

Policy Document

STAFF APPOINTMENTS AND PROCEDURES

INTRODUCTION

- 1 The Academy recognises that its employees are its single most important resource. Therefore, recruitment is a management activity of major importance. Recruitment is not an isolated task but rather the beginning of the employment relationship.
- 2 The Academy recruitment and selection processes are based on:
 - the ability of the candidate to undertake the specific role;
 - the ability of the candidate to make a contribution to the life of the Academy;
 - the candidate's potential for development and
 - the candidate is safe to work with children and young people.
- 3 The Academy will at all times use the recruitment and selection process to:
 - attract and retain a high calibre of staff;
 - ensure the highest quality of teaching and support for all students;
 - be competitive with other organisations especially in the areas and categories where recruitment is particularly difficult;
 - promote the most favourable image of the Academy and
 - ensure safer recruitment processes are used.
- 4 This procedure covers the appointment of staff to all posts except those covered by the Academy's arrangements for the appointment of the Principal, Senior Staff and Business Manager, where the CEO and Governors will be involved.
- 5 The Principal is responsible for the appointment of staff under this procedure.
- 6 Throughout the recruitment and selection process, all staff involved must be mindful of the Academy's Equal Opportunities (Staff) Policy.

SAFER RECRUITMENT

- 1 The latest edition of the government's guidance *Working Together to Safeguard Children* (HM Government, April 2006) states that 'all agencies

and individuals should aim to proactively safeguard and promote the welfare of children so that the need for action to protect children from harm is reduced' (p 35 para 1.21). The guidance also points out that all organisations that work with children share a commitment to safeguard and promote their welfare and that all organisations that provide services or work with children and young people should:

- Have effective recruitment and human resources procedures, including checking all new staff and volunteers to make sure they are safe to work with children and young people.
- Guidance to local authorities, schools and FE institutions about these duties can be found in *Safeguarding Children and Safer Recruitment in Education* (DfES, November 2006).
- A well-planned and structured recruitment process provides the best chance of recruiting the best person for the role, and for ensuring that any information that could be important in determining whether someone is safe to work with children is not missed.

The key messages:

- The need for a structured process applied consistently in respect of all applicants
- An understanding of the importance of the different tools
- The importance of planning and preparation
- The need to allocate appropriate resources and time to each stage of the process
- An appreciation of the time it will take to recruit someone.

Features of a safer recruitment process are:

- Time set aside for planning and structuring the process
- Clear job, role and person specifications setting down boundaries and expectations of the role, including statement of responsibility and requirements for safeguarding
- Clear messages about safeguarding sent to candidates from the outset
- Statement about commitment to safeguarding incorporated in any job advert
- Application forms, not CVs
- References obtained before interview wherever possible; include specific enquiries about applicant's background in relation to safeguarding, and given proper weight and consideration in the selection process
- At a minimum, selection process that involves a face-to-face interview and where possible also uses another tool, (role play, presentation, teaching a lesson, participating in activities with children under observation etc)
- Probing questions at interview into motives, attitudes and behaviours, not just skills and experience. Also questions covering safeguarding issues as well as other role-related areas

- Information sought about criminal history, used appropriately
- No over-reliance on vetting checks
- An ongoing culture of vigilance in the organisation.

REVIEW OF THE VACANCY

- 1 When there is a vacancy due to an employee leaving the Academy, it is the Principal's responsibility to review the vacant position and assess whether the vacancy requires to be filled. The role and its fit within the structure of the Academy will be included in this review.
- 2 Where an increase in student numbers generates the need for additional staff, it is the Principal's responsibility to assess the level and nature of that need. The Principal will report the conclusions of that assessment to the Governing Body and seek approval for any increase in the number of posts. It is anticipated that this would normally form part of the annual budget process.
- 3 Consideration will be given to whether vacancies can be filled by a part time appointment or a job share. The requirements of continuity for the learning experience of students are of primary importance.

JOB DESCRIPTION AND PERSON SPECIFICATION

- 1 The job description will outline the duties and responsibilities of the job. The job description will state that the position requires Standard or Enhanced Disclosure from the Criminal Records Bureau (CRB).
- 2 The person specification will outline the characteristics and attributes of the ideal candidate. When determining the person specification, the Principal will avoid setting standards of qualifications, experience or personal qualities which may unfairly discriminate against minority racial groups, those of one sex or the other or the disabled. The person specification will be used as a check-list of attributes in the short-listing, interviewing and appointment process.
- 3 It is important to have clear job descriptions and person specifications for roles within the organisation and keeping them up to date. It is good HR practice and essential for effective performance management. The key point is that the job description and person specification will specifically include reference to the responsibility the role has for safeguarding and promoting the welfare of children and the qualities – whether that be ability , experience, training or attitude, or a mixture of these – that the person will need to fulfil that responsibility.
- 4 Research confirms that abusers will be deterred if they believe an organisation is alert to safeguarding issues and has appropriate policies in place. Very often an abuser will not proceed with an application in those circumstances and will look for a softer target.

