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# OWLS Academy Trust

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## Recruitment and Selection Policy

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Policy developed by



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This policy has been designed to assist schools with the appointment of **all** vacant positions within their organisation. It should be noted that whilst there is separate recruitment *guidance* for head teacher posts, pre-employment checks for such posts remain the same as those required for teaching posts.

This document, and its associated guidance, will assist all those responsible for the recruitment process to ensure appropriate mechanisms for safer recruitment and selection are in place. The document also sets out best practice, taking into account relevant legislation, the requirements of regulatory inspections (i.e. Ofsted) and the Trust's commitment to equality and diversity.



## Equal Opportunities

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Everyone involved in recruitment and selection processes must be mindful of the Equality Act 2010 to ensure that anyone wishing to apply for a position at the school has an equal opportunity to do so.

### Reasonable Adjustments

Reasonable adjustments must be put in place for any candidate who has identified that they have a disability and require adjustments to be made to enable them to fully participate in the process. The candidate should be consulted with well in advance of any adjustments required/ made, these may include (but are not limited to):

- Ensuring the interview room is accessible for a wheelchair user;
- Providing a skills test printed in large font;
- Providing additional time to complete a test or prepare a presentation.

### Criminal Convictions

Having a criminal record does not automatically prevent a person from being employed within a school and applicants should not be treated unfairly if they have a previous conviction. Whilst a criminal record cannot be disregarded, the school must seek advice to ensure a fair and consistent approach when considering an applicant's suitability for the role they are applying for.



## Personal Relationships

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Where an employee who is involved in any part of the recruitment process has a personal relationship with an applicant, they should declare this as soon as they become aware. Such employees must then **not** be involved in:

- The recruitment processes;
- Providing a reference or acting as a referee for that person, where possible;
- Making decision relating to pay in respect of that individual;
- Making decision related to or the management of the employee's performance;
- Any conduct issues that arise that may involve the employee.

The recruitment panel should also check the application forms as candidates must also declare whether they have a personal relationship with any current members of staff.



## The Recruitment Process

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### Step 1: Review the Vacancy

Recruitment takes place either as a result of an existing post becoming vacant or the creation of a new post owing to changing organisational needs. It is good practice to consider the following questions:

- Is this a new post or an existing post?
- If an existing post, is this post still required?
- Can the school afford to recruit to the post within both current and future budgets?
- Are the working hours / times / grade of the post still appropriate?
- Is there an up to date Job Description and Person Specification (see below)?
- Is recruitment to a permanent / fixed-term / full-time / part-time position?
- Do you require supply cover in place whilst recruiting?

Appendix A sets out details of different types of contract available.

### Step 2: Prepare a Recruitment Plan

Ensure a realistic timetable is prepared for the recruitment process, which includes time to:

- Agree a “Recruitment Panel”, usually comprising three members. At least one panel member must have received Safer Recruitment training.;
- Create/receive the job description and person specification to ensure they are both fit for purpose;
- Undertake job evaluation for a new post to check the grade (for a non-teaching post) if necessary;
- Prepare the job advertisement (part-salaries should be clearly stated on the advert);
- Prepare any additional recruitment literature that will be sent out to applicants (i.e. the job pack);
- Diary dates set aside for any potential informal visits to the school;
- Prepare candidate activities and pane questions for the selection / interview days
- Agree dates for:
  - When the advert will be published and the duration of the advertising period;
  - Closing date for the advert;
  - Shortlisting meeting;
  - Inviting candidates to interview;
  - Applying for employment references;
  - The selection / interview days;
  - Start date for the successful applicant

NB. All members of the panel should participate in every stage of the recruitment process.

### Step 3: Advertising the Job

When compiling the job advert, the following should be included:

- A message about the culture of the school and the type of person needed for the role;
- Details of the key knowledge and skills required to undertake the role;
- A strapline outlining the school’s commitment to safeguarding and promoting the welfare of children and young people, for example:

**“this school is committed to safeguarding children and young people”**

- A statement that the post holder will be subject to a DBS disclosure check, for example:

**“as this post involves work in ‘regulated activity’ an enhanced DBS with a Barred List check is essential”**

- For roles designated as “regulated activity” it is essential that the information sent to candidates makes it clear that references will be sought in advance of the interview.
- The closing date by which all completed applications should be sent in to the school.

The advert should be placed in such a way that the best range of prospective candidates can access it, which best reflects the community that the school serves. Options include:

- School’s own website;
- Eteach/TES;
- Local press;
- LCC website (contact ESC helpdesk for further details);
- Job Centre Plus (refer to the Job Centre Plus website);
- Social media.

