

Document Control Sheet

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Originator	Director of People and Culture
Approved by	Foundation Board
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Equality Act 2010 issues fully considered	Reasonable adjustments will be considered in relation to candidates with a disability.

1. Introduction

- 1.1 The Foundation recognises that a highly skilled and dedicated workforce are fundamental to the success of the Foundation and its individual academies. The Foundation and its academies therefore needs to attract and retain colleagues of the highest calibre and a strategic, professional approach to recruitment is essential in achieving this.
- 1.2 The purpose of this policy is to provide a sound framework for the recruitment and selection of staff based upon the principles outlined below.
- 1.3 This policy and procedure covers all activities that form part of the recruitment and selection process.
- 1.4 This policy re-affirms the Foundation's commitment to equality of opportunity at all times and where appropriate, to actively seek to ensure greater representation of particular groups.
- 1.5 This policy can be read in conjunction with the Safer Recruitment national guidelines.

2. Core Principles

- 2.1 Recruitment will be overseen by a Personnel representative, who has the necessary training and knowledge in safer recruitment, and fair selection procedures.
- 2.2 The Foundation will seek to recruit the best candidate for the job based on merit.
- 2.3 The Foundation wishes to encourage the recruitment of staff with disabilities and will make reasonable adjustments to all stages of the recruitment process in order for a successful candidate with a disability to undertake the post.
- 2.4 The Foundation also seeks to encourage applications from groups that share protected characteristics who may be underrepresented across the Foundation. Where appropriate, recruitment adverts will make positive action statements in relation to these groups.
- 2.5 The Foundation will ensure that the recruitment and selection of colleagues is conducted in a professional, timely and responsive manner and in compliance with all relevant employment legislation including guidance published by the Department for Education and any guidance or code of practice published by the Disclosure and Barring Service.
- 2.6 The Foundation will ensure that all recruitment and selection processes provide value for money.

- 2.7 All information gathered during the recruitment and selection process including application forms, notes etc is confidential to those involved directly in the recruitment and selection process and must not be disclosed to any individuals or third parties. Information gathered during the recruitment process will be processed in accordance with the Data Protection Act.
- 2.8 Subject to the provisions within this policy, Academies may design and manage the selection process for all roles (with the exception of the Senior Leadership posts), making the decisions that best support their specific objectives.
- 2.9 The Foundation team will support with the design of the recruitment process for Senior Leadership posts, to ensure consistency across the trust.

3. Recruitment and Selection Procedure

3.1 Preparation

3.1.1 Before advertising a post, the appropriate manager (as set out in section 8) should complete the recruitment authorisation process and ensure the post is:

- within agreed budget (by reference to the Finance Lead)
- meets the Foundation's and Academy's strategic objectives (by reference to the authorised SLT representative)
- proposed salary and contract type are appropriate (by reference to a Personnel representative)

3.1.2 Recruitment can only begin when the appropriate authority has been given.

3.1.3 It is important that the Foundation has an oversight regarding recruitment activities. It is therefore expected there will be regular and ongoing informal dialogue regarding the situation of current and upcoming recruitment activities, via normal HR and management channels.

3.1.4 A job description and person specification should be prepared and in the case of existing posts, the information should be reviewed to ensure it remains an accurate reflection of the position.

3.2 Documentation

3.2.1 All vacancies should have an up to date advert, job description and person specification set out in the standard format, that accurately reflects the duties and details of the post.

- 3.2.2 The person specification will state both the essential and desirable criteria in terms of experience, qualifications, skills, knowledge etc all of which should be directly related to the job and applied equally to all applicants. Care should be taken when writing the person specification to ensure that criteria do not indirectly discriminate against certain groups of applicants.

