely at all times.

Realistically the maximum number of candidates who can be interviewed in one day is six (working on a one hour interview). Assessment Centres would involve more complex timetables and numbers of assessors.

Letters must be sent by the school to the unsuccessful candidates as soon as possible.

7.7 Selection Procedure

Any selection process should be fair and transparent with the same process followed for all candidates. Under Equal Opportunity legislation (for which there is no limit on damages payable) the Authority/school is open to challenge at any point in the recruitment process and may be called upon to objectively defend any decisions made.

Recruitment is a two way process and therefore every effort should be made to ensure that candidates are well looked after and made to feel valued during the process. Consideration should be given to the administrative aspects of the day to ensure that the process runs smoothly. This will include booking suitable rooms, arranging refreshments and notifying reception of the names and times of arrival of candidates.

Research has shown that well-run selection processes, in particular assessment centres, give candidates a positive impression of an organisation.

Specific requirements for applicants who have disabilities

During any selection process reasonable adjustments may need to be made for people who have a disability. The letter inviting short-listed candidates to interview must ask them, whether as a result of a disability, they require any adjustments to be made to enable them to participate in the selection process. Please contact your HR Advisor if you require advice with regard to

reasonable adjustments.

Interviews

The most widely used method of selection is an interview and this must be a key component of any selection process. Guidance document 8 provides guidance on asking good questions. Guidance document 8a provides Competency Interview Questions to address suitable personal behaviours.

The letter inviting short-listed candidates to interview should inform them of what to expect on the day, for example timings, assessments, the names and roles of the people on the interview panel and the documentation they will need to bring with them to enable the Chair of the recruiting panel to conduct the relevant checks.

The skill of the interviewer is in ensuring that he/she extracts sufficient information from candidates to make an informed decision. The following guidelines will ensure that the interviewer gains the maximum amount of relevant information from candidates and the process is fair and robust:

- Encourage candidates to feel at ease during the interview by explaining the process.
- Each interview panel must be a minimum of two people including the line manager.
- It is advised that the panel should meet beforehand to agree the structure and content of the interview.
- The interview panel should consist of individuals whose presence on the panel can be justified and who have a clear role to play in the selection process. With the exception of 'experts', panel members must be at least of an equivalent grade to the post being interviewed for.
- All interviews should consist of a standard set of interview questions based on the criteria set out in the person specification. (For an explanation of different types of questions and competency based interviews see Guidance document 8 and 8a).

- Any gaps or discrepancies in applications must be explored at interview, and an appropriate question/s with regard to safeguarding must be asked.
- Whilst all candidates should be asked the same standard questions, probing or follow up questions may be asked to ensure that the interviewer gains sufficient information on which to base a decision. The purpose of the interview is to measure a candidate's ability to do the job not his/her interview skills. It is important, however, when asking follow up questions that you do not 'lead' the candidate. Interview notes should include details of follow-up/probing questions in case of complaint.
- In some instances it may be necessary to ask additional questions to clarify information or gaps on the application form. If the selection process involves a presentation, personality profile or testing there may also be questions which arise from this. Interview notes should include details of any clarification/additional questions.
- Questions regarding a candidate's personal circumstances should not be asked under any circumstances.
- If there are any special conditions, such as working unsociable hours or standby arrangements, the candidate should be made aware of this requirement. For site staff in particular this should be explicit.
- If interviews are to be scored the mechanism for this should be agreed prior to the interview. To ensure consistency, interviewers will need a good idea of what a model answer would look like and set the scoring around this. (See example of interview scoring matrix in Guidance document 10.)
- Sufficient time should be allowed at the end of the interview for candidates to ask questions. Candidates' questions do not form part of the assessment process unless the chair records that there are specific reasons for doing so, such as casting doubt on previous answers provided.
- Candidates must be assessed against the criteria in the person specification not each other.

