



Harton
Academy



RECRUITMENT AND SELECTION

October 2022

“Discrimination always takes place against unsuccessful candidates. They are always treated ‘less favourably’ than the person who succeeds because, unfortunately in this life, not everybody can be appointed to the same job.”

Callery v Leeds Metropolitan District Council

1 Introduction

The recruitment process is the means by which we seek to bring in new talent and fresh ideas into the Academy. It is a key process as getting it right enhances the lives of the students, colleagues and the Academy in general. Missing out on the best candidates can result in a range of situations, from aspirations not being met and opportunities being missed, through to time spent working through capability issues or on safeguarding interventions.

This policy applies to the recruitment of all employees of Harton Academy. The aims of this policy are to:

- recruit the best staff
- use best practice to deliver fair and consistent recruitment
- avoid unnecessary discrimination
- ensure that safeguarding our students is at the heart of our recruitment

This policy has been updated following changes to safeguarding arrangements introduced by Keeping Children Safe in Education, in 2021 and 2022.

2 Planning the recruitment process

The process for recruitment can be planned to be completed within a few short weeks. To enable this to happen, it is important to plan the exercise, with time being set aside to shortlist and interview, once the key dates around advertising are established. Where the vacancy is for a teacher, consideration shall be given to the notice periods a teacher has to give in order to commence at the appropriate time.

The Academy will consider the necessity of filling each vacancy as it arises. This will include looking at capacity within each department or team, to be able to cover the lessons required to maintain the timetable, or have a reasonable distribution of workload. Once it is decided to fill the vacancy, the following questions should be considered:

- Does the vacancy create a developmental opportunity for internal staff?
- Is the job description up to date : that is to say does it reflect what is needed in the job ?
- Does the person specification accurately list the skills, qualities, experience and qualifications needed for the successful candidate ?

It is important that the key documents of the job description and person specification are reviewed. The job description should reflect the duties of the job, avoiding excessive detail, and the qualities being sought on the person specification should be focussed on what an excellent candidate should possess.

2.1 The Job Description

The job description should list the main duties the post-holder will perform. It includes information on their overall objective and the main responsibilities.

It is sensible to consider producing the list of duties grouped by area or theme. This will provide a more coherent outline and description of the job, and help to ensure that all key tasks are adequately covered.

All job descriptions will expect the postholder to :

- undertake any reasonable duties as required
- to take a level of personal responsibility in relation to health and safety
- demonstrate a commitment to safeguarding
- be an ambassador for the Academy

For teaching staff, the Academy uses the School Teachers Pay and Conditions Document (STPCD) to determine pay, including additional allowances and Teaching and Learning Responsibilities (TLR). Associate staff are graded and paid in line with the agreed job evaluation scheme. Where a job role changes, consideration will be given to having the duties reviewed under this scheme to ensure the job is remunerated at the correct grade.

2.2 Person Specification

The person specification will list the skills, knowledge and experience that the successful candidate will be required to demonstrate. Only objective criteria should be used, which can be measured and are related to the job. Consideration needs to be given to all criteria in case they may create unexpected barriers to recruitment which can, in themselves, be unlawful.

An effective way of putting together this list of requirements is to consider what a successful candidate would need on their first day at work, to be able to do the job. It is advisable to avoid adding criteria for the sake of it as, where they are less essential, they can have a tendency to become subjective and more likely to be discriminatory.

Essential and Desirable criteria may be used, however it is important to ensure there is a clear distinction between criteria which are necessary and those which are only good to have.

The person specification is a key document as it tells candidates what the Academy is looking for, and becomes the yardstick against which applicants are measured. It should also be used when constructing questions for the interviews.

There are circumstances where it may be considered sensible to only seek or allow candidates from a specific group to apply for a vacancy. If a vacancy is considered as being better provided from a certain group in society, advice must be sought from Human Resources, to ensure the Academy does not inadvertently discriminate against a protected group.

