

Berkswich CE Primary School			
Policy Reference S34	Shared with Staff December 2023	Ratified by Governing Board December 2023	Review Date October 2024
Recruitment and Selection Policy			

This policy is based on the PHRP Recruitment and Selection Policy. See version details below.

Legal framework

This policy has due regard to all relevant legislation including, but not limited to, the following:

- Rehabilitation of Offenders Act 1974
- Children Act 1989
- Education Act 2002
- Sexual Offences Act 2003
- Children Act 2004
- Safeguarding Vulnerable Groups Act 2006
- Education and Skills Act 2008
- The School Staffing (England) Regulations 2009
- Equality Act 2010
- The Education (School Teachers' Appraisal) (England) Regulations 2012 (as amended)
- The UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018
- Amendments to the Exceptions Order 1975, 2013 and 2020

This policy has due regard to guidance including, but not limited to, the following:

- DfE (2020) 'Governance handbook'
- DfE (2021) 'Staffing and employment advice for schools'
- DfE (2022) 'ID checking guidelines for standard/enhanced DBS check applications from 1 July 2021'
- DfE (2021) 'Right to work checks: employing EU, EEA and Swiss citizens'

- DfE (2023) 'Keeping children safe in education'
- DfE (2023) 'Recruit teachers from overseas'
- Disclosure & Barring Service (2018) 'Regulated activity with children in England'
- Home Office (2022) 'Employer's guide to right to work checks'
- Safer Recruitment Consortium (2022) 'Guidance for safer working practice for those working with children and young people in education settings'

This policy operates in conjunction with the following school policies:

- Safeguarding Policy
- Complaints Procedures Policy
- Code of Conduct Policy
- Teacher Capability Policy
- Records Management Policy
- Data Protection Policy
- Equality, Equity, Diversity and Inclusion Policy
- Staff ICT and Electronic Devices Policy

1. Introduction

1.1. Berkswich CE is committed to attracting, selecting and retaining individuals who have the right motivation, skill and experience to make a positive contribution to Berkswich CE's success and the delivery of high-quality education.

1.2. Berkswich CE is committed to achieving this through:

- Systematic recruitment and selection processes that are applied consistently and fairly in accordance with good practice and equal opportunities;
- Attracting and drawing on applicants from a range of backgrounds reflecting the communities being served;
- Adhering to the legislation and guidance which governs recruitment and selection.

2. Scope

2.1. This policy applies to all school staff including volunteers, temporary and fixed term staff, casual staff and governors responsible for and involved in recruitment and selection. The governing board will liaise with the local authority where required.

3. Guiding Principles

3.1. In recruiting all staff, the following guiding principles will apply:

3.2. **Safer Recruitment** – The safeguarding of young people is a priority for our organisation. There must be compliance with safer recruitment procedures and processes. All individuals responsible for recruitment and selection have a duty to scrutinise documentation and comply with appropriate regulatory body requirements including the DfE statutory guidance contained in Keeping Children Safe in Education.

3.3. **Equitable and Fair** – We will safeguard individual's rights to fairness and equality of opportunity in conjunction with the business needs and values of Berkswich CE. We promote diversity in the workforce.

3.4. Any candidate with a disability will not be excluded unless it is clear that the candidate is unable to perform a duty that is intrinsic to the role, having taken into account reasonable adjustments. Reasonable adjustments to the recruitment process will be made to ensure that no applicant is disadvantaged because of their disability.

All disabled applicants who meet the minimum requirements of the job as set out in the job description and employee specification will be guaranteed an interview.

3.5. **Consistent and Objective** - The selection criteria will be communicated at the outset of the process and consistently adhered to throughout each recruitment and selection activity, with clarity of process and policy for managers and applicants.

3.6. **Merit Principle** – Recruitment and selection will be solely on the basis of the applicant's abilities and individual merit as measured against the criteria for the job. Qualifications, experience and skills will be assessed at the level that is relevant to the job. The candidate determined to be the best match with the stated requirements of the role (detailed in the person specification) should be offered the post.

3.7. **Efficient and effective** – The process will ensure best value and the best outcome for Berkswich CE.

3.8. **Maximising Existing Human Resources** - It is Berkswich CE's policy that all vacancies will be advertised internally (ring fenced if necessary) and existing staff are to be encouraged to apply for vacant posts if they have the appropriate qualifications, experience and skills. Berkswich CE aims at all times to recruit the person who is most suited to the particular job.

3.9. Appointing leaders are expected to consider redeployment of existing staff prior to recruiting externally, particularly during a period of change when significant numbers of staff are likely to be displaced.

3.10. **Approach** - Those responsible for recruitment and selection will ensure that all applicants and candidates are treated in a non-discriminatory way, with the focus on the needs of the job and the skills required to perform it effectively.