3.3 Advertising

- 3.3.1 All vacancies should be placed via the MyNewTerm software, which makes roles visible on all Academies websites, the Foundation's website, appropriate online jobs boards, government jobs portal, and other social media as appropriate. Vacancies will also usually be advertised in the TES, and any other advertising media appropriate to the role subject to budgetary constraints.
- 3.3.2 Temporary positions that subsequently become permanent will usually be re-advertised.
- 3.3.3 The Principal / Head Teacher will invite letters of application for internal promotion opportunities within Academies, which may be ring fenced to particular groups of staff, as appropriate. For Foundation level positions, the Chief Executive Officer will invite applications as appropriate.
- 3.3.4 All job advertisements will emphasise the Foundation's commitment to equality of opportunity, and again, care will be taken when writing the job descriptions not to preclude any candidate unreasonably on the grounds of any protected characteristic.
- 3.3.5 Applicants are asked to complete a questionnaire when making their application to enable a robust means of monitoring equal opportunities. This information is separate from the job application and applicants are free to indicate that they do not want to provide these details.
- 3.3.6 All candidates will be asked to apply by application form. This ensures a fair and consistent approach and provides the panel with the necessary information to make an informed decision at shortlisting. CVs will not normally be accepted in place of a completed application form.
- 3.3.7 Roles will normally be advertised with a closing date, to allow a window of time to generate a field of candidates. For certain roles, The Foundation may decide to close the advert early. This should be stated clearly on adverts.

3.4 Shortlisting

- 3.4.1 It is recommended that short-listing is carried out by three people but no fewer than two people to avoid any possibility of bias.

- 3.4.2 All candidates will be assessed objectively against the relevant selection criteria set out in the Person Specification and only candidates who most closely match these criteria will be shortlisted.
- 3.4.3 Shortlisted candidates will be provided with details of the selection process in writing giving as much prior notice as possible.
- 3.4.4 Candidates invited for selection processes will be asked to give details of any disability or any other circumstances which may mean that special arrangements or reasonable adjustments are needed for the selection process.
- 3.4.5 Keeping Children Safe in Education guidelines recommends considering conducting an online search of publicly available information of shortlisted candidates. This may include news articles and freely available social media posts such as LinkedIn. This may help identify any incidents or issues that have happened, and are publicly available online, which the school or college might want to explore with the applicant at interview. To prevent bias or discrimination in the selection process, this online search should be carried out by a suitably qualified recruitment/HR professional, and an objective and factual record made of the search and date it took place.

3.5 Selection and Interview

- 3.5.1 The design of the selection process will be dependent upon the nature of the role and the skills and knowledge required. HR advice and support is available to help design interview process and selection days.
- 3.5.2 For the majority of posts, selection days will normally consist of a combination of selection tests (e.g. work based tasks, presentation or a demonstration of candidates teaching for teaching posts). This will be followed by a formal panel interview.
- 3.5.3 In cases of a larger field of candidates, a further sifting may be required after the selection tests, and not all candidates will be invited to the formal panel interview stage.
- 3.5.4 Interviews will be carried out ideally by two or more colleagues.
- 3.5.5 The structure of the interview will be consistently applied to all candidates and should be based on the person specification and information provided in the application form.
- 3.5.6 Notes recording the salient points of the interview will be taken so that these can be referred to when making decisions. Following the interviews, a summary will be made of the strengths and weaknesses of each candidate and the reasons for the appointment. The interview notes, summary and all notes made by

individual members of the panel will be retained in accordance with the Data Protection Act. All documentation will be treated as confidential.

- 3.5.7 The Immigration Act (2016) sets out the requirement for colleagues in customer-facing roles in public sector organisations like the Foundation to be sufficiently fluent in English for the effective performance of their roles. Where necessary, this will be assessed at interview.

3.6 Making an Appointment

- 3.6.1 It is recognised that in many cases it is desirable to make a verbal offer shortly after the selection process to secure the preferred candidate. In such cases a member of the Senior Leadership Team will make the verbal offer to the successful candidate in accordance with the recruitment approval document.
- 3.6.2 A written conditional offer of employment will be produced immediately following the verbal offer.
- 3.6.3 The offer of employment is subject to satisfactory references, checks of relevant qualifications, DBS check and any other checks as appropriate. References must be from a validated source, this may be from an official email address, or a follow up phone-call.
- 3.6.4 Appointments will usually be made at the minimum point of the advertised salary scale unless directly relevant experience would justify additional increments.
- 3.6.5 The formal contract of employment will be signed by the appropriate authority (as set out in section 8).
- 3.6.6 Unsuccessful candidates will be telephoned and informed of the outcome. Should the candidate request feedback on their performance during selection, this should be provided verbally.
- 3.6.7 In exceptional cases, the preferred candidate may not accept the offer or change their mind before the contract of employment comes into effect. Depending upon the time elapsed, it may be appropriate to revisit the selection outcome and approach any reserve candidate, without further need to advertise.
- 3.6.8 A clear audit trail is required and recruitment authorisation should be completed and sent to personnel for processing.

