



# Recruitment and Selection Policy and Procedure

**Adapted from the EPM model policy June 2023**

**Reviewed by: M Nelson (October 2023)**

**Nominated Governor: Finance and Resources Committee**

**Signed :**

**Date:**

**Review date: November 2024**

## 1. Introduction

- 1.1. The Governing Body is **committed to safeguarding and promoting the welfare of children and young people and requires all staff and volunteers to demonstrate this commitment in every aspect of their work.**
- 1.2. The appointment of all employees will be made on merit and in accordance with the provisions of Employment Law, [Keeping Children Safe in Education](#) and the school's Equality policy.
- 1.3. We will ensure that people are treated solely on the basis of their abilities and potential, regardless of race, colour, nationality, ethnic origin, religious or political belief or affiliation, trade union membership, age, gender, gender reassignment, marital status, sexual orientation, disability, socio-economic background, or any other inappropriate distinction.
- 1.4. We will comply with the requirements of [Keeping Children Safe in Education](#) with regard to DBS and other pre-employment checks.
- 1.5. We will ensure compliance with the Data Protection regulations and the more stringent requirements contained within the General Data Protection Regulations (GDPR). The GDPR encompasses the core principles of the DPA and provides more onerous responsibility and accountability for fair and transparent processing. Our Recruitment Privacy Statement provides specific details in accordance with the GDPR principles and can be found at in Appendix 1.

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

- 2.1. The power to offer employment for all posts below the level of Deputy Head is delegated to the Headteacher. The Headteacher may delegate the offer of employment to Deputy Head Teacher.
- 2.2. The Headteacher is expected to involve at least one governor in the appointment of all senior staff.
- 2.3. Selection panels will comprise a minimum of two people (normally three). In accordance with the statutory requirement, every selection panel will have at least one member who has undertaken Safer Recruitment Training. In addition, **at least one member will have undertaken general recruitment or equalities training.**

## 3. Advertising

- 3.1. All vacant posts will be advertised to ensure equality of opportunity and encourage as wide a field of candidates as possible. This will normally mean placing an advertisement externally. However, where there is a reasonable expectation that there are sufficient, suitably qualified internal candidates, or staff are at risk of redundancy, vacancies may be advertised internally before an external advertisement. In these circumstances, the selection panel may decide that certain parts of the recruitment process may be omitted but all candidates will be subject to a formal interview, the satisfactory reference requirements and any other necessary checks.
- 3.2. The advert will include the level of DBS check required depending on the role being recruited for and whether the role will involve regulated activity.
- 3.3. Whether the post is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020. Which means certain spent convictions and cautions are 'protected', so they do not need to be disclosed to employers. If they are disclosed, they will not be taken into account.

- 3.4. All adverts state the requirement for a certificate of good conduct where applicable, in addition, for teaching posts, a letter of professional standing from the professional regulating authority in the country in which the applicant has worked.
- 3.5. Within the advert the applicant will be provided with the school's policy and practice in relation to safeguarding and promoting the welfare of children.
- 3.6. In accordance with Keeping Children Safe in Education, the school will consider carrying out an online search as part of the due diligence on shortlisted candidates. Where an online check will be carried out, this will be indicated in the advert and/or recruitment pack.

#### 4. Information for Applicants

All applicants for all vacant posts will be provided with:

- 4.1. A job description outlining the duties of the post and an indication of where the post fits into the organisational structure of the School. A person specification may also be provided.
- 4.2. An application form. CVs will not be accepted.
- 4.3. An Information pack containing:
  - A description of the School relevant to the vacant post.
  - Reference to the School's policy on Equality and Diversity.
  - Reference to the Child Protection/Safeguarding Policy.
  - DBS and other pre-employment checks required.
  - A statement that canvassing any member of staff, or member of the Governing Body, directly or indirectly, is prohibited and will be considered a disqualification.
  - The closing date for the receipt of applications.
  - An outline of the terms of employment including salary.
  - Reference to the School's policy on recruitment and selection.

#### 5. Short Listing and Reference Requests

- 5.1. The selection panel will use an agreed shortlisting form. The criteria for selection will be consistently applied to all applicants based on the essential and desirable criteria for the post. The selection panel will agree the candidates to be called for interview.
- 5.2. The selection panel will take up at least two references on each short listed candidate. If a candidate for a post working with children is not currently working with children, a reference will be sought from the most recent employment working with children to confirm details of their employment and their reasons for leaving. One reference will be from the applicants current employer.

Reference requests will ask the referee to confirm:

- The referee's relationship with the candidate.
- Details of the applicant's current post and salary.
- Performance history and conduct.
- All formal time-limited capability warnings which have not passed the expiration date.
- All formal time-limited disciplinary warnings where not relating to safeguarding concerns which have not passed the expiration date.