If advertising posts for overseas workers, additional rules apply in terms of the recruitment process and advertising the role. See associated guidance for more details.

#### **Step 4: Shortlisting**

As soon as possible after the closing date, each member of the recruitment panel should receive a shortlisting pack (via the agreed method) which should include a copy of all the application forms (minus the equal opportunities section), a job description and personnel specification and the shortlisting grid in order to carry out the shortlisting exercise. All members of the panel should:

- Take part in the shortlisting process;
- Complete a separate shortlisting grid for each individual candidate, as this promotes fairness and consistency whilst also providing an audit trail;
- Check whether any gaps in employment history have a reasonable and acceptable explanation (see Safer Recruitment Requirements in the associated Guidance document);
- **Not** consider any additional information sent with the application as part of this process unless this information was expressly requested by the recruitment panel (e.g. a supporting letter outlining the individual’s suitability for the role);
- Ensure that all essential criteria to be assessed by the application form have been satisfied. Where this is not the case the applicant may not be shortlisted.

#### **Declaration of Criminal Conviction(s) at Application Stage**

If an applicant declares at the application stage that they have a criminal conviction, they must provide this in writing in a sealed envelope. This envelope should remain un-opened until the end of the shortlisting process.

If the individual is short-listed, the chair of the panel should inform the other panel members of the content. If the panel decide that the conviction(s) is/are relevant, further information should be sought from the candidate as described below and at the end of the interview.

#### **Step 5: Invitation to Interview**

Following the shortlisting meeting, arrangements should be made to write to those individuals shortlisted inviting them for interview. This letter should detail the following:

- That the applicant has been selected to attend a recruitment process;
- The location, date and times of the interview;

- An outline of the interview process, including any tests or assessments the candidates will be required to undertake;
- The requirement to bring relevant identification documentation to the interview day;
- The requirement to provide original documents verifying any qualifications deemed essential for the job.

If a candidate advises that they are unable to attend for interview on the date specified, the panel has discretion to reschedule their interview date, however the interview panel **must** remain the same.

### **Step 6: Interview Preparation**

It is essential for the recruitment panel to meet prior to the interviews to agree the format of the interview process. The panel must decide:

- What, if any, tasks or activities they will ask the candidates to perform (e.g. in-tray exercises, presentations, teaching a class, etc);
- What questions to ask – all questions should be agreed in advance and these must include a safeguarding questions and should include a question on equal opportunities;
- How they will explore any gaps in employment history and any other concerns identified during the shortlisting process.

It is important that the methods used to test candidates are appropriate and proportionate to the duties of the role they are applying for, and designed in such a way that the candidate is able to demonstrate their suitability for the role.

The chair of the panel is responsible for ensuring that arrangements are made for the smooth running of the interview process, including:

- All relevant documentation is prepared and distributed to panel members prior to interview;
- The suitability of the venue, taking into consideration any additional or special requirements such as access or any additional adjustments requested by candidates;
- Any car parking spaces, refreshments, etc. are arranged;
- Arranging the checking of the candidates' identity documents;
- Arranging the checking and copying of any additional documentation required at interview;
- Ensuring the interview timetable allows sufficient time between interviews to allow for:
  - Over-runs;
  - Breaks;
  - Panel discussion

### **Step 7: The Interview**

The Chair of the panel is responsible for ensuring that the interview is conducted fairly and that all candidates are treated equally. The Chair should ensure that all panel members participate fully and the views of all panel members are considered at all stages.

Panel members must score each candidate independently and agree whole panel scores after each interview.

At the **start** of the interview the Chair should:

- Welcome each candidate;
- Introduce the other panel members by name and job role;

- Give an overview of the interview process;
- Explain that notes will be taken during the interview by the panel members.

At the **end** of the interview the Chair should:

- Give an opportunity for candidates to ask questions;
- Give an indication of timescales for decision and feedback;
- Ensure that all the relevant documents have been received (e.g. qualifications). Documentation should not be checked at this stage.

### **Step 8: Decision Making – Appointing the Preferred Candidate**

All aspects of the selection process should be considered when making decisions to appoint a new employee. The successful candidate should have:

- Met all of the essential criteria on the person specification;
- The highest aggregated score, taking into account their scores for any additional task that they have been asked to complete as part of the selection process.

It is also helpful for the panel to decide on a reserve candidate in case the first candidate declines the job offer.