3.7 Engaging with new starters

- 3.7.1 The majority of newly appointed candidates will have a degree of uncertainty about what to expect in their new role and new starters may benefit from some degree of engagement with their new employer during the time between accepting the post and the start date. Individual academies may put in place

whatever measures they feel appropriate to support any new starter. This may include for example:

- Sharing certain material or documents for review
- Visits to the site
- Meetings with other colleagues
- Invitation to particular events of interest

3.7.2 Any appointed candidate, who is yet to formally commence employment, should visit the site by prior arrangement and be treated as a visitor and accompanied accordingly. Candidates cannot be treated as an employee, until the official commencement of their contract.

4. Types of contract

4.1 The majority of colleagues will hold permanent contracts of employment. However, it is recognised that on occasion, the Foundation will need to cover short term requirements and therefore engage staff on a temporary or casual basis.

4.2 All appointments will be subject to a fair selection process and candidates must complete an application form and be subject to the normal pre-employment checks appropriate for the post.

4.3 Advice should be sought from Personnel regarding the contract type proposed.

4.4 Fixed Term appointments

4.4.1 Fixed term appointments are contracts that last for a specific period of time or until a specific task or event has been completed. Normally the Foundation will use a fixed term appointment for a minimum period of 3 months to a maximum of 2 years.

4.4.2 Fixed term appointments should not be used without appropriate justification and where there is a clear need for a fixed term contract. Personnel advice should be sought where a fixed term contract is being considered. Such situations may include:

- To provide cover for a period of leave of the substantive post holder.
- To work on a project of specific duration
- To cover a role that is externally funded for a specific duration

4.4.3 It is not appropriate to use fixed term contracts as an extended period to assess individual's suitability, instead all appointments will be subject to a probationary period.

4.5 Casual appointments

- 4.5.1 Casual workers are recruited on an irregular basis normally for short periods of time (not normally more than 12 weeks).
- 4.5.2 Casual workers are paid only for the hours they work (plus accrued statutory leave), and must complete a time sheet each month.
- 4.5.3 Following the ending of an assignment, there is no continuing commitment from the employer to offer work, and no obligation on the part of the casual worker to accept any assignment offered.
- 4.5.4 A colleague engaged on a casual basis will be processed as a leaver when there have been no assignments for 6 months or more, or where the colleague requests to be processed as a leaver.
- 4.5.5 Casual appointments may be appropriate in the following circumstances:
 - Where work is occasional (e.g. invigilators, student helpers, some leisure centre staff)
 - Where there is no definite requirement to work a particular number of hours because the availability of work is uncertain (e.g. Cover or Leisure Centre)
 - Where work is temporary for a limited period of up to 13 weeks.

4.6 Agency Staff

- 4.6.1 Agency staff will usually be used to manage short term and/or unexpected absences that cannot be covered internally.
- 4.6.2 Due to the immediate need of such cover, Academies' Senior Leadership Teams are responsible for the management of such cover up to a period of 12 weeks.
- 4.6.3 Agency staff should not normally be engaged for longer than 12 weeks. Where cover is likely to last for longer than 12 weeks the advice of a qualified HR professional should be sought.

4.7 Self-employed workers

- 4.7.1 Academies will not normally engage workers via Self-employed contracts, to fulfil roles that are directed via the Foundation or Academy's leadership teams. Colleagues should note that there are specific rules for off-payroll working, which must be adhered to, the advice of a qualified HR or Finance professional should be sought to ensure compliance, before entering into discussions to engage a worker in this way.