- As part of the interview process candidates must be asked to bring in the original copies of their qualifications. These must be checked, photocopies taken, certified as a true copy and kept on file for the successful candidate. It is essential for the single central record maintenance purposes that this check is undertaken for teachers.
- Candidates must also be asked to bring documentation which provides proof of their identity and eligibility to work in the UK.
<https://www.gov.uk/legal-right-work-uk;>
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/536953/An_Employer_s_guide_to_right_to_work_checks_-_July_16.pdf
 These must be checked, photocopies taken, certified as a true copy and kept on file for the successful candidate.
- Copies of the above documents which are not required must be securely destroyed immediately following confirmation of the selection decision.
- Comprehensive notes should be taken during the interview. After the decision as to who should be appointed has been made, the interview notes must be retained for six months. Care should be taken not to make personal comments about candidates or doodle on the notes as, if the decision is challenged, the notes will be evidence and candidates will have the right to see them.
- Interview feedback to candidates should be provided on request and be both factual and constructive. Candidates can insist on feedback in writing.

Testing

Well planned tests or assessment centres can assist greatly with the selection process by giving a more rounded picture of a candidate. As a general rule the more senior the post, the more comprehensive the assessment process should be.

The purpose of testing is to replicate as far as possible the key aspects of situations that individuals are likely to encounter in the role they are being considered for. It is important that tests are chosen carefully to ensure that

they are at an appropriate level and are measuring the skills needed for that particular post. For example, a presentation should only be used as part of the assessment process if the person will be expected to present on a regular basis as part of the role.

On occasions managers may wish to design their own tests. Any tests designed in-house should be checked by your HR provider before use to ensure that they are measuring the competency in a reliable and fair manner and are free from bias. This is particularly important when there is a mix of internal and external candidates.

If tests are being used the interview letter should contain information regarding the test and where appropriate (for instance with purchased tests) practice leaflets enclosed.

When carrying out a selection process, good practice dictates that feedback is offered to all candidates. In the instance of psychometric testing, feedback can only be given by an appropriately qualified person.

Prior to the assessment centre the weighting given to tests as a part of the whole selection process should be determined. Please note psychometric ability tests carry a pass mark and in order to be appointed to the post a candidate must attain this as a minimum. For more information please contact your HR Advisor.

Details of assessment tools can be found in Guidance document 9.

Choosing tests

Before using any test, the following need to be considered:

- Is the test relevant for the role and linked to person specification?
- Will the test give a reliable measure of how an individual would perform in the role?
- Does the test measure what it purports to measure?
- What weight will be given to the test results in the selection process?
- How will feedback be given to the candidates?

Other Considerations

With selection processes and particularly assessment centres planning is key. The following should therefore be considered well before the event:

Location

The location of the assessment centre is important. If exercises are being run concurrently several rooms will be needed. Remember a candidate's opinion of the school will be formed during the day; any rooms used should therefore be fit for purpose.

Timing

It is essential that the timetable is adhered to. Additional time may also be needed for candidates to move between rooms. Where appropriate, breaks will need to be timetabled in for both the panel and candidates.

Equipment

If a presentation is planned as part of the selection process, the panel will need to ensure suitable equipment is available e.g. multimedia projectors, laptops, screen, appropriate software etc.

Assessors/Observers

If the centre consists of either psychometric tests or other exercises, appropriately trained/qualified staff will be required to administer, assess or observe the exercises. HR are able to provide advice.

Lesson observations should only be undertaken by appropriately trained staff and are commonly used as part of the selection process for teachers, instructors and cover supervisors.

Solihull MBC advises schools against observing candidates in external settings, in circumstances where consistency of experience cannot be achieved (for example observing candidates in the different schools where they currently teach).

Making the Final Selection

The final decision must be based on the evidence gained during the assessment process, using this to measure each candidate against the criteria in the person specification. An interview and activity scoring matrix is provided in Guidance document 10.

If the selection panel consider that none of the candidates meet the required standard for the post then no appointment should be made.

