

Recruitment and Selection Policy



1 Introduction

The school recognises that effective recruitment and selection practices are fundamental to its future success and that good selection can lead to higher morale, lower turnover of staff and lower rates of absenteeism. We recognise the need to recruit from the widest possible talent pool and ensure that we identify the best person for the job in the most time and cost-efficient way, without compromising fairness, confidentiality or commitment to having a diverse workforce.

All appointments will be made in accordance with this policy and are therefore subject to the approval, advertisement, shortlisting, interview and employment checks described in this policy. Certain positions may include additional or alternative approaches regarding recruitment and selection, and these should be considered where appropriate e.g. Headteachers.

All schools should ensure that they comply with the DfE Keeping Children Safe in Education statutory guidance for schools and have regard to it when carrying out their duties to safeguard and promote the welfare of children. This means that they should comply with it in matters of recruitment, selection and pre-vetting unless exceptional circumstances arise.

The school are an inclusive employer and are committed to recruiting individuals in a fair and non-discriminatory way. The policy has been developed in line with the Equality Act 2010, which provides a legal framework to protect the rights of individuals and advance equality of opportunity for all. It requires employers to treat people fairly and protects those with protected characteristics which include age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The school also recognise the need to embed our core values across the workforce. Our values are at the heart of everything we do and it is important that recruiting Head Teachers incorporate the school's desired values and behaviours when undertaking recruitment and selection activities.

For information about employing volunteers, apprentices or agency workers, please see the relevant policies on the Extranet.

2 Responsibilities

In maintained schools, the Governing Body is responsible for deciding who is appointed to a post, their hours of work, the duration of the contract and within certain parameters, including the local collective agreement, their grading and level of pay. Under the School Staffing (England) Regulations 2009, Governing Bodies may delegate all appointments (other than the Headteachers and Deputy Headteachers) to:

- the Headteacher;
- one or more Governors or;
- one or more Governors acting together with the Headteacher.

Where the Governing Body has made any delegation to one or more governors and the function being delegated does not directly concern the Headteacher, the Headteacher may attend and offer

advice at all relevant proceedings; and the governor or governors to whom the delegation has been made must consider any such advice.

The Lead Officer for recruitment is the person(s) a nominated person who has the delegated powers for appointments within the school. All employees involved in the appointment process should have a good understanding of this policy.

3 Recruitment process

3.1 Safer recruitment practice

The school is committed to safeguarding and promoting the welfare of children and young people and expects all employees and volunteers to share this commitment.

The School's Recruitment and Selection Policy complies with national and local guidance on key safeguarding employment standards and safer recruitment practice.

The School Staffing (England) Regulations (2009) state that the Governing Body must ensure that at least one member of a recruitment panel or group should have completed safer recruitment training, as approved by the Secretary of State. In addition, the Safeguarding Children and Safer Recruitment in Education Documents advises refresher training to ensure that knowledge and skills are kept up to date.

It is recommended that the Governing Body involve the person who has undergone the safer recruitment training at all stages in the recruitment process. The Durham Safeguarding Children Partnership (DSCP) delivers safer workforce training. Further details can be obtained by contacting the DSCP directly through their website <http://www.durham-scp.org.uk/> or telephone 03000 265 770.

3.2 Identifying a vacancy

A vacancy may arise for many different reasons, including someone leaving or retiring, an increase in workload or the creation of a post as a result of additional funding. All vacant posts will be reviewed and consideration given as to whether the post needs to be filled on a like for like basis. The Headteacher any feedback received through the exit process. See Exit Guidance on the extranet.

The Headteacher will consider whether the post is still required, whether changes are required to the hours or job description and person specification (for support roles) to make it fit for purpose or whether the post could be filled through an apprenticeship. For further information, please refer to the Apprenticeship Guidance available on the extranet.

For support posts, where changes are made to an existing job description and/or person specification, it may be necessary to re-evaluate the post to ensure that the grade is still appropriate. Similarly, where a new post is created, a job description and person specification will need to be drafted and evaluated to identify the appropriate grade.