### **Step 9: Informing the Successful Applicant**

The chair of the panel should contact the successful candidate as soon as possible to advise them of their appointment.

A **conditional** offer should be made to the successful candidate and it should be explained that the post is not confirmed until all of the pre-employment checks are satisfactorily completed. These include:

- A check to ensure the candidate has the Right to Work in the UK;
- A satisfactory outcome of the medical questionnaire;
- A satisfactory DBS with a barred list check (where appropriate);
- **Two satisfactory written references.** The purpose of seeking references is to obtain objective and factual information to support appointment decisions. References should always be obtained and scrutinized and any concerns resolved satisfactorily before the appointment is confirmed.

It is good practice that all the other candidates be informed they have been unsuccessful and given the opportunity to obtain feedback on their application or performance at interview. It is best practice to speak to unsuccessful applicants in person, usually via a phone call, but if the chair of the panel has been unable to reach a candidate, they should receive a written outcome stating that they have been unsuccessful.



## **Recruitment Documentation Retention**

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Interview notes for all candidates (both successful and unsuccessful) must be retained for a period of 6 months in case they are required in connection with an Employment Tribunal claim or are requested by a candidate under the Data Protection Act. After this time the documents for unsuccessful candidates must be destroyed.



## **Pre-Employment Checks**

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Pre-employment checks are an essential aspect of the recruitment process and should be conducted on both newly appointed employees (regardless of contract type – see Appendix A) **and** internal candidates (including those who have **TUPE transferred** into the organisation) prior to commencement in post. All checks undertaken must be accurately recorded on the Safer Recruitment Checklist.

In addition, and importantly, details of all statutory checks undertaken must also be recorded on the school's Single Central Record. It is recommended that non-statutory pre-employment checks are also recorded on the Single Central Record.

For agency and third party supply staff, schools should also include on their single central record that written confirmation has been received from the agency/business supplying the individual that they have carried out relevant checks, obtained the appropriate certificates, the dates that confirmation was received and whether any enhanced DBS certificate check has been provided in respect of the individual.



## Single Central Record

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Schools must keep a single central record of all mandatory employment checks carried out. Non-mandatory checks may also be included. The OWLS Academy Trust uses SIMs for this purpose.

The single central record must cover the following people:

- All staff (including supply staff) who work at the school;
- All other staff/adults who work in regular contract with children in school, including volunteers;
- For academies and free schools, all members of the proprietor body.

Multi Academy Trusts (MATs) must maintain the single central record detailing checks carried out in each academy within the MAT. Whilst there is no requirement for the MAT to maintain an individual record for each academy, the information should be recorded in a way that allows for the details of each individual academy to be provided separately to those entitled to inspect the information.

Ofsted will check the school's single central record during their inspections visits with the expectation that it will meet at least the statutory requirements.



## Transfer of Undertakings (Protection of Employment) (TUPE)

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Employees who are TUPE transferred into the school, or from a school to an academy or from an academy to a Multi-Academy Trust, must have their documentation checked within 60 days of the transfer. Head teachers should follow the required checking process set out in the associated guidance.

**Schools should be aware that sponsor licences are non-transferable from one employer to another under TUPE regulations.** In such circumstances the school must make an application for either a sponsor license or to extend the existing sponsor license. An application must be made with 20 working days of the move taking place.

If the school does not make a valid application to become a sponsor within 20 working days or does make an application, but this is refused, all of the migrants who have transferred, except those that can be sponsored under any existing licences, will have their leave, or worker authorisation shortened to 60 calendar days.

### **Permanent**

The most common type of employment with no specified end date (regardless of working pattern). An employee on a permanent contract will remain in position until such time as the employer or the employee no longer wish to work there or where a restructure/redundancy process is carried out.

### **Fixed Term**

A contract covering finite period of time with a specified end date. It is essential for employers to demonstrate that there are transparent, necessary and objective reasons for using a fixed-term contract and the reason should be clearly stated in the employee's contract of employment, e.g. to complete a specific piece of work or project, maternity cover, etc.

Failing to state a detailed and clear reason could have implications for ending the contract and on future restructurings and redundancy, further advice is also available in the fixed term guidance for Schools.

### **Casual/Supply Work**

Casual workers should only be used when there is a need to cover ad hoc periods of work or a one-off absence/event of up to one month.