- All disciplinary action which may include those where the penalty is “time expired” and relate to the safety and welfare of children.
  - Details of any substantiated allegations or concerns relating to the safety and welfare of children.
  - Whether the referee has any reservations as to the candidate’s suitability to work with children. If so, the School will ask for specific details of the concerns and the reasons why the referee believes the candidate may be unsuitable to work with children.
- 5.3. References are the "property" of the selection panel and strict confidentiality will be observed. Employer testimonials or ‘bearer references’ i.e. those provided by the candidate and/or marked ‘to whom it may concern’ will not be accepted. References must be in writing and be specific to the job for which the candidate has applied. The selection panel will not accept references from relatives or people writing solely in the capacity as a friend of the candidate. References will be verified, and any discrepancies will be discussed with the candidate at interview. Electronic references will be checked to ensure they originate from a legitimate source.
- 5.4. References will be checked against information on the application; any discrepancies/issue of concern noted to take up with the applicant at interview. The school will contact referees to clarify where information is vague or insufficient information is provided
- 5.5. On receipt, equality monitoring information must be separated from applications
- 5.6. If the field of applicants is felt to be weak the post may be re-advertised.
- 5.7. Where the school has carried out an online search on shortlisted candidates as part of the due diligence, any concerns which arise may be discussed with the applicant at, or prior to the interview stage.
- 5.8. All shortlisted candidates will be required to complete a self-declaration of their criminal record or information that would make them unsuitable to work with children. For example:
- If they have a criminal history
  - whether they are included on the barred list
  - whether they are prohibited from teaching
  - whether they are prohibited from taking part in the management of an independent school
  - information about any criminal offences committed in any country in line with the law as applicable in England and Wales, not the law in their country of origin or where they were convicted
  - if they are known to the police and children’s social care
  - have they been disqualified from providing childcare (Childcare Disqualification Regulations 2018)
  - any relevant overseas information
- 5.9. Applicants will be asked to sign a declaration confirming the information they have provided is true. Where there is an electronic signature, the shortlisted candidate will be asked to physically sign a hard copy of the application at the point of interview.

## 6. Interviews

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

#### 6.1.1. Briefing:

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

#### 6.1.2. The formal interview:

Before the interviews the selection panel will agree on the interview format. The questions asked will be aimed at obtaining evidence of how each candidate meets the requirement of the job description and the person specification and each candidate will be assessed against all of the criteria for the post. The same areas of questioning will be covered for each applicant and no questions which would discriminate directly or indirectly on protected characteristics under the Equality Act 2010 will be asked. The selection process for every post, will include exploration of the candidate's understanding of child safeguarding issues. Questions will include:

- Finding out what attracted the candidate to the post being applied for and their motivation for working with children
- Exploring their skills and asking for examples of experience of working with children which are relevant to the role
- Probing any gaps in employment or where the candidate has changed employment or location frequently, asking for the reasons for this

The interview will also explore potential areas of concern to determine the applicant's suitability to work with children. Area that may be concerning and lead to further probing include:

- Implication that adults and children are equal
- Lack of recognition and/or understanding of the vulnerability of children
- Inappropriate idealisation of children
- Inadequate understanding of appropriate boundaries between adults and children
- Indicators of negative safeguarding behaviours

Any information about past disciplinary action or allegations will be considered in the circumstances of the individual case.

The interview will also include a discussion of any convictions, cautions or pending prosecutions, other than those protected, that the candidate has declared and are relevant to the prospective employment.

The recruitment documentation will be retained for six months from the date of interview. Applicants have the right to request access to notes written about them during the recruitment process. After six months all information about unsuccessful candidates will be securely destroyed.

## 7. Offer of Employment by the Selection Panel

7.1. The offer of employment by the selection panel and acceptance by the candidate is binding on both parties subject to:

- Verification of identity (including Birth Certificate)
- Verification of right to work in the UK
- Proof of relevant qualifications

- Satisfactory DBS Enhanced Disclosure
- A Certificate of good conduct (if applicable) which may include EEA sanctions and restrictions
- Barred list check
- Teacher Prohibition (if applicable)
- Section 128 check (if applicable)
- Pre-employment medical screening
- Satisfactory references.
- Disqualification under the Childcare Disqualification Act 2006, as amended

The successful candidate will be informed, normally by offer letter, that the appointment is subject to satisfactory completion of these checks.

