



RECRUITMENT AND SELECTION POLICY

THIS POLICY SHOULD BE READ IN CONJUNCTION WITH THE ACCOMPANYING GUIDANCE

Policy to be reviewed following legislative changes

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1. INTRODUCTION

The SENDAT Board of Directors recognises that recruiting and retaining high quality staff is critical to the Trust's success. Successful appointments have a direct impact on the quality of teaching and learning. This policy and procedure provides information and resources for all stages of the recruitment and selection process, including safer recruitment practices and the regulatory requirements around the appointment of SENDAT School / Alternative Provision (AP) staff.

Throughout recruitment and selection processes, SENDAT, schools and other provisions should be mindful of their responsibilities under equalities legislation, ensuring their practices are not discriminatory and consider reasonable adjustments related to disability. Guidance on equal opportunities, equal pay, discrimination in employment and employment and disability is provided in the Trust's Equal Opportunities policy and guidance document.

1.1 Staffing structure

The SENDAT central team and every individual SENDAT school / AP should have a staffing structure agreed by the relevant Committee of the Board of Directors. The staffing structure should be reviewed periodically to ensure that it makes effective use of staffing resources and whenever it is proposed to make significant changes. The structure should specify lines of management accountability and levels of responsibility for each post and should link explicitly to the SENDAT Pay policy.

All recruitment should be to a post in the staffing structure, following a review of the post by the appropriate level of management and consideration as to whether it is necessary to fill the vacancy at all, or whether the post should be changed in some way.

Those managing the recruitment process should ensure there is an up-to-date job description (setting out the duties and describing the context of the post) and person specification (setting out the qualifications, experience, etc, required to carry out the duties of the post) available and that these inform every stage of the recruitment and selection process. Example job descriptions and person specifications are available from the SENDAT HR team and can also be found in the HR policies area of SharePoint.

Local Academy Boards (LABs) should also consider arrangements for CPD, career progression and succession planning and make recommendations to the SENDAT Board. This will help to ensure effective management of the long term recruitment and retention needs of the SENDAT school / AP.

1.2 Safer Recruitment

SENDAT and all its SENDAT schools / APs will follow current statutory guidance on safer recruitment. Earlier DfE guidance on safeguarding will also be followed by SENDAT and all its constituent schools / APs, including at all stages of the recruitment, selection and appointment process an explicit statement about the organisation's commitment to safeguarding and promoting the welfare of children.

1.3 Delegation of responsibility for Recruitment and Selection

Recruitment and selection is delegated to the CEO for all appointments up to Senior Leadership (SLT). Appointments for posts at SLT level is delegated to the CEO in conjunction with one or more Directors. The CEO will not take any part in the arrangements for selecting his/her successor. Recruitment and selection may be further delegated to the relevant Head of Centre or other SENDAT unit.

1.4 Headteacher / Head of School appointments

When a headship vacancy occurs the Board of Directors will:

- As necessary, appoint a member of staff to carry out the functions of the post pending the appointment of a permanent incumbent.
- Review the salary range attached to the post.
- Establish a selection panel to act on its behalf in the appointment process. The panel must consist of at least three Directors.
- Advertise the post in an appropriate manner. Any decision not to advertise will only be taken where the Board of Directors can demonstrate there is a good reason not to advertise. All decisions will be fully documented.

The selection panel must make a recommendation that is endorsed by a full meeting of the Board of Directors.

The above procedures also apply to appointments of Deputy Headships, except that the Headteacher / Head of School must be consulted about the appointment and involved in the appointment procedure.

2. RECRUITMENT AND SELECTION

2.1 Information for Candidates

Full and clear information should be provided for candidates on:

- The SENDAT school / AP and its current priorities/challenges
- Some of the benefits of living and working in the area
- Expectations for the post, including a detailed job description
- The likely skills and abilities of the successful candidate, usually detailed in a person specification
- Salary arrangements, including any other allowance, payment or recruitment incentive that may be part of the rewards package
- The SENDAT commitment to safeguarding
- Where candidates can find more information and how to apply, with all the relevant information in an easily accessible place.

2.2 Advertising

All permanent vacancies, and temporary vacancies for longer than one year, should be advertised openly, both internally and externally.