In line with the Job Share Policy, all posts are open to job share unless there is a valid business case why this is not appropriate. For further information, please refer to the Job Share Policy available on the extranet.

3.3 Advertising the post

In the first instance, the Lead Officer should consider employees 'at risk' through redeployment. Following this, the Lead Officer has the discretion to consider candidates who were considered

appointable from a previous recruitment exercise for the same post, providing it is within 6 months of the original interview date. This can be applied where the vacancy details are the same as those advertised and interviewed for previously.

It is recommended that all vacancies are advertised externally on the school website as a minimum, to ensure the school is recruiting from the widest possible talent pool.

Durham County Council's Education Development Service (EDS) offers a Service Level Agreement (SLA) to support with advertising of school posts in the press and online through the North East Jobs website. Adverts should be placed by completing the School Advert Template, which is available on the extranet. The advert should be uploaded with the job description and person specification in suitable format and forwarded to schooladverts@durham.gov.uk

Full details of the post including job description and person specification, requirements for checks such as DBS checks as applicable and any other relevant information applicable to the post should be available on the job advert.

3.3.1 Short term temporary posts

Operational situations can arise when there is a need to cover a support post on a short term basis (not exceeding 6 months), while more formal arrangements are put in place. In these situations, an honorarium arrangement (support staff only) could be considered and advertised within the school. Further information can be found in the Honoraria Guidance available on the extranet.

Similarly, where a short-term internal opportunity arises e.g. up to 3 months work on a specific project, the Lead Officer may wish to advertise for 'expressions of interest' from within the school, rather than advertise externally. Details of the post should be provided to all employees of the school, even if they are absent from work.

3.3.2 TLRs

Where an opportunity arises for TLR responsibilities, it is recommended that the Lead Officer advertises for 'expressions of interest' from within the school as a minimum. Details of the post should be provided to all employees of the school, even if they are absent from work.

Those who are interested, even if there is only one candidate, should be interviewed to assess their suitability for the post.

3.4 Applications and shortlisting

All individuals, regardless of race, age, disability, gender, gender reassignment, sexual orientation, religion or belief, pregnancy, maternity or marital status, are encouraged to apply for school vacancies. All applications are treated confidentially.

All applications must be made using the appropriate standard application forms.

The school will not usually consider applications received after the closing date, however, in exceptional circumstances, consideration may be given to accept a late application at the discretion of the Lead Officer.

The shortlist will be determined by the Lead Officer and panel members by matching the information provided by candidates against the essential qualifications, experience and skills criteria of the person specification. Where a high number of applications are received, the Lead Officer may decide to apply all or a reduced number of desirable criteria. The same desirable

criteria must be applied to all candidates, with the exception of those detailed in the following sections.

3.4.1 Disability Confident scheme

This is a voluntary scheme that aims to help employers make the most of opportunities provided by employing disabled people.

As a disability confident employer, Durham County Council has given a commitment to guarantee an interview to disabled people who meet the minimum essential criteria for the job and schools are encouraged to do the same.

3.4.2 Looked after young people

Durham County Council has a responsibility as a corporate parent to young people who are leaving care and making the transition to adulthood. Schools are encouraged to guarantee an interview, provided they meet the essential criteria for an advertised post and meet the following criteria at the time of application:

- Currently looked after by a Local Authority;
- OR**
- A care leaver up to 25 years old

Candidates will be expected to identify themselves within the application form as being registered as looked after or a care leaver and this should be taken into account by the Lead Officer when shortlisting.

3.4.3 Veterans guaranteed interview scheme

Durham County Council have given a commitment to guarantee an interview to those who have service in the regular armed forces (veterans), provided they meet the essential criteria for an advertised post and meet the criteria set out below. Schools are encouraged to do the same.

The criteria are:

- Are currently serving in the regular armed forces and are within 12 weeks of their discharge date;
- OR**
- The regular armed forces was the veteran's last long term employer and no more than 3 years elapsed since the veteran left the armed forces.