7.2 Unsuccessful shortlisted candidates will be notified

## 8. Personnel File and Single Central Record

- 8.1. Recruitment and selection information for the successful candidate will be retained securely and confidentially for the duration of his/her employment with the School including:
- Application form – signed by the applicant
  - Interview notes – including explanation of any gaps in the employment history
  - References – minimum of two
  - Proof of identity
  - Proof of right to work in the UK
  - Proof of relevant academic qualifications
  - Certificate of Good Conduct (where applicable) which may include for teaching positions, a letter of professional standing from the professional regulating authority in the country (or countries) in which the applicant has worked
  - Evidence of medical clearance from the Occupational Health service
  - Evidence of DBS clearance, barred list and teacher prohibition checks
  - Teacher prohibition checks
  - Evidence of a Section 128 direction (where applicable)
  - Offer of employment letter and signed contract of employment
  - Disqualification under the Childcare Disqualification Act 2006, as amended.
- 8.2. Retention of personal information for the successful candidate following the end of their employment will be in accordance with the school's data retention policy, which is compliant with the relevant Data Protection Act. When retained documents have reached their data retention limit they will be securely destroyed
- 8.3. The school will destroy information obtained by a vetting exercise as soon as possible or within six months. A record of the result of the vetting or verification of the successful candidate will be retained on the employees file and the Single Central Record
- 8.4. The school will normally collect personal information from you only where we have your consent to do so, where we need the personal information to perform a contract with/involving you, or where the processing is in our legitimate interests and not overridden by your data protection interests or fundamental rights and freedoms. In some cases, we may also have a legal

obligation to collect personal information from you or may otherwise need the personal information to protect your vital interests or those of another person. The school will retain a record of consent as evidence that we have obtained consent to collect and process the data and that applicants have been advised of the purpose of the collection and processing.

- 8.5. You have the right to withdraw your consent at any time and can do so by informing the school's Data Protection Officer, with the exception of documents that are required for a statutory requirement.
- 8.6. The School will maintain a Single Central Record of employment checks in accordance with Keeping Children Safe in Education.

## 9. Start of Employment and Induction

- 9.1. The pre-employment checks listed in paragraph 8.1 above must be completed before the employee starts work. Exceptions will only be made in circumstances where a risk assessment has been undertaken. Exceptions will never be made in the case of the barred list and teacher prohibition checks.
- 9.2. All new employees will be provided with an induction programme which will cover all relevant matters of School policy but in particular safeguarding and promoting the welfare of children, this will include:
  - Child protection policy which will include amongst other things the policy and procedures to deal with peer on peer abuse
  - Behaviour policy (which includes measures to prevent bullying, including cyberbullying, prejudice-based and discriminatory bullying)
  - Staff behaviour policy (also known as code of conduct)
  - safeguarding response to children who go missing from education
  - role of the designated safeguarding lead (including the identity of the designated safeguarding lead and deputies)
  - Copies of all policies and a copy of Part one or Annex A of KCSIE, if appropriate will be provided to all staff at induction

# Appendix 1

## Recruitment Data Privacy Statement

1. As part of our candidate application and recruitment process Heltwate School (the “school”) collects, processes and stores personal information about you. We process this information for a range of purposes relating to the recruitment process and this may include your application, assessment, pre-employment screening, and your worker permissions. This document sets out:

1. why we collect your personal information;
  2. what information is collected and;
  3. how it is processed within the recruitment process.
2. Throughout this Privacy Notice we use the term “processing” to cover all activities involving your personal information, including collecting, handling, storing, sharing, accessing, using, transferring and disposing of the information.

### **1) Why do we collect your personal information?**

3. In order to manage your application, we need to process certain personal information about you. The purposes for this are set out below. We only process your information as necessary for the purposes of progressing your application or as required by law or regulatory requirements, so not all of the purposes set out below will apply to you all of the time.

- Application: name, address, employment history, academic and professional qualifications, age, diversity (i.e. gender, ethnicity, disability, sexual orientation), nationality, previous disciplinary matters and eligibility for free school meals;
- Assessment: interview (face to face) behavioural assessments (such as a role play, group exercise or presentation), technical assessments;
- Pre-employment screening (PES): references, DBS checks, pre-employment health checks

### **2) What personal information might we process?**

4. Here are some examples of the type of information we may process. There’s a full list in the schedule at the end of this notice.

- Personal details such as name, address, date and place of birth;
- Work history/job data; previous employers, positions, dates, etc.
- Education and work history including professional qualifications and skills;
- Employer feedback / references to include regulated references where necessary;
- Nationality / visa / right to work permit information; (e.g. passport, driving licence, National Insurance numbers)
- Results of Pre employment screening checks (e.g. criminal records checks where permitted under local law)
- Assessment results

5. During the process we also capture some sensitive personal data about you (e.g. disability information). We do this in order to make reasonable adjustments to enable our candidates to apply for jobs with us, to be able to attend interviews, to prepare for starting at the school (if successful) and to ensure that we comply with regulatory obligations placed on us with regard to our hiring.