5. Contracting process

5.1 Following the decision to appoint the successful candidate, and their acceptance of the verbal offer of employment, a clear audit trail is required indicating the details of the contract to be drawn up, signed by the appropriate authority (section 8).

5.2

5.3 This audit trail is required for any new appointment (including existing colleagues who have successfully applied for a different post).

6. Pre-appointment paperwork and checks

6.1 Individual academies are responsible for appropriate and robust pre-employment checks, in line with safer recruitment guidelines, which should include where applicable:

- DBS
- List 99
- Qualifications
- Right to work
- Occupational Health clearance (where appropriate)

6.2 New starters must not commence employment until the appropriate pre-employment checks have been satisfactorily completed. In some cases, where a particular check may be outstanding but there is an urgent need to commence the new starter in post, HR will be able to advise what is permissible and the steps to mitigate any risks.

7. Recruitment of Ex-offenders Policy Statement

7.1 As an organisation assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order (2013 and 2020) using criminal record checks processed through the Disclosure and Barring Service (DBS), The Foundation complies fully with the DBS code of practice and undertakes to treat all applicants for positions fairly.

7.2 The Foundation undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.

7.3 The Foundation can only ask an individual to provide details of convictions and cautions that it is legally entitled to know about. Where a DBS certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020), and where appropriate Police Act Regulations as amended).

- 7.4 The Foundation can only ask an individual about convictions and cautions that are not protected.
- 7.5 The Foundation is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.
- 7.6 This written policy on the recruitment of ex-offenders, is made available to all DBS applicants at the start of the recruitment process.
- 7.7 The Foundation actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcomes applications from a wide range of candidates, including those with criminal records.
- 7.8 The Foundation select all candidates for interview based on their skills, qualifications and experience.
- 7.9 The Foundation expects that the majority of staff will be engaging in regulated activity, as defined by the Children Safe in Education statutory guidance. This requires an application for a criminal record check to be submitted to the DBS as part of the safer recruitment process. All application forms, job adverts and recruitment briefs will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being offered the position.
- 7.10 The Foundation ensures that a suitably trained and qualified colleague is available to advise in the recruitment process. This colleague will be able to identify and assess the relevance and circumstances of offences. The Foundation also ensures that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.
- 7.11 At interview, or in a separate discussion, The Foundation ensures that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment or termination of employment should it later transpire information was withheld.
- 7.12 The Foundation makes every subject of a criminal record check submitted to DBS aware of the existence of the code of practice and makes a copy available on request.
- 7.13 The Foundation undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

8. Authority to act

	Staff Level	Authority to approve at least
	Chief Executive Officer	Chair of Trustees

Authority to establish post/recruit & appoint	Chief Finance and Operating Officer (CFO)	Chair of Trustees
	Head of Governance	Chair of Trustees
	Chief Executive Group	Chief Executive Officer
	Senior Leadership Team Posts	Chief Executive Officer
	Replacement posts (like for like) within Academies	Head Teacher/Principal if within budget
	Posts outside of budget	CEO approval
Recruitment Decisions (Leads Shortlisting, Interview & Appointment)	Chief Executive Officer	Chair of Trustees
	Chief Finance and Operating Officer (CFO)	Chair of Trustees & Chief Executive Officer
	Head of Governance	Chair of trustees & Chief Financial Officer
	Executive Leadership Team posts	Chief Finance & Operating Officer
	Senior Leadership Team (Academy Level)	Appropriate panel determined by the Chief Executive Officer
	All other staff	Appropriate panel determined by Head Teacher/Principal
Authorising Contract employment	Chief Executive Officer	Chair of Trustees
	Chief Finance and Operating Officer (CFO)	Chief Executive Officer
	Chief Executive Group	Chief Executive Officer
	Headteacher/Principal	Chief Executive Officer
	Senior Leadership Team (Academy Level)	Headteacher/Principal
	All other staff	Academy Head Teacher/Principal

Those nominated above, have the ability to delegate to a suitable alternative, where necessary. Authority to act should be read in line with the scheme of delegation.