The basis on which the Academy can discriminate will be where it considers that a particular protected characteristic is central to a particular job. These characteristics are known as genuine occupational requirements, and reflect the groups protected under the Equality Act, 2010. These characteristics, or groups, are :

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion and belief
- sex
- sexual orientation.

2.3 The Application Form

The Academy will require all applicants to complete a standard application form. In addition to ensuring that all candidates can be considered on an equal basis in relation to the information they provide, the standard form is the basis for creating a staffing record and information is used as the start of the safeguarding process.

The Academy uses separate application forms for Teaching and Associate staff.

Candidates will be expected to complete the application forms, and ensure that all relevant sections are complete. As a school is a 'specified place' under the Safeguarding Vulnerable Groups Act, 2006, as amended by the Protection of Freedoms Act, 2012, all applicants are expected to provide the information in the safeguarding section to enable a Disclosure and Barring Service (DBS) check to be undertaken.

In addition to this, Keeping Children Safe in Education requires that an on-line search is completed for candidates shortlisted for interview. This will be notified on the application form.

Application forms produced by the Academy will require basic personal information to be provided. This shall include full name, date of birth, national insurance number and, for teaching applicants, their DfE registration number. This shall help establish the identity of the candidate, which is important for safeguarding and disclosure purposes.

2.4 Advertising the job

There is no legal requirement to advertise a vacancy, however once this takes place it is necessary to remove unnecessary barriers for the post. It is best practice to consider where the most effective place to advertise is. Depending on the level of the post to be advertised, consideration should be given to

- internal or external advertising
- on-line or published media advertising

Our adverts will ensure that candidates are aware of our commitment to safeguarding, and that we advise of any genuine occupational requirements we consider necessary.

The Academy will provide information to prospective candidates about the job and the Academy itself.

Each advert will include a closing date, by which applications should be returned. Applications submitted after this date may be considered, at the discretion of the shortlisting panel.

2.5 Shortlisting and interviewing

There is a requirement in the School Staffing (England) Regulations, 2009, that

“any person who interviews an applicant ... has completed the safer recruitment training”
(paragraph 9(a))

and, additionally, for posts where members of the Governing body are involved in the exercise

“at least one member of that panel or group has completed the safer recruitment training”
(paragraph 9(b))

A check should be made to ensure that participants in the process have received the appropriate training.

Further details on both shortlisting and interviewing are found in the relevant sections below.

3 Shortlisting candidates for interview

If the aim of advertising is to receive back as many applications as possible, then the corresponding aim of shortlisting is to sift these candidates down to a manageable number for interview. As the person specification has listed the qualities being sought, this becomes the yardstick against which all applicants must be measured. It is good practice that this is done by two people, who should carry this out independently, coming together to compare and challenge with the aim of establishing a good shortlist.

3.1 Assessing the candidates

Shortlisting is the process of objectively assessing candidates against the person specification. This should be done only using information provided on the application form, and not from any prior knowledge. This is to avoid any assumptions being made, and problems with potential claims of unfairness.

The application process asks candidates to provide details and examples to evidence the qualities they are claiming to possess. In undertaking shortlisting, the question

“Have they provided sufficient detail for me to believe they can do this ?”

should be considered. It should be remembered that shortlisting is only the first step, and further proof may be sought at interview.

Shortlisting is subjective : the aim is to be as objective as possible. This will help in providing feedback to candidates who are not selected for interview.

3.2 Dealing with a large number of applications

It can often be predicted when a particular vacancy will generate a large number of applications. Where this is the case, it is sensible to ensure that sufficient time is set aside for shortlisting, to avoid missing future dates in the process, or not giving candidates sufficient notice.

If this is the case, consideration can be given to introducing additional shortlisting methods, such as using short interviews in order to gain extra information about a larger number of candidates, to then be able to shortlist based on objective candidate-given information.

3.3 Recording decisions

A shortlisting matrix should be used, recording each criteria, and the view of the person undertaking the shortlisting on each criteria, for each candidate. It is recommended to use a '☑' to indicate that it is felt the candidate has provided sufficient information to believe they have the criteria ; a '☒' to indicate that this hasn't been evidenced ; or a '?' to question this. Use of the question mark can be useful in reminding shortlisters that this needs looking at again, usually taking into account the thoughts of the other person shortlisting.