2.3 Application Forms

All SENDAT schools / APs should always use the trust's standard application form and ensure that candidates complete it properly and fully and sign the form. Applications made on-line and submitted electronically should be signed by the candidate at the interview.

The candidate's employment history should give precise dates of employment (i.e. day and month as well as year) so that any gaps in employment history cannot be disguised.

3. SAFER RECRUITMENT AND PRE-EMPLOYMENT CHECKS

3.1 DfE Guidance

All staff colleagues in SENDAT schools / APs should be familiar with the DfE's current statutory guidance "Keeping children safe in education" September 2020: [KCSIE](#) (or subsequent updates) and its detailed advice on safer recruitment. Staff colleagues should also ensure that they remain familiar with any earlier DfE guidance.

3.2 Safer recruitment training

All Trust SENDAT schools / APs are required to ensure that at least one member of any recruitment panel has received appropriate training in line with safeguarding guidance. .

3.3 Pre-employment Checks

When appointing new staff, the every SENDAT school / AP will work in conjunction with the SENDAT HR team to:

- Verify their identity
- Obtain (via the applicant) an enhanced Disclosure and Barring Service (DBS) certificate, including barred list information for those who will be engaging in regulated activity (see definition below). We will not keep a copy of this for longer than 6 months
- Obtain a separate barred list check if they will start work in regulated activity before the DBS certificate is available
- Verify their mental and physical fitness to carry out their work responsibilities
- Verify their right to work in the UK. We will keep a copy of this verification for the duration of the member of staff's employment and for 2 years afterwards
- Verify their professional qualifications, as appropriate
- Ensure they are not subject to a prohibition order if they are employed to be a teacher
- Carry out further additional checks, as appropriate, on candidates who have lived or worked outside of the UK, including (where relevant) any teacher sanctions or restrictions imposed by a European Economic Area professional regulating authority, and criminal records checks or their equivalent
- Check that candidates taking up a management position are not subject to a prohibition from management (section 128) direction made by the secretary of state
- Take up business references covering the five years leading up to date of appointment.

Appropriate checks will be carried out where relevant to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006.

We will ask for written information about previous employment history and check that information is not contradictory or incomplete.

We will seek references on all short-listed candidates (see section 3.4 below), including internal candidates, before interview. We will scrutinise these and resolve any concerns before confirming appointments. The references requested will ask specific questions about the suitability of the applicant to work with children.

Regulated activity means a person who will be:

- Responsible, on a regular basis in a school or college, for teaching, training, instructing, caring for or supervising children; or
- Carrying out paid, or unsupervised unpaid, work regularly in a school or college where that work provides an opportunity for contact with children; or
- Engaging in intimate or personal care or overnight activity, even if this happens only once and regardless of whether they are supervised or not

All SENDAT schools / APs should actively manage the progress of pre-employment checks to ensure that wherever practicable the checks have been completed before the applicant starts work. A checklist is provided in the accompanying guidance and SENDAT schools APs should ensure that the outcomes of all checks are recorded in their Single Central Record (see section 3.13). A thorough risk assessment, if necessary with the advice of the SENDAT central administration team, should be undertaken when considering allowing an applicant to start work while any pre-employment checks remain outstanding and additional supervision may be necessary if this is agreed.

Agency and third-party staff

We will obtain written notification from any agency or third-party organisation that it has carried out the necessary safer recruitment checks that we would otherwise perform. We will also check that the person presenting themselves for work is the same person on whom the checks have been made.

Contractors

We will ensure that any contractor, or any employee of the contractor, who is to work at the school has had the appropriate level of DBS check (this includes contractors who are provided through a PFI or similar contract). This will be:

- An enhanced DBS check with barred list information for contractors engaging in regulated activity
- An enhanced DBS check, not including barred list information, for all other contractors who are not in regulated activity but whose work provides them with an opportunity for regular contact with children

We will obtain the DBS check for self-employed contractors.

We will not keep copies of such checks for longer than 6 months.

Contractors who have not had any checks will not be allowed to work unsupervised or engage in regulated activity under any circumstances.

We will check the identity of all contractors and their staff on arrival at the school.

