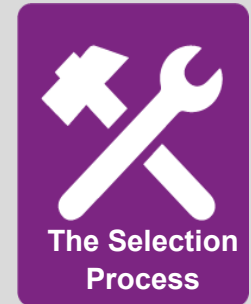
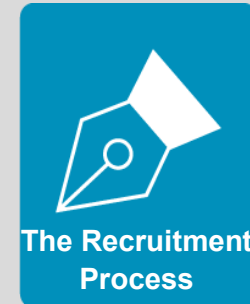
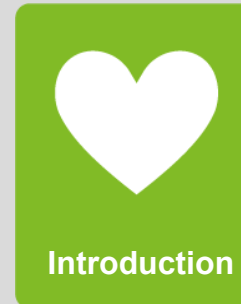


# Safer Recruitment and Selection Policy (Schools)





# Introduction

**The Safer Recruitment and Selection Policy has been developed for all Wigan Schools and Academies that purchase the HR Services of Wigan Council under a Service Level Agreement, and applies to all identified vacancies within schools with the exception of vacancies that are to be filled via agency workers.**

People are a school’s greatest asset, and as such the recruitment and selection process is a vital tool in enabling schools to appoint the right candidate. It is therefore important to invest an appropriate amount of time and effort into any recruitment and selection process.

Poor recruitment and selection decisions can be costly, but they could also have more serious implications in relation to the safety and welfare of pupils, staff morale and productivity.

A robust recruitment and selection process will assist with the appointment of the right candidate, first time.

## Purpose

This policy is to define a clear, fair and transparent recruitment and selection process for schools. It also provides advice and guidance on a recruitment and selection process that is non-discriminatory in accordance with appropriate employment legislation.

The process outlined aims to ensure that equal opportunity is afforded to all applicants, and that any recruitment and selection process is compliant with the safer recruitment guidance as stipulated within the School Staffing Regulations 2009.

The policy outlines the process to be followed for the recruitment and selection of all permanent and temporary staff within schools, and includes guidance on the recruitment and selection of an Executive Headteacher, a Headteacher or a Deputy Headteacher. It also outlines the appropriate process to be followed for short-term interim or ‘acting- up’ arrangements for all positions within schools.

## Other guidance

For further advice and guidance please refer to the ‘Agency Worker regulations—guidelines for schools’ and ‘Guidance on the use of Fixed Term Temporary Contracts in Schools’.

## Interpretation

Where the term “school” is used in this policy, this also means “academy” where an academy has adopted the procedure.

“*Governing Board*” means the Governing Body or Board of Directors of the school concerned and any committee of the Governing Board acting with delegated authority, or anybody acting in a similar way to a Governing Board.

“*Director of Children’s Services*” includes any officer acting with appropriate delegated authority on behalf of Wigan Council.

“*Recruiting manager*” is used for the individual in school responsible for recruiting and selecting an individual for the relevant vacancy.





# Introduction

## Responsibilities

The Governing Board of the school is responsible for adopting this policy which has been developed in accordance with the following:

- [The School Staffing \(England\) Regulations 2009](#)  
The DfE Staffing and Employment advice for Schools—departmental advice for school leaders, governing bodies, academy trusts and local authorities.
- [The Keeping children safe in Education statutory guidance](#)  
For schools and colleges on safeguarding children and safer recruitment.
- [Equality Act 2010](#)  
Staff, employers and governing bodies must be aware of their responsibilities set out in the Equality Act 2010. Schools must not discriminate against any prospective employee on the basis of any of the nine protected characteristic in relation to appointments, pay and conditions. Information about how Wigan Council's meets its equality duty can be found [here](#).

The above legislation and statutory guidance should be considered by schools and academies to ensure the safe and legal employment of people to work in the school.

## Staffing decisions

With the exception of the appointment of the Headteacher and Deputy Headteacher, all staffing decisions may be delegated to either;

- The Headteacher
- An individual Governor
- A group of Governors (with or without the Headteacher acting as a governor, or in an advisory capacity).

The appointment of a Headteacher or a Deputy Headteacher is the responsibility of the full Governing Board and cannot be delegated. However, the Governing board may appoint a Selection Panel to advise on a suitable candidate for appointment but this recommendation must be ratified by the full Governing Board.



# The Recruitment Process

## Identifying and defining a vacancy

A vacancy may arise when a staff member submits their resignation or if a decision has been taken to establish a new position within school. A vacancy may also arise following a school reorganisation.

In the event that a post holder has submitted their resignation, this should be received in writing prior to the commencement of any recruitment process.