Once candidates have been assessed in this way, the person shortlisting should select the agreed number of high scoring candidates.

3.4 Agreeing a shortlist

The aim of those people shortlisting is to reduce the applications down to a manageable number for interview. Where the shortlisters have reached their own shortlist, the next step is to compare lists and agree on the final shortlist.

Usually, where shortlisting has been done correctly, there is a degree of similarity in candidates chosen for interview. Where the list differs, or where the number of chosen candidates is greater than the desired number of interviews, a discussion needs to take place on the objective merits of the criteria in question : evidence on the application form should be reviewed in order to agree if it is a yes, no or maybe.

It is permissible to compromise with a 'maybe' on the basis that it is an area for questioning at interview.

3.4 Supporting candidates with disabilities

The Academy has adopted the policy of ensuring that candidates who have a disability, who meet the essential requirements of the post, will be guaranteed an interview. It is necessary to check the application forms of those people who have met all the essential criteria, to see if they have declared they have a disability. If this is the case, and they haven't been offered an interview, the shortlist should be adjusted accordingly. This can happen where there are more candidates meeting the essential criteria than are being called for interview.

3.5 Safeguarding checks

Only after a shortlist has been agreed will a number of safeguarding checks be undertaken. The application form does not ask for a declaration to be made, although the form identifies clearly that a number of checks will be undertaken.

Each candidate will be sent a Self-Declaration and Disclosure form, which should be completed and returned prior to interview. Candidates will be advised that non- or late returns may mean that an interview may not be held. The self-declaration and disclosure form will seek to gather relevant information regarding criminal convictions and an on-line search, as required by Keeping Children Safe in Education.

3.5.1 On-line searches

An on-line search will be undertaken for every candidate selected for interview. This shall be by using a search engine to identify if any unsuitable information is returned. The search shall not be for any information on the individual, as this may lead to a bias (positive or negative) for the individual – but shall be limited to information which the Academy may consider as a risk to children and young people, or to the reputation of the Academy. The Academy considers that the following issues are key areas of concern, though a check may not be limited to these areas :

- Safeguarding issues or risks
- Reputational risk to the Academy
- Extremism or hate speech
- Violent or sexualised imagery
- Profanity
- Substance abuse

The Academy considers it reasonable to carry out a search covering a period of around 5 years, however this will be considered against a presumption that, for a young candidate, a search of 5 years may take them back into 'childhood'. Likewise an older candidate may have many years online presence, so it may be reasonable to extend the search.

The checks shall only be carried out by a member of staff who has received Safer Recruitment Training and only information which may give concern shall be shared with the panel in advance of the interview. This shall be to enable the panel to raise questions with the individual, so a conversation can take place to determine their suitability to work in the Academy.

A check shall only be carried out once, and the date shall be recorded when this was carried out, and it shall be limited to what is publicly available.

4 Arrangements for interview

4.1 References

The application form asks each candidate to provide details of two people who can provide a written statement as to the qualities of the individual. The Academy will seek the references prior to the interview, and may also seek references from other education or employment providers if it is deemed appropriate. This may be where there are questions of safeguarding, though it is not limited to this. Further references may be taken up at any time.

The Academy will use a standard reference, which will include questions on their suitability to work with children, any performance or any identified capability issues.

4.2 Invitations for interview

Candidates should be invited for interview, normally giving a weeks' notice. They should be advised of the format of the day, and any exercises they will be expected to participate in. All candidates will be asked to bring original copies of their qualification certificates with them, and additionally photographic identification and other documents which can assist in the Disclosure process.

It is at this stage that candidates will be asked to advise the Academy if they have a disability or impairment which may affect their ability to participate in the interview process fully, or in

carrying out the job. The reason for this is that it is not a blanket question being asked of all candidates at the application stage.