When appointing a casual member of staff all of the usual pre-employment checks MUST be undertaken, as well as taking reasonable steps to ensure that the person has the appropriate skills to complete the required work to a satisfactory standard. The most likely source of staff for casual appointments will be:

- Existing employees who are currently employed in another capacity who have appropriate experience or skills to enable them to undertake the work required, at least on an interim basis;
- Individuals who have been volunteering in a similar capacity on a regular basis and who have demonstrated that they are capable of undertaking the required work;
- Recently interviewed applicants for a similar role, where the candidate was unsuccessful but deemed appointable. (Note: where interviews took place within the preceding 12 weeks, then such candidates can also be appointed on a fixed-term or permanent basis without the need for a further recruitment process, subject to the usual pre-employment checks)

Where the need for the work can reasonably be expected to continue for longer than 12-weeks then steps should be taken to complete a thorough external recruitment process to make a permanent or fixed-term appointment to the post as soon as possible.

### **Zero Hours**

A zero hours contract may be issued to an employee when the number of working hours required are not easily identifiable or where there isn't a constant demand for staff, for example, a zero hours contract can be used where there is a seasonal influx of work which may then dissipate for the remaining part of the year. For further advice please contact your HR Adviser.

### **Agency / Third Party Organisation**

Schools must obtain written notification from any agency or third party organisation who are providing workers that they have carried out the necessary checks to enable an individual to work in School. This must include an enhanced DBS check with a barred list check, Right to Work in the UK checks and, if



applicable, Disqualification by Association checks. See Service Provider letter on LTS ONLINE, a copy of the response should be attached to the school's Single Central record.

When an agency worker reports for work on the first day Schools **must** also check the ID of the individual to verify that they are the same person on whom the checks have been made.

Guidance on the rights of Agency Workers is available from GOV.UK website.



## Appendix B – Conditional Offer Letter

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Dear .....

Further to your recent interview and our subsequent telephone conversation I am delighted to confirm my conditional offer to you for the post of ..... at our school as follows:

Start Date: .....

Working hours: ..... (e.g. 8:30 – 12:00 Monday to Friday, total 17.5 hours per week, for 39 weeks per year)

Conditions of Service: Local Government (written contract to follow)

This post has been evaluated at Grade ....., which includes pay points ..... to ....., attracting a full-time salary range of £..... to £..... per annum awarded on a pro-rata basis for part-time employees. You have been appointed on pay point ....., and your actual starting salary has been calculated as £..... per year.

This conditional offer is subject to receipt of the following:

- 2 satisfactory references (if not already received);
- Documentary evidence of your identify (if not already received);
- **Documentary evidence of your qualifications (if not already received); DELETE IF NOT APPLICABLE**
- A satisfactory Enhanced Disclosure for a Regulated Activity from the DBS;
- Documentary evidence of your right to work in the UK (normally your passport – please contact the office for a full list of approved documentation if required);
- A satisfactory medical screening report

This post is also subject to a probation period.

Please would you contact ..... in the school office to make arrangements for a DBS check, referring to the attached document for information regarding the documentation you will need to bring with you.

I would be grateful if you could complete and return the enclosed forms as soon as possible. Forms should be returned to the school unless otherwise indicated.

- Payroll and Bank details form;
- **Childcare Disqualification Requirements form;**
- Pension information and form (to be returned to County Hall, address on the form);
- Preliminary Pre-employment Health questionnaire  
Please note: Depending on your answers we may need to seek a more detailed assessment via our Occupational Health Provider.
- Tax Starter Form (previously known as P46)  
If you have been issued with a P45 for the current tax year then please provide parts 2 and 3 of this form **instead** of completing the enclosed form.

Should you have any questions regarding any of the points contained in this letter please to not hesitate to contact .....

Finally, I would like to offer you my congratulations on your appointment and we look forward to you joining our staff team.

Yours sincerely,



## Appendix C – Safer Recruitment Checklist

<b>Employee Name</b>		<b>Start Date</b>	
<b>Post</b>			

**This checklist is applicable to ALL new and existing employees offered a new post.**

1. Full standard application form or expression of interest attached
2. Written explanation of any unexplained gaps in employment history on the application form (if there are any)
3. Full Job Description and Person Specification attached
4. Copies of qualifications attached (where required by the Job Specification)
5. Prohibition List checked (Teachers and Support Staff) and copy attached (Teachers)
6. Section 128 Direction Check (Governors, SLT, Management)
7. Copies of written references attached
  - Referee 1: ..... Date contacted: .....
  - Referee 2: ..... Date contacted: .....
8. DBS Application submitted (or DBS update service checked)   
 DBS Certificate seen and recorded on Single Central Record   
 Criminal Record Impact Assessment attached (if information disclosed on DBS)
9. Copy of Right to Work in the UK documentation attached
  - Photo matches appearance, DoB matches other documentation (this also serves as ID check), document appears genuine and not tampered with.
  - Further documents attached where names differ (e.g. marriage certificate)
10. Where relevant, Disqualification by Association check attached
11. Preliminary Health Check Questionnaire received   
 Online Occupational Health Pre-Employment check requested (if required)   
 Fit for Work confirmation received
12. Letter of good conduct from relevant countries attached (if the person has lived/worked overseas)

