

# Recruitment & Selection Policy

The school recognises that effective recruitment and selection practices are fundamental to its future success and that good selection can lead to higher morale, lower turnover of staff and lower rates of absenteeism. We recognise the need to recruit from the widest possible talent pool and ensure that we identify the best person for the job in the most time and cost-efficient way, without compromising fairness, confidentiality or our commitment to having a diverse workforce.

All appointments will be made in accordance with this policy and are therefore subject to the approval, advertisement, shortlisting, interview and employment checks described in this policy. Certain positions may include additional or alternative approaches regarding recruitment and selection, and these should be considered where appropriate e.g. Headteachers.

For information about employing volunteers, apprentices or agency workers, please see the relevant policies on the Schools Portal.

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Where the headteacher is the employee concerned, any reference to the headteacher in this policy should be replaced with the chair of governors.

## 1 Legal framework & responsibilities

All schools should ensure that they comply with the DfE [Keeping Children Safe in Education](#) statutory guidance for schools and have regard to it when carrying out their duties to safeguard and promote the welfare of children. This means that they should comply with it in matters of recruitment, selection and pre-vetting unless exceptional circumstances arise.

The school are an inclusive employer and are committed to recruiting individuals in a fair and non-discriminatory way. The policy has been developed in line with the Equality Act 2010, which provides a legal framework to protect the rights of individuals and advance equality of opportunity for all. It requires employers to treat people fairly and protects those with protected characteristics which include age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The school also recognise the need to embed our core values across the workforce. Our values are at the heart of everything we do and it is important that recruiting Head Teachers incorporate the school's desired values and behaviours when undertaking recruitment and selection activities.

### 1.1 Responsibilities

In maintained schools, the Governing Body is responsible for deciding who is appointed to a post, their hours of work, the duration of the contract and within certain parameters, including the local collective agreement, their grading and level of pay. Under the School Staffing (England)

Regulations 2009, Governing Bodies may delegate all appointments (other than the Headteachers and Deputy Headteachers) to:

- the Headteacher
- one or more Governors
- one or more Governors acting together with the Headteacher

Where the Governing Body has made any delegation to one or more governors, and the Headteacher does not have a conflict of interest, the Headteacher may attend and offer advice at all relevant proceedings and the governor(s) must consider it.

The Lead Officer for recruitment is the nominated person(s) who has the delegated powers for appointments within the school. All employees involved in the appointment process should have a good understanding of this policy.

## **1.2 Safer recruitment practice**

The school is committed to safeguarding and promoting the welfare of children and young people and expects all employees and volunteers to share this commitment. This policy complies with national and local guidance on key safeguarding employment standards and safer recruitment practice.

The School Staffing (England) Regulations (2009) state that the Governing Body must ensure that at least one member of a recruitment panel or group should have completed safer recruitment training, as approved by the Secretary of State. In addition, the Safeguarding Children and Safer Recruitment in Education Documents advises refresher training to ensure that knowledge and skills are kept up to date. It is recommended that the Governing Body involve the person who has undergone the safer recruitment training at all stages in the recruitment process.

The Durham Safeguarding Children Partnership (DSCP) delivers safer workforce training. Further details can be obtained by contacting the DSCP directly through their website [www.durham-scp.org.uk/](http://www.durham-scp.org.uk/) or telephone 03000 265 770.

## **2 Recruitment process (Support staff & Teachers)**

### **2.1 Identifying a vacancy**

A vacancy may arise for many different reasons, including someone leaving or retiring, an increase in workload or the creation of a post as a result of additional funding. All vacant posts will be reviewed and consideration given as to whether the post needs to be filled on a like for like basis.

The Headteacher will consider whether the post is still required, whether changes are required to the hours or job description and person specification (for support roles) to make it fit for purpose or whether the post could be filled through an apprenticeship. For further information, please refer to the Apprenticeship Guidance available on the Schools Portal.

For support posts, where changes are made to an existing job description and/or person specification, it may be necessary to re-evaluate the post to ensure that the grade is still appropriate. Similarly, where a new post is created, a job description and person specification will need to be drafted and evaluated to identify the appropriate grade. For further information, please refer to the Job Re-evaluation policy available on the Schools Portal.

All posts should be open to job share unless there is a valid business case why this is not appropriate.

Those involved in recruitment to posts involving working with children, young people or vulnerable adults will need to adhere to the Key Safeguarding Employment Standards: <https://durham-scp.org.uk/professionals/multi-agency-safeguarding-arrangements/safer-workforce/>.