Where a vacancy is as a direct result of a resignation, school should take the opportunity to review the requirements of the role, to determine if the position should be replaced like for like, if the remit of the position needs amending or if the position requires replacing at all. In reviewing the requirements of the role, consideration should be given to future school priorities.

A job description and person specification must be produced to provide a clear overview of the role. Where there are changes to an existing role, the existing job description and person specification must be updated accordingly.

The recruiting manager will need to determine the salary or grade for the position. In doing so, the recruiting manager should refer to the 'Pay Policy for Employees in Schools'.

All changes to the school staffing structure, including changes to the requirements of a role must be ratified by the appropriate Governing Board before placing an advertisement.

## Job Family Framework

For support staff roles should be matched to the appropriate role profile within the job families framework, as the role profiles have been formally evaluated for pay purposes. If you believe you have a unique support role (which does not fit with an existing role profile), or in schools where the job family framework has not been adopted, the position will need to go through the job evaluation process. The job evaluation procedure can be found via the intranet or you can email any specific queries to [resourcingandjobevaluation@wigan.gov.uk](mailto:resourcingandjobevaluation@wigan.gov.uk).

## Advertising a vacancy

When ready to advertise a vacancy, you should complete a school advertisement form which can be located via the 'recruitment' intranet page or by contacting a member of the Resourcing Team. The completed form along with the job description and person specification (and any other relevant information) should be sent to [jobadverts@wigan.gov.uk](mailto:jobadverts@wigan.gov.uk)

It is recommended that a two week closing date is applied on all vacancies.

The advertisement content should be clear and concise and provide the candidate with a clear indication of the requirements of the role. It should also detail the following straplines to ensure compliance with the safer recruitment guidelines:

*'This position is subject to Enhanced Disclosure Procedures'*

*'The employer is committed to safeguarding'*





# The Recruitment Process

## Advertising a vacancy (continued)

Taking the time and effort to devise the advert content will assist with the attraction of a higher calibre of candidate.

It is advisable to provide details of the proposed interview dates within the content of the advertisement if they are known.

In the interest of equal opportunities, all vacancies should be advertised externally, via greater.jobs, unless there is a justifiable reason not to do so.

Should you first wish to place an advert internally within the school only, please speak to your designated HR link for advice and guidance.

Advice and guidance surrounding the advertisement process is also available from the Resourcing Team within HR and OD Services.

## Short-Term Interim and Acting Up arrangements

There may be situations where the school identifies a need for short-term interim/acting up arrangements. This may consist of a need for an employee to temporarily cover other duties, either fully or partially, or a need for an employee to temporarily act up to a higher graded post. In the interest of fairness and equal opportunity, (with the exception of Headteacher appointments) the school should advertise any interim opportunity to all employees within school and undertake an appropriate selection process.

The opportunity should always be advertised within school unless there is reasonable justification not to do so. If you believe you have a reasonable justification not to advertise such an opportunity, it is advisable that you contact your designated HR link in the first instance.

Please refer to the 'Pay Policy for Employees in Schools' for advice and guidance on payments linked to additional responsibilities and acting up arrangements.

## Apprenticeships

Employing an apprentice is a productive and effective way for any organisation to make the most of their workforce; it allows them to develop and grow their own talent.

Following the introduction of the Apprenticeship Levy, apprenticeship funding is no longer restricted to the 16-24 age bracket; therefore apprenticeships are open to individuals of all ages.

If you are considering recruiting an apprentice, please contact a member of the apprenticeship team in the first instance to determine if your school is subject to the levy. In addition, the apprenticeship team can provide advice and guidance on the range of apprenticeships available and the recruitment process.

Advice and guidance is also available via the 'recruiting an apprentice' intranet page.

The establishment of an apprenticeship position must be ratified by the appropriate Governing Board.



# The Selection Process

## Selection Panel

For a selection process to take place there must be a selection panel, ideally the panel should be determined prior to advertisement of the vacancy.

The selection panel must consist of a minimum of three panel members and at least one panel member must have undertaken the safer recruitment training as outlined in the School Staffing Regulations 2009. Selection panel members should be consistent throughout the whole interview process.

References should be sought prior to the selection process to inform decision making.

It is not appropriate for an employee/Governor to form part of the selection panel where there may be a conflict of interest. If a panel member is aware of a potential conflict, the individual must declare this and an alternative member should be selected.

The selection panel will have responsibility for shortlisting candidates.

Schools designated with a religious character may have an agreement with their diocese that a representative attends and offers advice in regards to the selection process.