For self-employed contractors such as music teachers or sports coaches, we will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we decide that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought.

Trainee/student teachers

Where applicants for initial teacher training are salaried by us, we will ensure that all necessary checks are carried out.

Where trainee teachers are fee-funded, we will obtain written confirmation from the training provider that necessary checks have been carried out and that the trainee has been judged by the provider to be suitable to work with children.

In both cases, this includes checks to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006.

Volunteers

We will:

- Never leave an unchecked volunteer unsupervised or allow them to work in regulated activity
- Obtain an enhanced DBS check with barred list information for all volunteers who are new to working in regulated activity
- Carry out a risk assessment when deciding whether to seek an enhanced DBS check without barred list information for any volunteers not engaging in regulated activity. We will retain a record of this risk assessment
- Ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we decide that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought

SENDAT Directors and Local Academy Board (LAB) Members

All SENDAT Directors will have an enhanced DBS check without barred list information.

The Chair of the Full Trust Board will have their DBS check countersigned by the secretary of state.

All Directors and LAB Members will also have the following checks:

- A section 128 check (to check prohibition on participation in management under [section 128 of the Education and Skills Act 2008](#))
- Identity
- Right to work in the UK
- *Other checks deemed necessary if they have lived or worked outside the UK*

Staff working in alternative provision settings

Where we place a pupil with an alternative provision provider, we obtain written confirmation from the provider that they have carried out the appropriate safeguarding checks on individuals working there that we would otherwise perform

Adults who supervise pupils on work experience

When organising work experience, we will ensure that policies and procedures are in place to protect children from harm.

We will also consider whether it is necessary for barred list checks to be carried out on the individuals who supervise a pupil under 16 on work experience. This will depend on the specific circumstances of the work experience, including the nature of the supervision, the frequency of the activity being supervised, and whether the work is regulated activity.

Pupils staying with host families

Where the School/AP makes arrangements for pupils to be provided with care and accommodation by a host family to which they are not related (for example, during a foreign exchange visit), we will request enhanced DBS checks with barred list information on those people.

Where the School/AP is organising such hosting arrangements overseas and host families cannot be checked in the same way, we will work with our partner schools abroad to ensure that similar assurances are undertaken prior to the visit.

3.4 Employment References

References should always be sought on applicants for paid employment or volunteer posts, including, if possible, one from an applicant's current or most recent employer. Where an applicant has not been very long in their current or most recent post, the second reference should be from the previous employer. Referees will be requested to complete the SENDAT standard reference form, but as a minimum should be asked to provide confirmation of employment dates and whether there were any concerns of a safeguarding nature.

If necessary, where there is a history of short employments, a further reference or references should be obtained from a previous employer(s), ensuring references always cover at least the five most recent years of employment. Employers' references should be provided by an authoritative source in the employer's organisation. References should be sought using a standard pro forma which asks referees for specific information about the candidate's suitability to work with children and young people.

References should be sought on all short-listed candidates, including internal ones, and should be obtained before interview if possible so that any issues of concern they raise can be explored further with the referee, and taken up with the candidate at interview. In exceptional circumstances it might not be possible to obtain references prior to interview, either because of delay on the part of the referee, or because a candidate strongly objects to their current employer being approached at that stage, but that should be the aim in all cases.

In the event that it is not possible to obtain a business reference for any period during the five years leading up to the date of appointment, a risk assessment will be conducted and retained on the employee's HR file (see template at Appendix 1). Character references will be sought as a 'back-up' but not to replace business references.

3.5 Identity

All Trust SENDAT schools / APs must verify a candidate's identity, preferably from current photographic ID and proof of address except where, for exceptional reasons, none is available.

3.6 Disclosure and barring service (DBS checks)

All SENDAT employees are required to obtain a satisfactory Enhanced Disclosure from the Disclosure and Barring Service (DBS) as part of their pre-employment checks. All offers of employment will be conditional upon a satisfactory Enhanced DBS disclosure.