APPLICATION FORM

- 1 The Academy will use a standard application form for the appointment of staff. Modifications to the standard application form may be made to reflect the needs of the particular position being advertised. For example, there may be differences in the information required from applicants for teaching and support posts.
- 2 The use of an application form as a standard recruitment tool is intended to contribute to ensuring that the recruitment process is non-discrimatory.
- 3 The applicants are required to disclose details of any criminal convictions, cautions or bind-overs they may have incurred.
- 5 The key information that should be obtained on the application form:
 - Personal details
 - Present employment and reason for leaving
 - Full history since leaving school
 - Qualifications
 - References
 - Personal statement to meet person specification
 - Signed declaration about any criminal record
 - Signed declaration that all information is true.
- 6 The reasons for self-disclosure of criminal background, even though applicants can lie.
 - It gives the applicant an opportunity to flag up something that may not be relevant in a confidential way. This is an opportunity to get it out into the open so that if necessary, it can be discussed with them at interview or beforehand, rather than having to wait for a CRB disclosure, which might take a long time. Many people are embarrassed about past mistakes and would find it hard to disclose something for the first time in a face-to-face situation.
 - It is part of the process of deterring unsuitable candidates discussed above. It shows we take safe recruitment seriously.
 - Having a written declaration means that if the CRB disclosure reveals that the successful candidate has deliberately lied about his or her criminal background*, it is easier for the police or regulatory agency to take action against the person.

Note: If someone makes a self-disclosure, that doesn't remove the need to get a CRB disclosure. It is not unknown for an abuser to disclose a trivial criminal offence that is not relevant to work with children in order to establish him- or herself as an honest and credible candidate. This would be an attempt to persuade a prospective employer that the formality of a CRB check is not necessary.

JOB INFORMATION PACK

- 1 A job information pack will be produced for all vacancies prior to advertising the vacancy. The pack will include:
 - Application form
 - Equal Opportunities Monitoring form
 - Job description
 - Person specification
 - Background information on the Academy (e.g. prospectus)
 - Contextual information, where appropriate (e.g. staffing structure)
- 2 Applicants should receive the job information pack promptly after their enquiry.

ADVERTISING

- 1 The Principal will consider whether or not it would be appropriate only to advertise the vacancy internally. In arriving at this decision, the Principal will be mindful of the principles set out in the Introduction to these procedures, the requirements of these procedures in relation to discrimination and the Academy's Equal Opportunities (Staff) Policy. The Principal should record the reason(s) for the decision taken on external advertising.
- 2 Steps will be taken to ensure that knowledge of vacancies reaches under-represented groups internally and, where appropriate, externally.
- 3 The Principal will ensure that a copy of the advertisement is circulated within the Academy immediately prior to any external advertisement.
- 4 Wherever appropriate, vacancies will be notified to job centres, careers offices and colleges as well as to minority press, media and organisations. The Academy may also invite someone for interview by approaching a specific individual.
- 5 All vacancy advertisements should include a short statement on equal opportunities.
- 7 The Academy may use an agency or external consultancy to manage the recruitment process in whole or in part.
- 8 The advertisement will state our commitment to safeguarding and promoting the welfare of children and that the successful applicant will be required to provide a CRB disclosure.

SHORT-LISTING OF APPLICANTS

- 1 The Principal will decide who is to be involved in the short-listing process. CEO will be involved in all senior appointments. The short-listing panel should consist of at least two people including the Principal.
- 2 The criteria for short-listing will be based on the job description and the person specification in order to ensure that the short-listing is carried out fairly and systematically.
- 3 A record of the decisions taken will be made. In particular, this will be clear on the reason(s) why unsuccessful applicants were not selected for interview.