## Assessment of candidates

Each application should be assessed against the criteria outlined on the person specification. A shortlisting matrix ([Appendix 1](#)) is a useful tool for recording the assessment.

Only candidates who meet the essential criteria should be invited to take part in the selection process; where there are a high number of applicants who meet the essential criteria, you can also refer to the desirable criteria.

In accordance with safer recruitment guidelines, should any discrepancies on a candidate application form be identified, for example gaps in employment history, then you should take the opportunity to seek clarity regarding this as part of the interview process.

Upon completion of the selection process, the selection panel will need to determine whether there is an appointable candidate and if so subsequently make a conditional offer of employment subject to the relevant pre-employment checks.

Under GDPR regulations, candidates can request to see their interview notes and selection panels may also wish to provide feedback to candidates. Therefore, selection documentation should be retained for six months after the date of interview before being securely destroyed.

## Disability

The Equality Act 2010 protects people from being treated less favourably because they have a protected characteristic; disability is an identified protected characteristic.

To encourage disabled applicants to apply for positions within schools, you should take positive action and ensure that any applicants who meet all the essential requirements for a post are guaranteed an interview.





# The Selection Process



Introduction



Recruitment



Selection



Headteachers

Pre-Employment  
Checks**Your HR**

## Redeployment

A redeployee is an employee who may find themselves, through no fault of their own, unable to continue in their current role. This could be as they are deemed 'at risk' of redundancy, or they may not be able to continue in their role for reasons of capability; either medical or performance.

These employees must be given priority consideration for suitable vacancies within their own school (or schools if part of a federation or multi-academy trust). Redeployees will also be assisted in their search for alternative employment outside of school. For those at risk of redundancy this priority consideration applies when notice of redundancy has been served.

Priority consideration is when suitable vacancies within their own school (or schools if part of a federation or multi-academy trust) are brought to the attention of redeployees prior to advertisement.

A redeployee will only be interviewed for a suitable vacancy where they meet the essential criteria for a post.

Other schools (not the school, federation or trust which they are employed) are encouraged to consider redeployees in advance of other applicants if they meet the essential criteria for the post.

Where a redeployee is successful in securing an alternative position, pay protection may apply. If the appointment is within another school, discussions should take place between the existing employer and the new employer to determine who will be responsible for payment of the pay protection amount.

All redeployment appointments resulting from a redundancy situation are subject to a statutory trial period of four weeks. With the agreement of the original employing manager, where a match has been made but the employee will need further training and support, the trial period may be extended up to a maximum total trial period of three months.

For further advice and guidance surrounding redeployment, please refer to the Redeployment Procedure for employees in Schools.

## Returning to the candidate pool

There may be occasions when during, or shortly after, a selection process, another vacancy arises within the school. If the vacancy is for the same, or a similar position (requiring the same skill set), you may return to the candidate pool and offer the role to another appointable candidate. It is advisable to only consider this within 12 weeks of the original interview date.





# The Selection Process

## Faith Schools

### *Appointment of Teachers and Headteachers*

For schools who are designated with a religious character, (in accordance with the Department for Education guidance 'Staffing and Employment Advice for Schools'), the Governing Board in a voluntary-aided school may give preference with regard to the appointment, remuneration and promotion of teachers at the school, to persons:

- whose religious opinions are in accordance with the tenets of the school's religion;
- who attend religious worship in accordance with those tenets; or
- who give, or are willing to give, religious education at the school in accordance with those tenets.

### *Appointment of Support Staff*

For schools who are designated with a religious character, (in accordance with the Department for Education guidance 'Staffing and Employment Advice for Schools'), the Governing Board in a voluntary-aided school may 'discriminate' on religious grounds where being of a particular religion or religious denomination is a genuine occupational requirement (GOR\*).

It should not be assumed that a blanket approach to GOR can be applied to all support staff. The Governing Board will be under a responsibility to be able to demonstrate that it is reasonable and proportionate to require an employee to be of a particular religion or belief for the job in question.

Whilst education and wider equalities legislation grant a degree of discriminatory power to Governing Boards in this respect, it remains their responsibility to ensure that the application of these powers does not contravene

employment law.

Governing Boards may find it helpful to look at the advice that has been produced in association with the Equality Act which is available on both [www.gov.uk](http://www.gov.uk) (employers preventing discrimination) and [www.acas.org.uk](http://www.acas.org.uk) (equality) websites.