7.8 Pre-employment Checks

Employment History and References, Enhanced DBS check, Barred List Check, Childcare Disqualification Check and medical clearance

In line with pre-appointment checks set out in *Keeping Children Safe in Education September 2016*, the appropriate checks in relation to the role recruited to must be made. Checks include as an absolute minimum:

- Two satisfactory references (see Guidance for Providing and Requesting Employment References)
<https://extranet.solgrid.org.uk/management/staffing/smbcschoolshr/HRDocuments/SMBCHRSGuidanceGiving-ObtainingReferencesV01.pdf>
- An identify check
- A check to establish the person's right to work in the UK
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/426964/an_employers_guide_to_right_to_work_checks_may_2015_final.pdf
- Obtain a certificate for an enhanced DBS check which will include barred list information for those who will be engaging in regulated activity
<https://www.gov.uk/government/organisations/disclosure-and-barring-service>
SMBC DBS disclosure policy

- Obtain a separate barred list check if an individual will start work in regulated activity before the DBS certificate is available
(<https://www.gov.uk/disclosure-barring-service-check/dbs-barred-lists>)
- A prohibition from teaching check including checking teachers from EEA countries after 18/1/16 (<https://www.gov.uk/teacher-status-checks-information-for-employers>)
- A Section 128 direction, a barred list check for employees appointed to a Management Post in an Academy, Free Trust School or an Independent School.
- Childcare disqualification by association check (HR supplementary guidance on childcare disqualification and DfE February 2015)
<https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006>
- Medical clearance
- Further checks on individuals who have lived or worked outside the UK
Criminal record checks for overseas applicants (police checks)
(<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants> and
Employing overseas trained teachers
<https://www.gov.uk/government/publications/employing-overseas-trained-teachers-from-outside-the-eea>)
- A check of professional qualifications (Guidance document 13)

A pre-appointment checklist is provided in Guidance document 3.

The Chair of the recruitment panel should ensure that all pre-appointment checks are carried out and details are entered onto the school's Single Central Record. See also Keeping Children Safe in Education 2016 page 31, paragraphs 112 and 113 and model single central record and guidance in

Safer Recruitment Guidance document 15. The single central record demonstrates that as a school you have carried out mandatory pre-appointment checks on staff. A template is provided in Guidance document 16.

References

Ideally references should be obtained prior to interview. It should be noted, however, that unless references are received for all candidates before the interview, they cannot be taken into account at this stage when making the decision who to appoint. Before making a job offer, a minimum of two references for the successful candidate must be obtained and verified by contacting the referees.

These should be scrutinised and any concerns resolved before making the offer. To speed up the process this can be done verbally initially but should always be followed up by written references using the Council's reference pro forma (see Guidance document 11a and b).

References have two functions. Firstly, they are used to confirm the accuracy of data provided by the candidate such as dates of employment, position held etc. Secondly, references provide additional data regarding the candidate such as time-keeping, disciplinary history, quality of work etc. Although some of this data is factual, some is based on opinion and as such it should be approached with caution and used only to confirm information already gathered through the assessment process.

Of the two referees, one should be the candidate's current employer (or last employer if not currently employed). If a candidate has not given his/her current employer as a referee the reasons behind this should be explored at interview.

Pre-prepared references produced by the candidate are not acceptable. Nor are references which do not answer the specific questions asked by the reference pro forma in Guidance document 11.

Questions should not be asked regarding sickness absence history either on references or at interview.

Personal references will only be acceptable where the candidate has not had any work experience and should clearly state the relationship of the referee to the candidate. Personal references are not acceptable from relatives, friends or the partner of the candidate. Personal referees should be someone of professional standing in the community. Please contact your HR Advisor to seek advice. Please also refer to Guidance for Providing and Requesting Employment references.

References should also be obtained and seen for agency staff and supply staff.

Appointment Process

Once satisfactory references have been obtained, schools can make a verbal offer to the candidate. The offer must be conditional and subject to a satisfactory and appropriate level of DBS check including barred list check, where appropriate, childcare disqualification check and medical clearance. Medical clearance is to verify the candidate's mental and physical fitness to carry out their work responsibilities in line with KCSIE (September 2016) paragraph.102, Education (Health Standards) (England) Regulations 2003 and fitness to teach circular.