A DBS certificate must be obtained from the candidate before or as soon as practicable after appointment. A separate barred list check must be made if an individual is to start work in regulated activity before the DBS certificate is available. A person may not be employed to work with children or young people if they are barred by the Disclosure and Barring Service, i.e. their name appears on DFE Barred List. In addition, information regarding convictions, cautions, reprimands or warnings provided as part of a DBS check may suggest that the person offered an appointment is unsuitable for that post. SENDAT schools / APs should actively follow up on progress with applications. Once received, applicants must bring their DBS certificate into the SENDAT school / AP to be checked, both in terms of contents and authenticity.

3.7 Disqualification under the Childcare Act 2006

Under the Childcare (Disqualification) Regulations 2009, made under the Childcare Act 2006, individuals may be disqualified from providing certain early and later years childcare or being directly concerned with the management of that provision, where they are included in the Children's Barred List, have committed certain violent and sexual criminal offences or because of certain orders or determinations made in relation to the care of children, childcare and private fostering.

All Trust SENDAT schools / APs are required to ensure relevant staff (including those undertaking training in SENDAT schools / APs (both salaried and unsalaried), casual workers and volunteers) are made aware of the legislation, including that they may be disqualified 'by association' where they live in the same household as a disqualified person or in a household in which a disqualified person is employed. SENDAT schools / APs must ensure they do not knowingly employ a person who is disqualified. See separate guidance for further information.

Where the legislation is relevant to the role, SENDAT schools / APs should ask applicants to complete a staff self-declaration form (see accompanying guidance) prior to commencing work. Advice on dealing with positive declarations is available from the SENDAT HR team.

3.8 Teacher Prohibition Order checks

All SENDAT schools / APs are required to check that a candidate to be employed as a teacher is not subject to a prohibition order issued by the Secretary of State.

3.9 Section 128 checks

All SENDAT schools / APs are required to check for the existence of directions made by the Secretary of State under s.128 of the Education and Skills Act 2008 barring individuals from taking part in the management of an independent school.

3.10 Health

Once a conditional offer of employment has been made, fitness for the post should be assessed through the SENDAT occupational health provider, normally via the completion of a Health Assessment Questionnaire.

Subject to the employer's duties under the Equality Act 2010 (i.e. to make reasonable adjustments) a person may not be appointed as a teacher or worker with young people (nor continue in that capacity) if he/she does not have the requisite health and mental and physical capacity.

3.11 Right to work in the UK

Under the Immigration, Asylum and Nationality Act 2006, employers are required to verify an employee's right to work in the UK before employment begins.

3.12 Further checks if the person has lived or worked outside the UK

SENDAT schools / APs should ask any candidate who has lived outside of the UK for more than 6 months in the past 5 years, to obtain a criminal record check from the country they lived in. This is commonly referred to as a 'Certificate of Good Conduct' but has many different names including Certificate of Clearance and Certificate of no Criminal Conviction. The candidate will need to obtain a Certificate of Good Conduct in addition to a DBS check.

3.13 Professional qualifications

SENDAT schools / APs should ask to see original or certified copies of all relevant professional qualifications described in the candidate's application form, particularly where these have been stated as 'essential' criteria on the person specification or the post.

4. SINGLE CENTRAL RECORD

All Trust SENDAT schools / APs must keep a single central record (SCR). The SCR must cover the following people:

- All staff (including supply staff, and teacher trainees on salaried routes) who work at the SENDAT school / AP;
- All volunteers
- All members of the proprietor body i.e. the SENDAT Board of and members of the Trust's Central team.

The information that must be recorded in respect of staff members (including teacher trainees on salaried routes) is whether the following checks have been carried out or certificates obtained, and the date on which each check was completed/certificate obtained:

- An identity check;
- A barred list check;

- An enhanced DBS check/certificate;
- A prohibition from teaching check;
- Further checks on people living or working outside the UK;
- A check of professional qualifications; and
- A check to establish the person's right to work in the United Kingdom.
- References
- Disqualification under the Childcare Act 2006, where relevant to the role
- Health

For agency supply staff, all Trust SENDAT schools / centres / units should also include whether written confirmation that the employment business supplying the member of supply staff has carried out the relevant checks and obtained the appropriate certificates, whether any enhanced DBS check certificate has been provided in respect of the member of agency supply staff, and the date that confirmation for received.