*\*genuine occupational requirement means that the designated religious character is genuinely necessary of the candidate to enable them to do the particular job.*





# Headteacher Appointments

## Recruitment and Selection of Headteacher or Deputy Head

### Identifying and defining a vacancy

In accordance with the School Staffing Regulations (2009), the Governing Board must notify the Local Authority in writing of a Headteacher or Deputy Headteacher vacancy.

For faith schools, the diocese should be notified when there is an identified Headteacher or Deputy Headteacher vacancy.

On the identification of a vacancy the Governing Board should take the opportunity to review the requirements of the role to determine if the position should be replaced like for like and if the individual salary range (ISR) is still appropriate. In reviewing the requirements of the role, consideration should be given to future school priorities.

The advice and guidance regarding the individual salary range (ISR) for Headteacher and Deputy Headteacher positions in the Pay Policy for Employees within Schools should be followed. Additionally,

you can speak to your designated HR link for advice and guidance.

A job description and person specification must be produced to provide a clear overview of the role. Where there are changes to an existing role, the existing job description and person specification must be updated accordingly.

### Advertising a vacancy

It is advisable that Headteacher and Deputy Headteacher positions are advertised externally, via greater.jobs, unless there is a justifiable reason not to do so. Should you have reason not to advertise a position externally, or at all, you are advised to speak to your designated HR link in the first instance.

Any decision not to advertise such positions must be ratified by the appropriate Governing Board and the rationale for this decision must be documented as part of the minutes of the meeting.

For more guidance on advertising a vacancy go to the recruitment process section of this policy.

### Selection panel

On the identification of a vacancy, a full Governing Board meeting must be held to determine the selection panel. This can form part of an existing meeting should one already be scheduled.

It is not appropriate for a Governor to form part of the selection panel where there may be a conflict of interest. If a panel member is aware of a potential conflict, the individual must declare this and an alternative member should be selected.

It is strongly recommended that the selection panel also appoint a professional advisor; they do not have any voting rights but can support the panel in an advisory capacity. An advisor would be at an additional cost to the school.

The Director of Children Services has the right to attend Headteacher and Deputy Headteacher interviews where the school is a community school or voluntary controlled school. For other schools and academies, the Director of Children





# Headteacher Appointments

## Selection Panel (continued)

Services would welcome the opportunity to provide support regarding the selection process as appropriate.

Following the Governing Board meeting, all aspects of the recruitment and selection process should then be delegated to the agreed selection panel.

Further guidance regarding the selection panel can be found under selection.

## Offer of employment

Before an offer of appointment is made, there is a statutory obligation for the selection panel to make a recommendation for appointment to the full Governing Board. A conditional offer of employment can then be made subject to the relevant pre-employment checks and approval by the Governing Board.

## Appointment of Executive Headteacher

There may be occasions when a school is required to appoint an Executive Headteacher on a short term or a permanent basis. In identifying an appropriate Executive Headteacher the following criteria/factors will be considered:

- National or Local Leader of Education (NLE/LLE) status;
- Faith;
- Level of experience, including experience of working with other schools;
- Stability of the school in which the Headteacher is currently employed

In most cases the Assistant Director for Education will be aware of the need to recruit an Executive Headteacher; however the Chair of Governors (where the school is either a community school or voluntary controlled) must ensure they make the Assistant Director for Education aware in the event that this is not the case.

It would also be relevant for all other schools, as part of the strategic partnership in Wigan, to notify the Assistant Director for Education.

The Chair of Governors (in consultation with their Governing Board), the Assistant Director for Education and the diocese (where appropriate) should all be part of the discussions to determine an appropriate appointment.

On appointment an Executive Headteacher Agreement should be in place.



# Pre-Employment Checks

## When appointing new staff, schools must:

- verify a candidate's identity (advice on the employment checks required are detailed within the 'employer's guide to right to work checks' which can be found at [www.gov.uk](http://www.gov.uk));
- obtain (via the applicant) an enhanced DBS certificate including barred list information, for those who will be engaging in regulated activity (see below);
- verify the candidate is medically fit to carry out the role;
- if the person has lived or worked outside the UK, make any further checks the school consider appropriate;
- verify professional qualifications, as appropriate. The Teacher Services Checking System should be used to verify any award of qualified teacher status (QTS), and the completion of teacher induction or probation.

**Please note:** Following the UK's withdrawal from the EU on 1st January 2021, a new immigration system applies to people arriving in the UK from this date and you will need to refer to guidance on the **UK points-based immigration system** via the intranet. Further advice and guidance is also available from the Schools Team within the HR Employment Service Centre.