## **2.2 Advertising the post**

In the first instance, the Lead Officer should consider employees 'at risk' through redeployment. Following this, the Lead Officer has the discretion to consider candidates who were considered appointable from a previous recruitment exercise for the same post, providing it is within 6 months of the original interview date. This can be applied where the vacancy details are the same as those advertised and interviewed for previously.

It is recommended that all vacancies are advertised externally on the school website as a minimum, to ensure the school is recruiting from the widest possible talent pool.

Durham County Council's Education Development Service (EDS) offers a Service Level Agreement (SLA) to support with advertising of school posts in the press and online through the North East Jobs website. Adverts should be placed by completing the School Advert Template, which is available on the Schools Portal. This should be forwarded, with the job description and person specification in suitable format to [schooladverts@durham.gov.uk](mailto:schooladverts@durham.gov.uk).

The advertisement should include a statement about the employer's commitment to safeguarding and promoting the welfare of children, and reference to the need for the successful application to undertake a DBS check, as well as the usual details of the post including salary and qualifications.

### **2.2.1 Short term temporary posts**

Operational situations can arise when there is a need to cover a support post on a short-term basis (not exceeding 6 months), while more formal arrangements are put in place. In these situations, an honorarium arrangement (support staff only) could be considered and advertised within the school. Further information can be found in the Honoraria Guidance available on the Schools Portal.

Similarly, where a short-term internal opportunity arises e.g. up to 3 months work on a specific project, the Lead Officer may wish to advertise for 'expressions of interest' from within the school, rather than advertise externally. Details of the post should be provided to all employees of the school, even if they are absent from work.

### **2.2.2 TLRs**

Where an opportunity arises for TLR responsibilities, it is recommended that the Lead Officer advertises for 'expressions of interest' from within the school as a minimum. Details of the TLR role should be provided to all employees of the school, even if they are absent from work. It is recommended that a TLR role description is written which clearly details the additional responsibilities.

Those who are interested, even if there is only one candidate, should be interviewed to assess their suitability for the role.

## **2.3 Applications and shortlisting**

All individuals, regardless of race, age, disability, gender, gender reassignment, sexual orientation, religion or belief, pregnancy, maternity or marital status, are encouraged to apply for school vacancies. All applications are treated confidentially.

All applications must be made using the appropriate standard application forms, which are available on the Schools Portal.

The school will not usually consider applications received after the closing date, however, in exceptional circumstances, consideration may be given to accept a late application at the discretion of the Lead Officer.

The shortlist will be determined by the Lead Officer and panel members by matching the information provided by candidates against the essential qualifications, experience and skills criteria of the person specification. Where a high number of applications are received, the Lead Officer may decide to apply all or a reduced number of desirable criteria. The same desirable criteria must be applied to all candidates, with the exception of those detailed in the following sections.

### **2.3.1 Disability Confident scheme**

This is a voluntary scheme that aims to help employers make the most of opportunities provided by employing disabled people.

As a disability confident employer, Durham County Council has given a commitment to guarantee an interview to disabled people who meet the minimum essential criteria for the job and schools are encouraged to do the same.

### **2.3.2 Looked after young people**

Durham County Council has a responsibility as a corporate parent to young people who are leaving care and making the transition to adulthood. Schools are encouraged to guarantee an interview, provided they meet the essential criteria for an advertised post and are currently looked after by a Local Authority or are a care leaver up to 25 years old.

Candidates will be expected to identify themselves within the application form as being registered as looked after or a care leaver and this should be taken into account by the Lead Officer when shortlisting.

### **2.3.3 Veterans guaranteed interview scheme**

Durham County Council have given a commitment to guarantee an interview to those who have service in the regular armed forces (veterans), provided they meet the essential criteria for an advertised post and are currently serving in the regular armed forces and are within 12 weeks of their discharge date or the regular armed forces was the veteran's last long-term employer and no more than 3 years elapsed since the veteran left the armed forces.

Candidates will be expected to identify themselves within the application form as being a veteran who meets the above criteria, and this should be taken into account by the Lead Officer when shortlisting.

## **2.4 Pre-selection checks**

### **2.4.1 References**

Two references will be required for all candidates, in line with the [Reference Policy](#).

Every effort should be made to obtain references prior to interview for all shortlisted candidates, including internal ones, so that any issues of concern they raise can be explored further with the referee and taken up with the candidate at interview.

### **2.4.2 Online search**

The KCSIE guidance 2022 places a duty on schools to carry out an online search on all shortlisted candidates to identify any issues or incidents that are publicly available online and may impact on their suitability to work with children.