Candidates will be expected to identify themselves within the application form as being a veteran who meets the above criteria and this should be taken into account by the Lead Officer when shortlisting.

3.5 Selection

The selection process will be as efficient and clear as possible to ensure a positive candidate experience. The selection process will be determined by the Lead Officer and the stages involved will be in line with the complexity of the job requirements. Candidates may be required to complete assessments such as psychometric tests, case studies, presentations and/or other job related exercises, as appropriate.

The school has a duty to make reasonable adjustments to the recruitment and selection process to give disabled people an equal opportunity. An applicant can include requests for adjustments on their application form or inform us at any stage of the process.

Interviews are an essential part of the selection process and will focus on the needs of the job and the experience, knowledge, skills and competencies needed to perform it effectively. The interview should afford the opportunity for two way communication to occur.

The Lead Officer and panel members will reach a decision regarding the appointment and make an offer, subject to clearances, to the successful candidate as soon as possible following the interview. No start date will be arranged with the candidate until clearances are satisfactory.

3.5.1 Fluency duty

Under Part 7 of the Immigration Act 2016, schools must ensure that all employees working in a public facing role are able to speak fluent English.

The Lead Officer will determine whether or not the post is considered to be a public facing role and the level of English language skills will be stipulated in the job description and person specification for the post.

The Lead Officer and panel members will need to satisfy themselves that the candidate has the required level of fluency for the post. Candidates can demonstrate their fluency in English in a number of ways, including:

- Competently answering interview questions in English;
- Possessing a relevant qualification for the role attained as part of education in the UK or fully taught in English by a recognised institution abroad;
- Passing an English spoken language competency test; or
- Possessing a relevant spoken English qualification at CEFR Level B1 or above, taught in English by a recognised institution abroad.

The fluency duty is not intended to discriminate against a person on the grounds of race or disability and does not relate to international accents, dialects, speech impediments or the tone of conversations. The fluency duty can also be met by the provision of a sign language interpreter.

3.6 Headteacher/Deputy Headteacher appointments

In line with the School Staffing Regulations the Governing Body must notify the Local Authority in writing of (a) any vacancy for the Headteacher; and (b) any post of Deputy Headteacher which it has identified as one to be filled. Schools can notify the Local Authority by contacting Education Durham Governance Services.

Whilst it is no longer mandatory for all first-time Headteachers appointed to a post in local authority maintained schools and non-maintained special schools in England, to hold the National Professional Qualification for Headship (NPQH) it is recommended by the Education Development Service prior to appointments to first headship positions.

3.6.1 Maintained schools only

The Education Act (2002) requires all maintained schools to have a Headteacher or a person appointed to carry out the functions of a Headteacher during an absence of the Headteacher or pending the appointment of a Headteacher. This means that the Governing Body must ensure that a member of staff is appointed to carry out the functions of a Headteacher if the outgoing Headteacher leaves before a replacement is appointed. This should be an interim arrangement only until a replacement Headteacher can be recruited, which should be done as practically possible.

3.6.2 Advertising requirements for Headteacher/Deputy Headteacher posts

The School Staffing (England) Regulations (2009) states that the Governing Body must advertise the vacancy or post for Headteachers and Deputy Headteacher in such manner as it considers appropriate unless it has good reason not to. The Governing Body should consider the most appropriate way of advertising the post and should decide the best way of reaching its target audience, taking into consideration the type of media to be used and the level of exposure the advertisement will receive.

A decision not to advertise should only be taken if the Governing Body can demonstrate there is good reason not to and that it does not leave them open to challenge. All decisions should be documented fully, as the Governing Body will need to demonstrate that it has acted reasonably if it is challenged. The Governing Body should seek advice from Education Durham Governance Services or the School's HR Advice and Support Team before making a decision not to advertise.

When a vacancy is advertised, the advertisement should include a statement about the employer's commitment to safeguarding and promoting the welfare of children, and reference to the need for the successful application to undertake a DBS check, as well as the usual details of the post including salary and qualifications.