CANDIDATE REFERENCES

The key points are:

- A person's past behaviour is the most reliable way of predicting future behaviour. Consequently the information that you can obtain from referees can be very important.
 - Wherever possible, get a reference relating to a previous role in which the applicant worked with children. If the person is not working with children at present, also obtain a reference from the person's current employer.
 - Many employers prefer to give vague or non-specific references. This is not helpful when you are asking about past behaviour with children. Ask specific questions. If an employer says it is not their policy to provide references, ask the applicant to nominate another referee.
 - Wherever possible, obtain references on shortlisted candidates before interviewing them so that any concerns or issues are identified and can be explored with the candidate at interview before a final decision is made. It is much harder to take up concerns after you have offered someone the job.
- 1 References will normally be sought between the short-listing process and the interview. No reference may be sought without the prior agreement of the candidate. This permission is requested on the application form.
 - 2 One reference should be from the present or most recent employer of the candidate, unless the most recent employment relates to a period finishing over ten years ago.
 - 3 Referees should normally have had some management responsibility for the applicant. However, where appropriate, a tutor's or client's reference would be acceptable. A personal reference, although sometimes helpful, should not be relied upon in making an assessment of the candidate's professional or work capabilities.
 - 4 Referees will be asked to state their relationship to the applicant. Referees will also be asked to confirm the candidate's record of attendance and punctuality. This may lead to questions regarding the candidate's health record and suitability for the post. The Principal will follow up any concerns

with the referee to ensure clarity of information. Similarly, where a reference is ambiguous on a material point, the Principal may make further enquiries of the referee.

- 5 The reference request may be open-ended or ask referees to respond to pre-determined questions. Care will be taken to ensure that any questions asked are fair and based on the job role. The job description and person specification will be included with all reference requests.
- 6 Two satisfactory written references are required before an offer of employment may be confirmed. If two references have not been received at the point of offer, the offer of employment should be made conditional on receipt of references. If a reference regarded as unsatisfactory is received, the candidate must be informed as soon as possible but should not be told the specific piece of information within the reference judged to make the reference unsatisfactory. Where a conditional offer is withdrawn, the Principal will ensure that the reason(s) for deciding that the reference is unsatisfactory is recorded.

SELECTION

- 1 The Principal will determine the size and composition of the selection panel, taking into account the nature and seniority of the position being filled. The selection panel should consist of at least two people.
- 2 Considerable care will be taken over the practical arrangements for the selection events. The process has an impact on how the Academy is perceived by both the successful and unsuccessful candidates. Care will also be taken where candidates have indicated that they have a disability which requires a reasonable adjustment to be made to the selection process.
- 3 The Principal will draw up selection criteria (taking account of the job description and the person specification) and also decide the range of selection activities to be used; for example, interview, test(s), lesson delivery. The candidates should be advised of these selection activities prior to the selection event.
- 4 The Principal will also consider what activities might be appropriate in informing candidates of the nature of the post and the Academy; for example, tour of the Academy building, meeting(s) with staff and/or students.
- 5 On the day of the selection, panel members will allow time before the start to rehearse the areas to be covered. This may include reviewing the interview questions to ensure that they are based on the job description and person specification and address the selection criteria. To ensure consistency and fairness, every candidate will be asked the same or similar questions, as far as possible. The selection panel may allocate particular questions to its members. The selection panel may seek advice from others involved in the selection day

as long as such advice is sought consistently in respect of all candidates, and is recorded.

- 6 Each panel member will complete the evaluation sheet in respect of every candidate. This allows each panel member to state the reasons for their selection decisions.
- 7 Candidates will be notified of the outcome of the selection exercise as soon as possible after the selection day.

CONDITIONAL OFFER

- 1 The offer of appointment is typically conditional. Confirmation of the appointment will be conditional on receipt of:
 - Satisfactory references
 - Criminal Records Bureau Disclosure
 - Proof of qualifications
- 2 A conditional offer will state clearly that it is conditional, indicating the information on which the offer is dependent.

VETTING AND BARRING/CRIMINAL RECORDS DISCLOSURE

- 1 All appointments are conditional upon the disclosure process operated through the Criminal Records Bureau. This process is a legal requirement with respect to all employees who have regular contact with children.
- 2 All staff must undergo Enhanced Disclosure.
(details of standard disclosure removed)
- 3 Enhanced Disclosure includes the information that would be on a Standard Disclosure but may also contain information that is held locally by the police.
- 4 The disclosure requirement is clearly stated in the contract of employment but should be explicitly stated during the selection process. This gives the candidate the opportunity to raise any known issues themselves during the interview.
- 5 In making a conditional offer of employment, the successful candidate will be invited to sign the Confidential Declaration Form and to return the form under confidential cover to the Principal. This form sets out clearly the legal requirements with regard to Disclosure and ensures that the candidate has the opportunity to declare any cautions, reprimands, warnings or convictions in confidence.
- 6 The disclosure of a current or spent conviction, caution, reprimand or warning does not necessarily mean that the offer of employment cannot be confirmed. The main consideration will be whether the nature or timing of the offence makes the candidate unsuitable for work in a school.