3.11. **Accountabilities** - The appointing manager is responsible for ensuring the recruitment and selection process is administered in line with this policy. The appointing manager should determine whether a vacancy should be recruited to and seek the appropriate authority to progress (as required). They should undertake job design and analysis, establish a selection panel, manage a valid selection process, and any associated administrative arrangements. The appointing manager should ensure that the process is compliant. If they choose to delegate parts of this task to others, overall accountability still remains with the appointing manager.

3.12. At least one member of the interview panel must be trained in Safer Recruitment principles as identified in Keeping Children Safe in Education. The chair of the interview panel is responsible of ensuring that other panel members comply with the relevant Safer Recruitment legislation and guidance.

3.13. If a member of staff involved in the selection process has a close personal or familial relationship with any applicant, they must declare it as soon as they are aware of the individual's application and avoid any involvement in the decision-making process.

3.14. **Responsibilities** The governing board has overall responsibility for staffing matters; however, they may delegate this responsibility to the Headteacher, or an individual governor or committee of governors working with or without the Headteacher. The appointed person leading the recruitment and selection retains accountability and responsibility for the process and decision making.

3.15. Where responsibility is delegated, the Headteacher may involve other governors in selection processes, for example in interviewing candidates and consulting on their suitability.

4. Safer Recruitment and Selection Process

4.1. Advertising

Prior to advertising a vacancy, the job description and person specification for the job will be either drafted or reviewed and updated. The job description should specify the postholder's responsibilities for safeguarding young people and the person specification should set out the required skills and competencies to demonstrate this commitment.

4.2. All advertisements must include Berkswich CE's statement demonstrating its commitment to safeguarding young people and safer recruitment practice which is:

Berkswich CE Primary is committed to safeguarding and promoting the welfare of children. All appointments are subject to an enhanced DBS clearance and pre-employment checks in accordance with Keeping Children Safe in Education.

4.3. The safeguarding policy is available on our website for prospective candidates to access.

4.4. It will not be necessary to advertise all job vacancies externally: Berkswich CE may advertise a vacancy in such manner, as it considers appropriate.

4.5. Application forms

Applications will only be accepted on Berkswich CE's standard application form. CVs will not be accepted and if provided, will not be considered during the shortlisting process.

4.6. Application forms advise candidates that it is an offence to apply for the vacancy if the applicant is barred from engaging in regulated activity relevant to children.

4.7. Shortlisting

Applications will be assessed against the criteria identified in the person specification on Berkswich CE's standard shortlisting matrix form. The shortlisting panel will be a minimum of two individuals and the applicants will be scored against the scoring criteria.

4.8. The shortlisting panel should annotate the application forms to identify any employment gaps, missing information or matters that need to be followed up or explored at the selection and interview stage.

In accordance with Keeping Children Safe in Education, shortlisted candidates will be required to provide their social media/networking account information. This information will be used to carry out an online search as part of Berkswich CE's due diligence checks

and may help to identify any incidents or issues that have happened, and are publicly available online, which Berkswich CE might want to explore with the candidate prior to appointment. The school will consider any potential risks of online searches, e.g. unlawful discrimination or invasion of privacy, and will ensure staff conducting online searches are clear on the purpose of the search. Shortlisted candidates will be made aware that online searches may be conducted as part of due diligence checks. Berkswich CE's Privacy Notice for recruitment can be located on Berkswich CE's website. Online searches will only examine data that is publicly available. Staff will not 'follow' or submit a friend request to shortlisted candidates on social media platforms to access further details or information. When carrying out searches of shortlisted candidates' online presence, the school will look out for indicators of concern, such as:

- Inappropriate behaviour, jokes or language.
- Discriminatory comments.
- Inappropriate images.
- Drug or alcohol misuse.
- Anything that suggests the candidate may not be suitable to work with children.
- Anything that could harm the reputation of the school.

Any concerns will be addressed during the interview process. The school will ensure that candidates are given an opportunity to discuss any concerns raised by the online search.

4.9. Shortlisted candidates will be sent an invitation for an interview that will reiterate Berkswich CE's commitment to safeguarding and the requirement for pre-employment checks.

4.10. Only shortlisted candidates will be asked to complete a self-disclosure form, of their criminal record or information that would make them unsuitable to work with children.

4.11. Applicants will be asked to sign the declaration confirming the information provided is true and where an electronic signature has been provided, the shortlisted candidate should physically sign a hard copy of the form at the point of interview.

4.12. Identity and proof of right to work in the UK should be checked at interview stage.

4.13. Selection Activity and Interview

The interview panel/s must consist of at least one individual who is safer recruitment trained. The panel/s will ask pre-determined questions and record responses on Berkswich CE's standard interview notes form, marked against the scoring criteria.

4.14. Where a number of selection activities have taken place, the scores and feedback

from those activities will be taken into account before a decision is made. A weighting can be applied to selection activities if appropriate.

4.15. Candidates will be asked questions relating to safeguarding and child protection that are specific to their role and position within Berkswich CE.