4.2 Preparing the questions

Questions for the candidates should be prepared in advance, and agreement reached as to who asks which question. It is important to agree if different panel members are going to keep notes on certain questions. The aim is to ensure that a reasonable record of the interview should be kept.

Questions should relate to the person specification, primarily, and it is good practice that candidates are asked the same framework of questions. This does not mean that additional questions are forbidden : where appropriate and, depending on the answers provided, follow up questions should be asked if this helps with making a good decision.

Questions should aim to be open questions, and allow the candidate to talk about their knowledge, skills and experience. Questions of a discriminatory nature, or purposefully asked only of certain candidates are not allowed.

4.3 Sensitive questions

There are situations where sensitive questioning is necessary or sensible. These may either be where a question needs to be put to all candidates or where a specific issue, identified at shortlisting or in making the arrangements for the interview, needs to be addressed with a particular candidate.

- An example of the former might be where the requirements of the job are such that the successful applicant needs to work late on a regular basis. Asking all candidates ensures that they understand the requirements of the job and that a decision of the panel is then based on operational need and not on arbitrary questioning, which can be construed as discriminatory.
- The latter situation may arise where an issue of safeguarding is identified. This may be from a gap in their work history, a declaration of a conviction or an identified issue **through the on-line search** or on a reference.

The situation of a specific question for one candidate may also arise in the case of an identified disability or impairment. It is sensible for the panel to ask about the disability or impairment, with a view to identifying practical adjustments which can negate the disability in a work context.

It is often the case that an individual can provide or explain suitable adjustments which can mean that a disability is not a material issue for consideration. It may also be appropriate for advice to be sought from an Occupational Health Adviser, or through Access to Work. In such cases, it may be appropriate to delay making a decision on appointing a candidate until such information can be obtained.

The Equality Act, 2010, requires employers to make reasonable adjustments to the workplace, or to the job, to ensure that unnecessary barriers are not put in the way of candidates with a disability. It is legitimate for an interview panel to enquire about a disability, though it must be done sensitively.

In both cases, it will be the approach of the panel that will determine whether the questioning is perceived as supportive and problem solving. If it is not approached from this perspective, there is a risk that individuals may perceive the line of questioning to be unfair and, potentially, discriminatory.

5 The interview

An interview is the traditional method of assessing candidates as to their suitability for the role. Research has shown they are not particularly effective predictors of sound performance in the role and consideration should be given to additional selection methods.

In the Academy context it is recommended that the recruitment process should involve students where it is appropriate to do so. It is long standing Academy practice to use lesson observation as part of teacher recruitment and it is seen as a valuable tool in recruiting new members of the team.

5.1 Set-up

A suitable venue for conducting the interview will be used. It should be conducive to having a good two way discussion, without interruptions.

The aim of the interview is to ensure that, when the candidate leaves the interview, the panel feel they have sufficient information on which to base a good decision.

It is good practice to outline the format of the interview to the candidates, and allow them to ask any questions they may have. It is the case that interviews are an opportunity for either side to assess the suitability of the other. An applicant can choose to turn down an offer if they did not like the interview or the organisation.

The panel must include one member who has received the Safer Recruitment training. Consideration should be given to providing a balance in terms of female and male interviewers where this is possible or sensible to do so.

5.2 Note taking

Sufficient notes should be taken to ensure the panel can recall information provided accurately, to help in making their decision. Notes should also be comprehensive enough to assist in feedback to unsuccessful candidates, or if a decision is challenged and a claim made at Employment Tribunal.

Care should be taken that note taking is not excessive, however, leading to candidates feeling they are talking to a set of pens.

5.3 Additional exercises

Interviews themselves are not good predictors of a good candidate, and it is best practice to consider using additional selection methods to provide further information on the candidates. This information allows others to assist, and is more likely to be objectively based, especially where the exercise relates to successful performance of the job.

In the Academy, lesson observation is the prime method of assessing teaching candidates.