As a minimum, the online search should consist of a Google search of the shortlisted candidate's name but may extend to publicly available information on social media platforms. Relevant information would include:

- Negative news stories involving the candidate
- Offensive and/or inappropriate behaviour, jokes or language
- Discriminatory comments
- Inappropriate photos
- Drug or alcohol misuse
- Anything suggesting the candidate is inappropriate to work with children

It is recommended that the Lead Officer nominates someone within school who is not part of the interview panel to undertake the online search. If any concerning information is revealed by the online search, HR Advice and Support should be contacted before any information is provided to the panel.

The panel can then determine whether they need to explore any of the information further during the interview.

## **2.5 Selection**

The selection process will be as efficient and clear as possible to ensure a positive candidate experience. The selection process will be determined by the Lead Officer and the stages involved will be in line with the complexity of the job requirements. Candidates may be required to complete assessments such as psychometric tests, case studies, presentations and/or other job related exercises, as appropriate.

The school has a duty to make reasonable adjustments to the recruitment and selection process to give disabled people an equal opportunity. An applicant can include requests for adjustments on their application form or inform us at any stage of the process.

Interviews are an essential part of the selection process and will focus on the needs of the job and the experience, knowledge, skills and competencies needed to perform it effectively. The interview should afford the opportunity for two way communication to occur.

The Lead Officer and panel members will reach a decision regarding the appointment and make an offer, subject to clearances, to the successful candidate as soon as possible following the interview. No start date will be arranged with the candidate until clearances are satisfactory.

## **2.5.1 Fluency duty**

Under Part 7 of the Immigration Act 2016, schools must ensure that all employees working in a public facing role are able to speak fluent English.

The Lead Officer will determine whether or not the post is considered to be a public facing role and the level of English language skills will be stipulated in the job description and person specification for the post.

The Lead Officer and panel members will need to satisfy themselves that the candidate has the required level of fluency for the post. Candidates can demonstrate their fluency in English in a number of ways, including:

- Competently answering interview questions in English
- Possessing a relevant qualification for the role attained as part of education in the UK or fully taught in English by a recognised institution abroad
- Passing an English spoken language competency test
- Possessing a relevant spoken English qualification at CEFR Level B1 or above, taught in English by a recognised institution abroad

The fluency duty is not intended to discriminate against a person on the grounds of race or disability and does not relate to international accents, dialects, speech impediments or the tone of conversations. The fluency duty can also be met by the provision of a sign language interpreter.

## **3 Recruitment process (Headteacher & Deputy Headteacher)**

### **3.1 Identifying a vacancy**

In line with the School Staffing Regulations the Governing Body must notify the Local Authority in writing of:

- any vacancy for the Headteacher
- any post of Deputy Headteacher which it has identified as one to be filled.

Schools can notify the Local Authority by contacting Education Durham Governance Services.

Whilst it is no longer mandatory for all first-time Headteachers to hold the National Professional Qualification for Headship (NPQH), the Education Durham team recommend it prior to appointments to first headship positions.

There is no legal obligation for maintained schools to have a Deputy Headteacher or to be limited to just one. The Governing Body decides how many, if any, Deputy Headteachers the school should have.

However, if a Deputy Headteacher vacancy is identified, it is important that they come to the attention of as many suitable persons as possible to ensure the correct person is selected for the post. The procedure for appointing a Deputy Headteacher is the same as that for Headteachers, with the exception of the council's right to make representations about unsuitable Headteacher candidates (3.2.2).

#### **3.1.1 Acting Headteacher**

The Education Act (2002) requires all maintained schools to have a Headteacher or a person appointed to carry out the functions of a Headteacher during an absence of the Headteacher or pending the appointment of a Headteacher.

If the Headteacher is absent from the school, the School Teachers Pay and Conditions Document requires the Deputy Headteacher to undertake the professional duties of the Headteacher, as required. Where a Headteacher is absent for a long period, the Governing Body should appoint an acting Headteacher.

The use of an acting Headteacher is a temporary measure and does not remove the Headteacher vacancy or remove the Governing Body's duty to fill that vacancy. The Governing Body should be proactive in filling the vacancy as soon as practicably possible.

### **3.2 Advertising a Headteacher or Deputy Headteacher post**

The School Staffing (England) Regulations (2009) states that the Governing Body must advertise the vacancy, unless it has good reason not to. The Governing Body should consider the most appropriate way of advertising the post and should decide the best way of reaching its target audience, taking into consideration the type of media to be used and the level of exposure the advertisement will receive.

Prior to advertising the Governing Body **must** contact the School's HR Advice and Support Team for guidance on an appropriate pay range for the post.