For non-teaching staff, the salary offered should usually start from the bottom point of the salary grade. In situations, however, where the individual recruited has knowledge, skills and experience that warrants a higher salary, consideration will need to be given to the salary of other employees who have the same skills sets (knowledge, experience, qualifications etc.) Furthermore, to avoid claims of discrimination or practices that could create inequality, the justification for paying a higher salary (in quantifiable terms) should be recorded on the appointment form. This could include evidence that demonstrates the appointee meets part or all of the desirable criteria.

For teaching staff, the salary offered should be compliant with the provisions set out in the School Teachers' Pay and Conditions Document and in line with the School's Pay Policy. Please contact your HR Advisor for advice if you are unsure as to the appropriate salary to offer.

Offer Letters and checks

Schools will notify the Shared Service of the new starter details, forward on the completed personal details booklet and ensure that the new starter completes a medical questionnaire.

Occupational Health will confirm to the HR team whether the individual is fit for work when in receipt of the completed medical questionnaire. On occasions, Occupational Health may require the potential employee to attend an appointment. New starters should not begin employment until medical clearance has been received.

The Asylum and Immigration Act 1996 requires all employers in the UK to make basic document checks on every person they intend to employ. Making these checks protects the Council/school from employing illegal workers. Managers are therefore required to see certain documents to ensure that the potential employee can legally work in the UK. <https://www.gov.uk/legal-right-work-uk> . The school will be liable for any failure to complete accurate checks.

Schools are required to examine the original documents, take a photocopy, sign, date and write 'original seen' on the photocopy, and forward it to the HR Team. This must be done before the potential employee starts work.

For staff working in regulated activity, an enhanced DBS check with barred list check is required. Potential school employees should not commence work until the appropriate level of DBS clearance and childcare disqualification check (where appropriate) have been received. A childcare disqualification check is also required where the post involves management of any early years or childcare provision for children aged birth to 8. Satisfactory clearance must be in place prior to starting employment.

In circumstances where a Headteacher/Governing Body determines that they are unable to wait for enhanced DBS clearance, **as an absolute minimum**, the potential employee must receive a barred list check while awaiting the enhanced DBS clearance and be working under the supervision of an employee with an enhanced DBS check with barred list check at all times, if they are to commence work prior to confirmation of their own enhanced DBS clearance being received. In such circumstances a risk assessment will be

undertaken (Disclosures policy, Appendix 5) and the above measures put in place to minimise risk. This must be kept under review until the DBS check is received.

In circumstances where a new member of staff is transferring from a similar position within SMBC without a break in service of more than three months, where Solihull MBC HR Services have carried out their employment checks there is no legal requirement to obtain a new enhanced DBS (with barred list check) but one may be obtained. A barred list check must be obtained. All other checks must be carried out by the new employer. (See Guidance document 3.)

Since December 2013 only one copy of the DBS certificate has been issued, and this is sent to the applicant. When undergoing any recruitment process it is important that your successful applicant is asked to bring into school the original copy of their DBS form when they receive it and the school views the data and where there is a positive disclosure, completes the Positive DBS Disclosure Risk Assessment decision form. (Guidance document 12) If any content is included that causes concern you should contact the HR Advisor supporting your school to discuss further. Once this has been undertaken the document should be retained in school and a copy forwarded to Shared Services for the central personnel file. Please refer to SMBC Disclosure Policy.

Guidance on the DBS Disclosure risk assessment decision form (2013) is in Guidance document 12, along with a DBS status check process flow

In the case of volunteers, schools should record all the required information on their Single Central Record and the DBS disclosure decision form should be retained locally and will not be required to be forwarded to HR Shared Services as the information will only be saved by the school.

If a new appointee is to occupy a management post in an independent school, academy or free school as an employee, is to be a trustee of an academy or free school trust, or is to be a governor or member of a proprietor body for an independent school, a check of whether the individual has been subject to a section 128 direction, which prohibits or restricts a person from taking part in

the management of an independent school needs to be undertaken. This can be done through the DBS barred list checking process which now includes bars from taking part in management, except when the individual is not in regulated activity, in which case the NCTL prohibitions list must be used instead (this list is obtained from the Employer Access website by direct download, not through the search function). (KCSIE, September 2016, page 26). Please notify your HR payroll/shared services team where you require this check to be undertaken.