4.16. Berkswich CE does not make payment for interview expenses.

4.17. References

References will be requested prior to interview and be available to the chair of the interview panel on the day of selection and interview. References must also be obtained for internal candidates.

One of the referees must be from an appropriate senior professional employed by the candidate's current or most recent employer. Berkswich CE reserves the right to seek a reference from the most senior professional from the candidate's current or most recent employer, even if they are not listed as a referee on the candidate's application form. Open references or those provided by the candidate will not be accepted. References must be requested using Berkswich CE's standard reference request form.

4.18. The appointing manager is responsible for cross-referencing employment dates and job detail with the candidate's application form. Any discrepancies or issues should be explored, and all the facts should be available to the panel before any conditional offer of employment is made.

4.19. Berkswich CE will provide a reference for current employees when formally requested, in writing, to do so by a prospective employer. When employees leave Berkswich CE and require a reference to be provided in the future upon formal written request, they must give their consent to this before leaving Berkswich CE and a note will be kept on their personnel file of their wishes in this regard.

4.20. Pre-employment Checks

Relevant documentation must be fully completed at each stage of the process. This will include the verification of original documents of candidates at the interview stage and the completion of all necessary pre-employment checks as specified in the DfE Keeping Children Safe in Education guidance document which includes but is not limited to, a Disclosure and Barring Service Check, Teacher Prohibition Check, Childcare Disqualification, satisfactory references, medical assessment, overseas checks and Section 128 checks as appropriate. The pre-employment checking and appointment process will not be circumvented for the sake of expediency.

4.21. At the end of the selection process, the preferred choice candidate will be made a

conditional offer of employment subject to the acquisition of satisfactory pre-employment checks. Failure to satisfy all pre-employment checks may result in the withdrawal of a conditional offer of employment.

4.22. All pre-employment checks must be recorded on the Single Central Record in line with the guidance published in Keeping Children Safe in Education. Documents verifying the employee's identity, right to work and required qualifications will be retained on their personal file.

4.23. If the Headteacher requires an individual to start work in regulated activity before the DBS certificate is available, then a risk assessment must be completed and held on the personnel file. The Headteacher will make the decision as to whether it is appropriate for this person to start employment after reviewing this document. As a minimum, the individual must be appropriately supervised and all other checks, including a barred list check, must have been completed.

4.24. Where an existing employee changes role, additional checks should be completed applicable to the role, for example, when an employee moves into regulated activity. If there are any concerns about an employee or an employee does not have a DBS check because it was not applicable at the time of their appointment and their role has changed over time, it would be appropriate to complete a DBS check.

5. Adults working with children who are not employed directly by the school

5.1. Supply Staff

Berkswich CE will only use those agencies which operate a Safer Recruitment Policy and supply written confirmation that all relevant checks have been satisfactorily completed. We will carry out identity checks when the supply staff member arrives for work.

5.2. Volunteers

Berkswich CE carry out DBS and pre-start vetting checks appropriate to the post (as above) and require regular volunteers to provide details of two referees. References are taken up, as detailed in this policy. Volunteers who help on an occasional basis (e.g. trips/PTA events) are supervised, in accordance with legislation and any risk assessment carried out by Berkswich CE.

5.3. Students on placement

When volunteers are working in school as part of a recognised training course (such as PGCE, NVQ etc.), references and completion of an application form will not be required. However, Berkswich CE will require proof of DBS enhanced clearance with barred list check as appropriate and will carry out identity checks when the student arrives on site. We will also require students to complete the Childcare Disqualification Declaration if they are working within an EYFS or later years care setting.

5.4. Students on work experience

Students on work experience will always be supervised. Any student over the age of 16 may be required to complete a Disclosure and Barring Service check depending on the nature of the work experience.

5.5. Contractors

Berkswich CE will ensure that contractors, or any employee of the contractor, working on site has been subject to the appropriate level of DBS check, if any such check is required. Contractors and contractors' employees for whom an appropriate DBS check has not been undertaken will be supervised if they will have contact with children. Berkswich CE will check the identity of contractors and their staff on arrival.

5.6. This policy will be regularly reviewed and updated to reflect any changes to legislation and statutory guidance.

6. Data Protection

6.1. Berkswich CE will comply with the provisions of the Data Protection legislation in the UK. Employee data will be processed by Berkswich CE in accordance with the principles of that legislation, as necessary for the performance of the employee's contract of employment and/or the conduct of Berkswich CE's business and/or compliance with a legal obligation. Berkswich CE will ensure that personal information about an employee, including information in personnel files, is securely retained. Information about securing, storing and retaining documentation relating to recruitment and selection is contained within Berkswich CE's Privacy Notice and Data Protection Policy.

6.2. Evidence of pre-employment checks and supporting documentation will be retained on the employee's personnel file in accordance with statutory guidance.