Prior to advertising the Governing Body will need to contact the School's HR Advice and Support Team to confirm the pay range for the post.

3.6.3 Selection panel and appointment process

In maintained schools, it is the legal responsibility of the Governing Body to select a Headteacher. The Governing Body may appoint a selection panel of at least three of its members to select for interview for the post of Headteacher. There is no limit to the number of governors who can sit on the selection panel.

The council should then be informed in writing of the names of the applicants that have been selected. The selection panel should then interview applicants, and where appropriate, recommend one of the applicants to the Governing Body for approval. All Headteacher posts should be open to job-share.

Where a governor has an interest in the recruitment process, he or she should withdraw and a record of this kept in the recruitment file.

A representative of the council, for example a School Leadership Advisor (SLA), has a right to attend relevant meetings of the selection panel to offer professional advice, but only governors on the selection panel can vote.

If the selection panel does not recommend a person to the Governing Body for appointment, the Governing Body declines to approve the person recommended, or the council declines to appoint the person that the Governing Body approves, the selection panel may re-advertise the vacancy and require the panel to conduct another selection process as stated above (but this does not prevent the selection of the existing applicant) until a permanent Headteacher is appointed even where an Acting Headteacher is in place.

At Voluntary Aided schools with a religious character, the Governing Body may take into account any candidate's suitability and ability to preserve and develop the religious character of the school.

At voluntary-aided schools with a religious character where the Governing Body is the employer, the selection panel may give preference to any candidate whose religious opinions and worship are in accordance with the tenets of the religious denomination of the school.

3.6.4 Council representations about Headteacher appointments

The council is entitled to make written representations to a Governing Body if it considers that an unsuitable person is being short listed for appointment. If the council writes to the Governing Body within a period of seven days beginning with the date when written notification of the names of those selected for interview are received about an applicant's unsuitability for the appointment, the Governing Body should consider the views of the council. In all cases, the council's written representation should explain why it has concluded that the candidate is not suitable and the evidence on which it has based its conclusion. If the Governing Body still decides to interview that candidate, it must notify the council in writing of its reasons.

In the case of foundation, foundation special or voluntary aided schools, where the Governing Body has not agreed advisory rights with the council, the selection panel's notification of applicants selected for interview should be accompanied by enough information to enable the council to determine each applicant's suitability for appointment.

Where an appointment is to be made, the council must appoint the person recommended unless they do not meet any employee qualification requirements. If the council declines to appoint a person recommended by the Governing Body because of failure to meet qualification requirements, the Governing Body should recommend another person for appointment.

3.6.5 Appointing Deputy Headteachers

There is no legal obligation for maintained schools to have a Deputy Headteacher or to be limited to just one. However, if a Deputy Headteacher vacancy is identified, it is important that they come to the attention of as many suitable persons as possible to ensure the correct person is selected for the post.

With the exception of the council's right to make representations about unsuitable Headteacher candidates, the procedure for appointing Deputy Headteachers is the same as that for Headteachers set out above (section 3.6.2 – 3.6.3). The Governing Body decides how many, if any, Deputy Headteachers the school should have.

3.6.6 Acting Headteacher, Deputy and Assistant Headteachers

If the Headteacher is absent from the school, the School Teachers Pay and Conditions Document requires the Deputy Headteacher to undertake the professional duties of the Headteacher, as required. Where a Headteacher is absent for a long period, the Governing Body should appoint an acting Headteacher.

The use of an acting Headteacher is a temporary measure and does not remove the Headteacher vacancy or remove the Governing Body's duty to fill that vacancy. The Governing Body should be proactive in filling the vacancy as soon as practicably possible.

3.7 Appointing new employees

Before finalising an offer of employment, the school requires:

- Satisfactory references (see Reference Policy available on the extranet);
- Completed pre-employment health declaration;
- Proof of essential qualifications;
- Confirmation of the individual's right to work in the UK.