Schools are responsible for the requesting and collation of all pre-employment checks. On receipt, an appointment form should be completed and sent to the Schools Team within the HR Employment Service Centre. Schools should ensure they complete the 'Manager's Recruitment Checklist' for both support and teaching staff available from the Schools Team within the HR Employment Service Centre.

Where a school employs staff through an **employment agency** there must be clear, written agreement between both parties as to how pre-employment checks will be managed and recorded.

In addition:

Schools must ensure that a candidate to be employed to carry out teaching work is not subject to a prohibition order or any other sanction or restriction (this can be checked via the Teacher Services Checking System (TSCS)).

Academies and free schools must check that a person taking up a management position is not subject to a section 128 direction (which prohibits or restricts a person from taking part in school management). This can be done as part of the DBS or through the TSCS.

Schools need to ensure that staff who work in childcare provision (0 to 8 year olds on site), or who are directly concerned with the management of such provision, are not disqualified under the 2018 Childcare Disqualification Regulations.





# Pre-Employment Checks

## DBS Checks

Under the Rehabilitation of Offenders Act a person with a criminal record is not required to disclose any spent convictions unless the position they are applying for, or are currently undertaking, is listed as an exception under the act. The vast majority of roles in schools and relevant childcare settings are exempt from the act.

All employed posts in a school (including salaried teacher trainees) are eligible for a DBS check, the vast majority will require an enhanced with barred list check. Volunteer and unpaid posts require assessment to determine whether the requirements of the post meet the eligibility criteria for a DBS check. Applicants are asked to declare any criminal record history in their application form.

On receipt of application forms following the closure of an advertisement, should there be any candidates who have declared any criminal record history, then in accordance with the safer

recruitment guidance, this should be explored further at interview with the candidate. The successful candidate will be asked to apply for a DBS check, and failure to agree will result in the withdrawal of a conditional offer.

School does not need to retain a copy of the DBS check from the applicant, however if it is retained it should be disposed of within six months in line with data protection regulations.

Further advice and guidance regarding the DBS process can be found within the 'DBS Process – Guidance for Schools'.

Advice and guidance regarding pre-employment checks is available via the Schools Team within the HR Employment Service Centre.

## Single Central Record

The school must ensure there is a single central record of all pre-employment checks. This can be electronic, or paper based. Multi Academy Trusts must be able to provide information for each individual academy separately, and without delay.

The single central record must cover all staff (including supply staff, and teacher trainees on salaried routes) who work at the school. Confirmation that these checks have been carried out along with the date the check was undertaken/obtained must be logged on this record for all employees of the school.





# Pre-Employment Checks

## References

The purpose of seeking references is to obtain objective and factual information to inform/support appointment decisions. In accordance with the safer recruitment guidance, two references must be sought for each short-listed candidate, prior to interview.

References should be gathered directly from the referee and should be from a senior person, not a colleague. Open references (for example, to those it may concern), should not be relied upon.

At least one reference must be from the candidate's current or most recent employer.

All references must be in writing and must be sought for both internal and external candidates.

References should be compared for consistency with information on the application form. Should any issues of concern arise from the references received, you can explore these directly with the referee prior to interview and you should also explore any concerns further with the candidate at

interview.

Any past disciplinary actions or allegations disclosed should be carefully considered. Further advice is available from [Acas](#).

As part of the appointment process for Headteachers, Deputy Headteachers and teachers, the reference should seek information about whether the candidate has been subject to performance capability procedures within the last two years.

In the event that it has not been possible to obtain references prior to interview, references should be obtained at the earliest opportunity and prior to any appointment being confirmed.

In accordance with the Equality Act 2010, it is unlawful for employers to ask candidates about their health prior to making a job offer. It is therefore advisable not to request sickness absence information on any reference sought prior to interview. Should such information be requested prior to interview, school must be aware that this is not a justified reason not to offer a job role to a

prospective candidate; to use sickness information as a reason not to make a job offer would not be compliant with the provisions outlined within the Equality Act 2010.

Should you require any advice and guidance surrounding references please contact your designated HR link in the first instance.

## Data Protection

The Council holds staff personal information in accordance with the General Data Protection Regulation (GDPR) and Data Protection Act 2018. We hold personal data as set out in the Data Privacy Primary Notice and Recruitment and Employment Privacy Notice.



# Appendix 1 - Shortlisting Matrix

Candidate Name/ Reference	Essential Criteria					Desirable Criteria				

Key

0 – not met criteria

1 – partially met criteria

2 – fully met criteria