The advertisement should include a statement about the employer's commitment to safeguarding and promoting the welfare of children, and reference to the need for the successful application to undertake a DBS check, as well as the usual details of the post including salary and qualifications.

A decision not to advertise should only be taken if the Governing Body can demonstrate there is good reason not to, which does not leave them open to challenge. All decisions should be documented fully, as the Governing Body will need to demonstrate that it has acted reasonably if it is challenged. The Governing Body should seek advice from Education Durham Governance Services or the HR Advice and Support Team before making a decision not to advertise.

### **3.3 Pre-selection checks**

#### **3.3.1 References**

Two references will be required for all candidates, in line with the [Reference Policy](#).

Every effort should be made to obtain references prior to interview for all shortlisted candidates, including internal ones, so that any issues of concern they raise can be explored further with the referee and taken up with the candidate at interview.

#### **3.3.2 Online search**

The KCSIE guidance 2022 places a duty on schools to carry out an online search on all shortlisted candidates to identify any issues or incidents that are publicly available online and may impact on their suitability to work with children.

As a minimum, the online search should consist of a Google search of the shortlisted candidate's name but may extend to publicly available information on social media platforms, such as Facebook, Instagram, Twitter, TikTok and YouTube. Relevant information would include:

- Negative news stories involving the candidate
- Offensive and/or inappropriate behaviour, jokes or language
- Discriminatory comments
- Inappropriate photos

- Drug or alcohol misuse
- Anything suggesting the candidate is inappropriate to work with children

It is recommended that the Lead Officer nominates someone within school who is not part of the interview panel to undertake the online search. If any concerning information is revealed by the online search, HR Advice and Support should be contacted before any information is provided to the panel.

The panel can then determine whether they need to explore any of the information further during the interview.

### **3.4 Selection panel**

In maintained schools, it is the legal responsibility of the Governing Body to select a Headteacher. The Governing Body may appoint a selection panel, of at least three of its members, although there is no upper limit to the number of governors who can sit on the selection panel.

The council should be informed, in writing, of the names of the applicants that have been selected. Where a governor has an interest in the recruitment process, he or she should withdraw and a record of this kept in the recruitment file.

A representative of the council, for example a School Leadership Advisor (SLA), has a right to attend relevant meetings of the selection panel to offer professional advice, but only governors on the selection panel can vote.

The selection panel should then interview applicants, and where appropriate, recommend one of the applicants to the Governing Body for approval. All Headteacher posts should be open to job-share.

If the selection panel does not recommend a person for appointment, the Governing Body declines to approve the person recommended, or the council declines to appoint the person that the Governing Body approves, the selection panel may re-advertise the vacancy and require the panel to conduct another selection process as stated above (but this does not prevent the selection of the existing applicant) until a permanent Headteacher is appointed even where an Acting Headteacher is in place.

At Voluntary Aided schools with a religious character, the Governing Body may take into account any candidate's suitability and ability to preserve and develop the religious character of the school.

At voluntary-aided schools with a religious character where the Governing Body is the employer, the selection panel may give preference to any candidate whose religious opinions and worship are in accordance with the tenets of the religious denomination of the school.

#### **3.4.1 Council representations (Headteacher appointments only)**

The council is entitled to make written representations to a Governing Body if it considers that an unsuitable person is being short listed for appointment. If the council writes to the Governing Body within a period of seven days beginning with the date when written notification of the names of those selected for interview are received about an applicant's unsuitability for the appointment, the Governing Body should consider the views of the council. In all cases, the council's written representation should explain why it has concluded that the candidate is not suitable and the evidence on which it has based its conclusion. If the Governing Body still decides to interview that candidate, it must notify the council in writing of its reasons.



In the case of foundation, foundation special or voluntary aided schools, where the Governing Body has not agreed advisory rights with the council, the selection panel's notification of applicants selected for interview should be accompanied by enough information to enable the council to determine each applicant's suitability for appointment.

Where an appointment is to be made, the council must appoint the person recommended unless they do not meet any employee qualification requirements. If the council declines to appoint a person recommended by the Governing Body because of failure to meet qualification requirements, the Governing Body should recommend another person for appointment.

## **4 Appointment process**

### **4.1 Conditional offer of appointment**

The successful candidate will be informed as soon as possible, following the appointment process. They will be issued with a letter, confirming their conditional appointment, subject to satisfactory clearances, and providing them with the necessary forms and requirements.