In addition, depending on the nature of the role, the following clearances may also be required:

- Disclosure and Barring Service check (DBS)

- Prohibition Order check (Teaching posts only);
- Proof of current driving licence;
- Completion of a Driver Induction Assessment;
- Proof of professional registration;
- Food Handler Questionnaire (if applicable).

3.7.1 Confirming the appointment

Once all the necessary satisfactory clearances have been received by the Lead Officer, the successful candidate should be sent a letter of appointment, a statement of particulars and a copy of the job description.

A template letter of appointment is available on the extranet. If the school buys into the Payroll and Employee Services SLA, they will send out the statement of particulars on behalf of the school.

The successful candidate should confirm in writing that they accept the post on the terms that are outlined.

Information about the appointed candidate will also need to be included on the school's Single Central Record. For more information, please see the Vetting Policy on the Extranet.

4 Complaints procedure

The aim of the recruitment and selection procedure is to afford every candidate a fair and appropriate process that accommodates individual needs and gives the opportunity to compete on a level playing field.

If a candidate feels that they were not afforded this opportunity they should contact the Lead Officer within 5 working days of receiving the interview decision or from being informed that they had not been shortlisted. This can be done verbally or in writing stating that this is a complaint and explaining the reasons for the complaint.

The Lead Officer will respond to the complainant within 5 working days.

4.1 Formal process

If the complainant is not happy with the Lead Officer's response, they should explain why they are not satisfied with the response, in writing, to the Chair of the Governing Body within 5 working days of receiving the response.

The Chair of the Governing Body will appoint an officer to review the decision and will provide a response within 25 working days. The HR Advice and Support Team should be notified that a complaint has been made, is being investigated and should be advised of the outcome of the investigation.

The decision of the Chair of the Governing Body is final. There is no right of appeal.

5 Temporary posts

Employees are able to apply for a temporary post within the school and seek approval from the Headteacher to undertake the temporary post with the guarantee that they will be able to return to their substantive post when it comes to an end. This agreement should be reflected in the temporary contract. The employee will need to seek agreement from the Headteacher to continue in the role should there be any extension to the term of the temporary post.

Where an employee does not seek or is not granted approval to return to their substantive post after a temporary contract, and still accepts a temporary post, they will relinquish their substantive post.

6 Secondments

6.1 Secondments to external organisations

If an employee has been offered a secondment, a secondment agreement will need to be drafted and it is suggested that the employee, a representative of the school and a representative from the host organisation meet to discuss the terms. The secondment agreement will be made between the school and the host. Once the secondment agreement has been finalised and signed, a letter should be issued to confirm the arrangements.

If the period of secondment is extended, the employee will be required to seek agreement to a further seconded period with their Head Teacher.

An employee seconded to an external organisation will retain their employment with the school, including all related terms and conditions, whilst carrying out work for the other organisation.

6.2 Secondments into the school

Any secondment opportunity within the school will be recruited to in the same way as any other vacancy, as set out in this policy.

Once a successful candidate has been identified and offered the post, a secondment agreement will be drafted, finalised and signed.

For advice regarding the application of this policy please contact:

HR Advice and Support

hradvice@durham.gov.uk

Further support can be accessed by contacting the following teams where you have a Service Level Agreement:

Payroll and Employee Services

pesschools@durham.gov.uk

Occupational Health

occhealthadmin@durham.gov.uk

Health and Safety

hsteam@durham.gov.uk

Employee Assistance Programme

www.healthassuredeap.com

Username: durham Password: council
0800 716 017

The school complies with all relevant statutory obligations. The school privacy notice provides more specific information on data collected and how it is handled, a copy of which can be accessed from the school. For more information please contact the school directly.

If you have any concerns about how your data is handled, please contact either the school Data Protection Officer (details available from the school office), or the Information Commissioner's Office.

| Author | Version | Last review | Next review |
|-------------------|---------|----------------|--------------|
| Senior HR Officer | v 6.1 | September 2020 | January 2022 |