### **3) Who do we share your personal information with?**

6. The school will need to share your personal information internally and may require sharing it with some external parties. Your information will only be shared if it is necessary or required (for example in order to carry out Pre-employment screening).

7. The recruitment process will involve:

- Assessing and progressing your application,
- Assessing your suitability (skills, strengths, behaviours for the role)
- Activities needed to complete the on-boarding and screening process should your application be successful.

8. To enable these processes your personal information may be shared internally, but the information shared is limited to what is required by each individual to perform their role in the recruitment process.

9. Your personal information may be shared internally with the following people:

- Those employees who would have managerial responsibility for you or are acting on their behalf;
- Employees in HR who have responsibility for certain HR processes (for example recruitment, assessment, pre-employment screening);
- Employees in Legal, Conduct, Risk, HR, Regulatory and Fraud with responsibility for investigating issues of non-compliance with laws and regulations, policies and contractual requirements;
- Employees in IT and system owners who manage user access;
- Audit and Investigations employees in relation to specific audits/investigations; and
- Security managers for facilities / premises.

10. The school may also need to share your information with certain external third parties including:

- Third Party company for processing Human Resources and Payroll on the schools behalf;
- Suppliers who undertake background screening on behalf of the school (criminal checking bureaus, etc.)
- Academic institutions (Universities, colleges, etc.) in validating information you've provided
- Other third-party suppliers (or potential suppliers), who provide services on our behalf.

### **4) How do we protect your information?**

11. Our HR and Recruitment systems are protected to ensure that unauthorised or unlawful processing of personal information, accidental loss or destruction of, or damage to, personal information does not occur. This is done in accordance with the School Security Policy.

12. The school requires its third party suppliers or recipients of personal information to guarantee the same level of protection as provided by the school. Your personal information will be retained in accordance with the Schools Managing Records Policy (which means that we may hold some information after your application to the school is complete).

## **5) Your Rights**

13. You are entitled to see the information the school holds about you. You can also request changes to be made to incorrect information. You can ask for information to be deleted or blocked if you legitimately think that the school shouldn't be processing that information, is processing it incorrectly.

14. If you have any queries about this notice or your personal information generally, including questions about accessing your personal information or correcting it, you should contact the School Business Manager in the first instance. Alternatively, there is information available on our internet about accessing your personal information, please search for "subject access requests".

15. It is your responsibility to keep your personal information up to date so that accurate application records can be maintained.

16. As this document is updated, the current versions will be posted on the school website under Data Protection.

## **6) Screening checks**

17. As part of the Selection process, Heltwate School performs a number of screening checks, where permitted by local law. These checks are only performed on candidates who have been selected for a role. Your consent will be requested before screening checks are performed.

## **7) Criminal records checks**

18. Given the nature of our business, we have legal and regulatory obligations to ensure that the people we employ are suitable to work with children. We therefore ask questions about any prior civil or criminal proceedings you may have been subject to and will also conduct criminal record checks.

## **8) Processing Conditions**

19. The school's entitlement to process your personal information is governed by a number of processing conditions. This means that we may rely on more than one of these conditions in order to process elements of your personal information throughout the recruitment process.

- The school will process your personal information in the administration of your application.
- The school will also process your personal information where it is required by law or regulation or it is in the legitimate interests of the applicant or the school. This processing will always be fair and lawful and will at all times comply with the principles of applicable privacy laws.
- During the course of your application it may also be necessary for the school or its suppliers to process your sensitive personal information as per the detail in section 2 and Schedule 1 of this notice. This processing will be carried out on the basis of 6(a) and 6(b) above, as well as your express consent which is captured as part of the recruitment process.

### **Schedule 1: Full list of information we may process<sup>9</sup>**

- Name, work and home contact details
- Date and place of birth

- Education and work history
- \* Individual demographic information in compliance with legal requirements (such as marital status, national identifier, passport/visa information, nationality, citizenship, military service, disability, work permit, date and place of birth or gender)
- Health issues requiring adaptations to working environment
- Job title, grade and job history
- Employment contract related information (including compensation, location, hours of work and so on)
- Reporting and managerial relationships
- Leaves of absence (such as maternity leave, sickness absence)
- Photograph(s)
- Disciplinary / grievance records
- Time and attendance details
- Bank account details for salary payment purposes
- Expenses such as travel and expenses claimed from the school
- Skills and qualifications
- Training history and plans
- Results of original and ongoing employee screening, where relevant (see section 6)
- Details provided in relation to Conduct policies (such as conflicts of interest, personal account dealing, trade body membership and so on)
- Health & safety incidents, accidents at work and associated records
- Building CCTV images
- Audio recordings of telephone interviews
- Video recordings of interviews
- Notes from face to face interviews
- Results from behavioural assessments
- Results from technical assessments