- 7 Appropriate and secure arrangements for storing disclosure documents during the recruitment process will be made. This information will be stored separately from personnel files and only those senior members of staff directly involved in the recruitment process should have access to the documents. The disclosure documents should be destroyed as soon as the appointment decision has been made.
- 8 The Academy will retain a record that disclosure has been requested and received for every employee. This record will include for each employee:
 - Date of Disclosure
 - Name of the person to whom Disclosure applies
 - Type of Disclosure
 - The position in question
 - The unique identification number of the Disclosure
 - The recruitment decision taken
- 9 Disclosure will be requested for every new appointment to the Academy and also where there is a significant change of role impacting on the level or nature of contact with children causing an Enhanced Disclosure to be necessary for an employee who has only been subject to Standard Disclosure.

POLICY ON THE RECRUITMENT OF EX-OFFENDERS

- 1 As its policy on the recruitment of ex-offenders, the Academy has adopted the general practice guidance published by the Chartered Institute of Personnel and Development on the employment of people with criminal records.

PROOF OF QUALIFICATIONS

- 1 All appointments are conditional upon documentary proof of the applicant's qualifications (if applicable). This condition is clearly stated in the contract of employment but will be explicitly stated during the selection process.
- 2 The Principal should ask for sight of original documentation from the successful candidate.

PAY DECISIONS

- 1 The Principal is responsible for deciding the salary level of the successful candidate. The pay decision will be made in line with the published pay policy, the experience and qualifications of the successful candidate and the previously approved salary band agreed when the proposed position was authorised.

DISCRIMINATION

- 1 The Academy will not discriminate against applicants for employment on grounds of race, sex or disability. Very considerable care will be taken with respect to discrimination at all stages of the recruitment and selection process.

- 2 All applicants will be asked to complete an Equal Opportunities Monitoring form. The applicants' Equal Opportunities Monitoring forms will not be made available to those taking short-listing or selection decisions.

Race Discrimination

- 3 Direct discrimination arises where the Academy treats an employee or prospective employee less favourably on the grounds of race or ethnic origins than it treats (or would treat) someone else.
- 4 Indirect discrimination involves treatment that, although it applies to all employees and prospective employees, has a disproportionate effect on a particular group such as certain ethnic groups. Care will be taken where there may be an overlap between race and religion.

Sex Discrimination

- 5 Direct sex discrimination arises where the Academy treats an employee less favourably, on the grounds of gender, than it treats (or would treat) someone else.
- 6 Indirect sex discrimination involves treatment which, although it applies to all employees and prospective employees, has a disproportionate effect on a particular group, such as women. Care will be taken to avoid indirect discrimination that arises where the recruitment policies, selection criteria and/or conditions of employment make it more difficult for members of one sex to comply. Such policies may appear to be right in principle but are not permissible if they are discriminatory in effect.
- 7 Many women and, in particular, those returning to work after maternity leave express the wish to work on a part-time (or job share) basis and such requests will be received and considered sympathetically. Although there is no specific right to return to part-time employment after a period of maternity leave, an employee could argue that a refusal to allow her to return on a part-time basis is indirect discrimination. The Academy will, therefore, be able to show good reason why the work has to be done on a full-time basis.

Disability Discrimination

- 8 Employers are required to make reasonable adjustments to their employment arrangements or premises if the existing arrangements substantially disadvantage disabled applicants or employees. This includes making reasonable changes to premises, fixtures and fittings, furniture and stairways.
Less favourable treatment can be justified if the treatment is relevant to the circumstances of the individual case or if the reason is substantial and cannot be reasonably overcome or reduced.
- 9 The Equal Opportunities Monitoring form asks prospective candidates to indicate whether there is a need for any reasonable adjustment to be made. The Academy accepts its responsibility to ensure that action is taken based on this information.

MONITORING, EVALUATION AND REVIEW

The Governing Body will review this policy at least every two years and assess its implementation and effectiveness. The policy will be promoted and implemented throughout the Academy.

Reference

“Employing People with Conviction: a good practice guide on the employment of people with criminal records” Chartered Institute of Personnel and Development (2001)

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Reviewed July 2009 by T Askew
Revision due July 2011