5. THE SELECTION PROCESS

5.1 Shortlisting

The person specification for the post should detail all of the essential and desirable criteria against which the final appointment decision will be made. Before short-listing, the recruiting manager(s) should identify those criteria that can/will be assessed from the application form and those that will be assessed during the later stages of the selection process.

5.2 Interviews

All Trust SENDAT schools / APs should conduct a formal interview for all appointments, even if there is only one candidate. Internal applicants should be subjected to exactly the same procedure as external applicants. The interview process should be compliant with Safer Recruitment practices (see accompanying guidance).

6. APPOINTMENT AND FOLLOW UP

6.1 The appointment decision

The recruiting manager may make a provisional and conditional offer of appointment to the preferred candidate on behalf of the Board of Directors. In doing so, it must be made clear that the offer is subject to satisfactory completion of a number of pre-employment checks. The preferred candidate should be asked to give a verbal acceptance of the offer.

A conditional offer of employment should be confirmed in writing by the SENDAT HR team, ahead of completion of all necessary employment checks and the issue of full terms and conditions of employment.

If no appointment is made for whatever reason the panel should decide whether a further selection process could be held on the basis of the applications already received or if the post should be re-advertised.

6.2 Feedback to candidates

Feedback should normally be offered to all candidates, both successful and unsuccessful.

6.3 Actions following a conditional offer

Unless current employment means this is not necessary, the SENDAT HR team should provide the successful candidate with a “Pre-employment Pack”) to initiate various pre-employment checks and ensure appropriate payroll and pensions information is received/returned.

The SENDAT HR Team should also notify the trust’s HR transaction provider (currently Schools’ Choice) of the appointment through the completion of an E-Form.

SENDAT schools / APs should work in conjunction with the SENDAT HR team to manage the completion of all pre-employment checks prior to confirmation of appointment. .

6.4 Induction and probationary procedures

All new external appointments to the Trust are subject to a probationary period, normally of 26 working weeks (see SENDAT Induction and Probation policy). During the probationary period, the employee will be supported through a structured induction programme.

7. ADDITIONAL REQUIREMENTS

7.1 Internally promoted posts

There may be occasions when the SENDAT leadership teams wish to consider an internal promotion without first advertising externally.

7.2 Temporary appointments

Any teaching appointment for more than four months should be made according to this policy.

Where the post is for less than four months a simpler process is available; posts do not need to be advertised, nor formal interviews arranged. However, all appointments should be subject to an interview process and the KCSiE statutory guidance should still be followed. Pre-employment checks are still required and any offer of appointment must therefore be made subject to these requirements.

7.3 Teaching Qualifications

Newly qualified teachers must complete an induction period of three school terms in order to remain eligible for employment as a teacher in a SENDAT school / AP. SENDAT schools / APs must provide the necessary monitoring, support and assessment for the NQT induction period.

Employment of teachers from within the EU/EEA Member States and other overseas trained teachers should be undertaken with reference to the accompanying guidance. For further information, contact the SENDAT HR team. A person with QTLS status and membership of the IfL will automatically be recognised as a qualified teacher in all SENDAT schools / APs.

8. DATA PROTECTION

Applicants’ personal details provided in application forms and all other documents relating to their application for employment will normally be retained for a period of three months’ before being

shredded (paper documents) or permanently erased (electronic files). Applicant's personal data will not be shared with any third parties without applicants' prior specific consent being given.

This policy and procedure is non-contractual and may be updated from time to time following consultation through the Trust's JCNC arrangements.

APPENDIX 1

MISSING BUSINESS REFERENCES – RISK ASSESSMENT

NAME:	
EMPLOYMENT COMMENCED(date):	
ENHANCED DBS COMPLETED (date)	
PROBATION INDUCTION TRAINING COMPLETED (date)	
	NOTES
ATTENDANCE DURING PROBATION: (Number of days / occasions absent and reasons)	
CONDUCT DURING PROBATION: (Any concerns raised and outcome)	
SAFEGUARDING (Any concerns raised and outcome)	
ANY ITEMS FOR FURTHER REVIEW / INVESTIGATION (details and review dates)	

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Signed

.....
Date

.....
Print name

.....
Post