Before confirming an offer of employment, the school requires:

- Satisfactory references (see Reference Policy available on the Schools Portal)
- Completed pre-employment health declaration
- Proof of essential qualifications
- Confirmation of the individual's right to work in the UK
- Enhanced Disclosure and Barring Service check (DBS)

In addition, depending on the nature of the role, the following clearances may also be required:

- Prohibition Order check (Teaching posts only)
- Proof of current driving licence (if applicable)
- Proof of professional registration (if applicable)
- Food Handler Questionnaire (if applicable)

Further information about clearances can be found in the [Vetting Policy](#).

### **4.2 Confirming the appointment**

Once all the necessary satisfactory clearances have been received by the Lead Officer, the successful candidate should be sent a letter of appointment, a statement of particulars and a copy of the job description.

A template letter of appointment is available on the Schools Portal. If the school buys into the Payroll and Employee Services SLA, they will send the statement of particulars to the school. This should be issued to the employee asap, as there is a legal requirement to provide this from the first day of employment.

The successful candidate should confirm in writing that they accept the post on the terms that are outlined.

Information about the appointed candidate will also need to be included on the school's Single Central Record. For more information, please see the [Vetting Policy](#).

## **5 Temporary posts**

Employees are able to apply for a temporary post within the school and seek approval from the Headteacher to undertake the temporary post, with the guarantee that they will be able to return to their substantive post when it comes to an end. This agreement should be reflected in the temporary contract. The employee will need to seek agreement from the Headteacher to continue in the role should there be any extension to the term of the temporary post.

Where an employee does not seek or is not granted approval to return to their substantive post after a temporary contract, and still accepts a temporary post, they will relinquish their substantive post.

## **6 Secondments**

### **6.1 Secondments to external organisations**

If an employee has been offered a secondment, a secondment agreement will need to be drafted and it is suggested that the employee, a representative of the school and a representative from the host organisation meet to discuss the terms. The secondment agreement will be made between the school and the host. Once the secondment agreement has been finalised and signed, a letter should be issued to confirm the arrangements.

If the period of secondment is extended, the employee will be required to seek agreement to a further seconded period with their Headteacher.

An employee seconded to an external organisation will retain their employment with the school, including all related terms and conditions, whilst carrying out work for the other organisation.

### **6.2 Secondments into the school**

Any secondment opportunity within the school will be recruited to in the same way as any other vacancy, as set out in this policy.

Once a successful candidate has been identified and offered the post, a secondment agreement will be drafted, finalised and signed.

## **7 Complaint procedure**

The aim of the recruitment and selection procedure is to afford every candidate a fair and appropriate process that accommodates individual needs and gives the opportunity to compete on a level playing field.

If a candidate feels that they were not afforded this opportunity they should contact the Lead Officer within 5 working days of receiving the interview decision or from being informed that they had not been shortlisted. This can be done verbally or in writing stating that this is a complaint and explaining the reasons for the complaint.

The Lead Officer will respond to the complainant within 5 working days.

### **7.1 Formal process**

If the complainant is not happy with the Lead Officer's response, they should explain why they are not satisfied with the response, in writing, to the Chair of the Governing Body within 5 working days of receiving the response.

The Chair of the Governing Body will appoint an officer to review the decision and will provide a response within 25 working days. The HR Advice and Support Team should be notified that a complaint has been made, is being investigated and should be advised of the outcome of the investigation.

The decision of the Chair of the Governing Body is final. There is no right of appeal.



This policy has been developed by the HR Advice and Support team, based on current legislation and best practice. If you would like any advice on the application of this policy, please do not hesitate to contact the team:

<b>Telephone</b>	03000 266688
<b>Email</b>	hradvice@durham.gov.uk

**Further support can be accessed by contacting (subject to SLA buy in):**

<b>Payroll and Employee Services</b>	<a href="mailto:pesschools@durham.gov.uk">pesschools@durham.gov.uk</a>
<b>Occupational Health</b>	<a href="mailto:occhealthadmin@durham.gov.uk">occhealthadmin@durham.gov.uk</a>
<b>Health and Safety</b>	<a href="mailto:hsteam@durham.gov.uk">hsteam@durham.gov.uk</a>
<b>Employee Assistance Programme</b>	<a href="http://www.healthassuredeap.com">www.healthassuredeap.com</a> Username: durham Password: council 0800 716017

<b>Author</b>	<b>Version</b>	<b>Last review</b>	<b>Next review</b>
LK	v 6.3	September 2022	September 2024

The school complies with all relevant statutory obligations. The school privacy notice provides more specific information on data collected and how it is handled, a copy of which can be accessed from the school. For more information please contact the school directly.

If you have any concerns about how your data is handled, please contact either the school Data Protection Officer (details available from the school office), or the Information Commissioner's Office.