Other methods can include

- a work related exercise (individual and / or group)
- a presentation
- a group activity
- psychometric ability or personality profiling

6 Selecting the best candidate

The selection of the best candidate should be made using all the information produced by the process, that is the application form, the interview and any exercises undertaken. In many cases there is a candidate who performs most strongly, and it is agreed by the panel that this individual is their first choice for selection.

6.1 Choosing between candidates

Where the panel feel it is difficult to choose between 2 or more candidates and there are not sufficient vacancies, the method for making a selection is straight forward :

- The panel should select a small number of criteria from the person specification which are key to the post
- These key requirements should be scored by each member of the panel, independently of the other panel members.
- Once scoring has been completed, the totals for each of the candidates should be added up, with the best candidate receiving the highest score.
- It is sensible to consider additional exercises in this scoring method.

6.2 Making an offer

A verbal offer of employment is binding, and so a conditional offer must be made ensuring that it will only be confirmed on receipt of :

- satisfactory references (if not received prior to the interview)
- proof of qualifications
- a satisfactory DBS enhanced check and on-line check. In this context "satisfactory" is determined by the Academy
- medical clearance
- proof of the individual's entitlement to live and work in the UK

Further details are provided below. A written offer, confirming these conditions, will be made.

6.3 Unsuccessful candidates

The interview panel should arrange to contact all unsuccessful candidates at the earliest opportunity, to advise them of the outcome of the interview. Individuals should be offered feedback, or the opportunity for feedback. Feedback should be objective and constructive, as this can leave the candidates with a good impression of the Academy. A standard 'unsuccessful letter' should only be used where the panel are unable to contact a candidate. In this case, a contact name should be provided for the individual to take up feedback if they wish.

7 Employment checks

All appointments will have a full range of checks undertaken, to assist in establishing their suitability for working in the Academy.

7.1 References

As highlighted above (4.1) two references shall be sought for all candidates. The Academy will not accept open references. Where there are any concerns about the individual's suitability for working in the Academy, further references may be sought from any other employer where a relevant assessment of the individual may be provided.

On appointment, the references of the successful candidate will be verified with the referee, and a record of this kept on the file.

Only written references are to be accepted, however where additional questions are put to the referee verbally, a record should be made of the information provided at the time, and a note added to indicate it was recorded contemporaneously.

References are important as they help to objectively confirm information provided on the application form, for example employment dates and reasons for leaving. At this stage, it is important also to check the individual's sickness record for the preceding two years.

Although references provided are considered as sensitive, or confidential, information, they are not exempt from requests for copies under the Data Protection Act. It shall be the Academy's practice to refer initial requests for copies of reference to the referee, however any reference will be provided where a subject access request is made under this legislation.

7.2 Disclosure and Barring Service (DBS), Barred List and Prohibited List Checks

An enhanced DBS check and Barred List check will be undertaken for every employee in the Academy. Documents used in verifying the identity of the individual shall be copied and kept on the individual's personal file. This shall include photographic identification where available. A Barred List check is made as part of an enhanced DBS check, however where an appointment is made and a more immediate start date is anticipated, a separate barred list check, through the DfE website, will be made additionally.

A check for an entry on the DfE Prohibited List will be made for Teaching Staff. This shall also include HLTA staff due to their role.

Where a disclosure is returned with highlighted issues, the Academy shall consider the suitability of the individual. This shall include checking the declaration made on the application form.

A discussion will take place with the individual, in order to gain further information about the disclosure, and an assessment shall then be made. A full record of such deliberations will be kept on the individual's file.

Where an application is completed for a DBS and the Academy would wish the employee to commence employment before the disclosure is received, this can be done subject to an appropriate Risk Assessment being undertaken. This may necessitate additional supervision being put in place, which should be reviewed on a regular basis.

Where individuals have lived abroad, additional checks may need to be made, such as obtaining good conduct certificates from relevant embassies or police forces, as needed. It is noted that Keeping Children Safe in Education does not require checks to be undertaken in relation to events occurring outside the UK if the individual has worked in regulated employment for a period of time before commencing at the Academy. Each case, however will be considered on its merits.