For applicants who have lived or worked outside of the UK for six months or more in the last 5 years, in addition to a DBS check, a criminal record check or 'Certificate of Good Conduct' should be sought from the country/counties resided in.

Teacher Services can be used to find out if potential **new staff** have any current prohibitions, restrictions or sanctions using the following lists:

- teachers who have failed to successfully complete their induction or probation period
- teachers who are the subject of a suspension or conditional order imposed by the General Teaching Council for England (prior to its abolition)
- teachers and others who are prohibited from teaching in England
- individuals who have been barred from taking part in the management of an independent school (including academies and free schools) – section 128 direction
- teachers sanctioned (since 18 January 2016) in other EEA member states by an EEA member state regulator of the teaching profession

Arranging a Start Date

HR will notify schools when the necessary clearances have been obtained. The school can then contact the candidate and agree a start date. The school must advise Shared Services of the agreed start date.

Contracts

Once the start date has been agreed, HR will issue an offer letter to the successful candidate, written statement of particulars if part of the arrangements with the school, and information on the Teachers Pension Scheme or Local Government Pension.

Induction and New Starter Administration

A well-planned induction to the school is essential if a new employee is to become productive and effective as early as possible. Each new employee's induction programme should start from day one, with the learning process continuing over the following weeks and months. As part of the induction there should be a strong emphasis with appropriate training/briefings on safeguarding, the school and Council's Code of Conduct and where all policies/procedures can be found within the school. Such policies are clearly outlined in the Induction Programme Checklist (Guidance document 14).

For advice in relation to this please contact your HR Advisor.

Day One Administration

On the employee's first day, managers should check/action the following:

- New starter has returned a signed copy of their contract and personal information booklet to HR.
- Work through your school induction pack with the employee.
- Explain the probationary period (if appropriate).

Probationary Period – Non teaching staff only

For employees new to local government the first six months of their employment is probationary. It is essential that the probationary review period guidelines are followed. The Probation procedure can be accessed on the School's HR Website.

Probationary Period – Teaching Staff

This is the NQT year for teachers. Please see Solihull Protocol and Guidance for Schools on Newly Qualified Teachers (NQT) Induction Period

<https://extranet.solgrid.org.uk/management/staffing/smbcschoolshr/HRDocuments/Forms/DispForm.aspx?ID=539>

Additional useful information:

- Agency and third party staff – Keeping Children Safe in Education (2016), page 33, paragraph 116
- Trainee / student teachers – Keeping Children Safe in Education (2016), page 34, paragraphs 117 and 118
- Existing staff - Keeping Children Safe in Education (2016), page 34, paragraphs 119, 120, 121
- Volunteers - Keeping Children Safe in Education (2016), page 35, paragraphs 122, 123, 124, 125, 126, 127
- Maintained school governors – Keeping Children Safe in Education (2016), page 36, paragraph 128
- Other schools and sixth form college governors - Keeping Children Safe in Education (2016), page 36, paragraph 129
- Proprietors of independent schools including academies and free schools or alternative provision academies and free schools – Keeping Children Safe in Education (2016), page 36, paragraph 130
- Contractors - Keeping Children Safe in Education (2016), page 37, paragraphs 134, 135, 136, 137
- Visitors - Keeping Children Safe in Education (2016), page 38, paragraph 138
- Adults who supervise children on work experience – Keeping Children Safe in Education (2016) page 38, paragraph 139, 140, 141, 142, 143
- Children staying with host families - Keeping Children Safe in Education (2016), page 39, paragraph 144
- Guidance on DBS update service - Keeping Children Safe in Education (2016), page 28, paragraph 107
- Draft: Staffing and employment advice for schools, 2015 Department for Education
[https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/484468/Draft -
_Staffing_and_employment_advice_for_schools.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/484468/Draft_-_Staffing_and_employment_advice_for_schools.pdf)
- School Staffing Regulations 2009,
<http://www.legislation.gov.uk/uksi/2009/2680/contents/made>
- Guidance for safer working practice for those working with children and young people in education settings, CAPE, October 2015