### Other Documentation Required

- Bank details form received and forwarded to Payroll
- P45 or New Starter Tax Form received and forwarded to Payroll

## Right to Work Documentation

Please indicate Right to Work documentation checked as per one of the descriptions below:



### List A – Permanent Right to Work in the UK

- A passport showing the holder, or the person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right to abode in the UK.
- A full or short birth or adoption certificate issued in the UK which includes name(s) of least one of the holder's parents or adoptive parents, **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer
- A passport or national identity card showing that the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland
- A Registration Certificate or Document Certifying Permanent Residence issued by the Home Office to a national of a European Area Country or Switzerland
- A permanent residence card issued by the Home Office, the Border and Immigration Agency, or the UK Border Agency to the family member of a national of a European Economic Area country or Switzerland
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indication that the person named is allowed to stay indefinitely in the UK, or had no time limit on their stay in the UK.
- A passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the person named in it is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **together with** an official document giving the person's National Insurance number and their name issued by Government agency or previous employer.
- A certificate of registration or naturalisation as a British citizen **together with** an official document issued by a previous employer or Government agency with the person's name and National Insurance number (a P45, P60, National Insurance card, or letter from a Government agency).

Cont...

**List B –Time-limited or Restricted Right to Work in the UK**

- A current passport or other travel document endorsed to show that the holder is allowed to stay in the UK and is allowed to do the type of work you are offering
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the person named in it can stay in the UK and is allowed to do the type of work you are offering.
- A current residence card (including an Accession Residence Permit or a Derivative Residence Card) issued by the Home Office, to a non-European Economic Area national who is a family member of a national of a European Economic Area country or Switzerland or who has a derivative right of residence
- An Immigration Status Document containing a photograph issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a family member of a national of a EEA or Switzerland stating the holder is permitted to take employment of less than 6 months old **together with a Positive Verification Notice** from the Home Office Employer Checking Service.
- A Application Registration Card issued by the Home Office stating that the holder is permitted to take the employment in question, **together with a Positive Verification Notice** from the Home Office Employer Checking Service.
- **Positive Verification Notice** issued by the Home Office Employer Checking Service to the employer or prospective employer, which indicates that the named person may stay in the UK and is permitted to do the work you are offering

**I confirm that:**

- All of the required documents detailed within this checklist are attached or are contained in the individual’s personal file and are signed and dated;
- All of the required Right to Work documents are attached or are contained in the individual’s personal file; and
- A member of the office staff or Senior Leadership Team has seen the individual’s proof of identity;
- A member of the office staff or Senior Leadership Team has seen the individual’s DBS disclosure, and (if applicable) attached the Criminal Records Impact Assessment Form(s).

**Name:** .....

**Signature:** .....

**Date:** .....

## Checklist Guidance Notes

\* Documentation may already be on file for existing employees – check the personal file contents for all documents.

<b>Application Form</b>	Standard application forms for the post applied for only. For internal vacancies a written expression of interest is acceptable
<b>Equalities Monitoring Form</b>	This form is completed by the individual and should be submitted by them at the application stage. It is sent out with the application form but is detached during the selection process. It may subsequently be re-attached.
<b>Qualifications</b>	Copy of qualifications required, as per the Job Description and Person Specification
<b>Written references only</b>	If a verbal reference is taken a written reference is still required
<b>Gaps in employment</b>	Check if there are any unexplained gaps on the form. The individual must provide a written explanation of these gaps. Ensure the explanation covers the gaps and attach to the application form.
<b>Proof of ID</b>	Photo ID should be seen and may be a variety of documentation, e.g. proof of age card, national identity card, travel passes, passports
<b>DBS</b>	NO copies of certificates to be placed on file.
<b>Right to Work</b>	The employee <b>MUST NOT START</b> until suitable right to work documentation has been supplied.