7.3 Medical checks

All new appointments shall be subject to satisfactory medical clearance, which shall be undertaken by medically qualified staff on behalf of the Academy. This shall require a declaration of absences due to sickness in the preceding two years. For most posts this shall be done by means of a medical questionnaire, however some posts may require an appointment with Occupational Health. This may be where the post is of a manual or physical nature, or where issues are identified.

7.4 Qualifications and registration

Proof of qualifications required as a condition of the job must be provided by the successful applicant. Copies should be taken and placed on the personal file.

7.5 The right to work in the United Kingdom

The Asylum and Immigration Act, 1996, requires that all employees are entitled to live and work in the UK. Proof of this right will be required and copied for the individual's personal file. Details of documents which are acceptable for this check are available from Human Resources.

7.6 The personal file

The Academy shall keep a personal file for all employees, which shall keep copies of relevant information relating to employment. For purposes of safeguarding, the Academy shall ensure the following information is kept :

- Proof of identity, including photographic evidence
- Application form
- References, including confirmation that the follow up telephone call has been carried out to check authenticity.
- Medical clearance
- Proof of qualifications
- Safeguarding checks, including self-declaration and information on on-line searches undertaken. Details of the DBS and barred list check will be maintained on SIMS.
- Checks on the right to work in the UK if applicable
- Further overseas record checks if applicable
- Notes from interview
- Job description and person specification

8 Miscellaneous issues

8.1 Retention of information

The Academy will keep all papers relating to a recruitment exercise for a period of 12 months. Internal candidates will have any applications placed on their personal file.

Information provided through the recruitment process can be considered as sensitive information. The Academy will ensure that initial application forms, and information subsequently provided by candidates or referees will be treated as sensitive information.

Individuals applying to the Academy have the right to ask for information relating to their applicants under the Data Protection Act. Information will be provided upon receipt of a formal request.

Personal files of employed staff are kept in line with the Academy's retention policy.

8.2 Further vacancies

Where an additional vacancy arises, or a new appointment leaves within a reasonable period of a recruitment exercise being concluded, the Academy may consider reviewing the applications of individuals considered to be suitable for appointment at that time. Where the Academy considers this appropriate, and a candidate is available for appointment, the normal checks shall be undertaken for the appointment to be confirmed.

8.3 Declaration of all candidates

Candidates will be required to sign applications to indicate the information provided is true to the best of their knowledge. **In cases where it comes to light that a candidate has concealed, omitted to inform the Academy or misrepresented information,** the Academy will consider disqualifying the candidate or, where an appointment has taken place, dismissal.

Candidates who have a family or other relationship with senior members of staff in the Academy should declare it. This is important where relations are involved in recruitment exercises, though this does not necessarily exclude either side from participation.

8.4 Canvassing

Candidates are forbidden from seeking preferential treatment by means of canvassing senior members of the Academy staff, members of the Governing body, or those staff who are carrying out the recruitment exercise.

Employees who are canvassed by a candidate or another person doing so on a candidate's behalf, should inform the Executive Head Teacher, or Human Resources in Academy.

8.5 Reasonable adjustments

The Equality Act, 2010, requires employers to consider and make, where appropriate, adjustments to the job for employees who have a disability. These adjustments may be in relation to the duties of the job, the equipment needed or the physical premises. Advice is available for such adjustments, and assistance may be available to help with accessing equipment. Human Resources will provide advice.

9 Induction

All new members of staff shall receive an induction to help them transition into their role with ease and speed. Although each role will require areas which are specific to the role, the Academy regards the following as key for all new staff :

- Introducing SIMS
- The Equal Opportunities Department
- Safeguarding and the Pastoral Team, including Part one of Keeping Children Safe in Education
- First Aid and Medical Issues
- Finance, Payroll, Ordering and Trips
- Health & Safety, including emergency evacuation procedures
- **Data protection and e-safety**

The Academy arranges a New Staff Welcome Day, as the beginning of the induction process and will plan to include these areas on the day, and follow up sessions as necessary.
