



# **Zest** Academy Trust

## Recruitment and Selection Policy

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## Recruitment and Selection Policy

### Policy Statement

Zest Academy Trust is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.

Zest Academy Trust aims to ensure that recruitment effectively and efficiently supports the provision of high-quality education. The Trust's objective in carrying out recruitment is to fill vacancies with people of the highest quality, drawn from the widest possible 'pool', cost effectively and without undue delay, whilst adhering to principles of fairness and equality.

No employee, potential employee or applicant will be unlawfully disadvantaged on the grounds of age, race or ethnicity, disability, gender and marital status, gender identity, sexual orientation, religion or belief.

In adopting this policy Zest Academy Trust is committed to:

- 1) Developing and promoting the Trust.
- 2) Appointing on merit.
- 3) Being open and transparent.
- 4) Valuing all individuals involved in the recruitment process.
- 5) Valuing existing staff and helping them realise their potential.
- 6) Giving appropriate and proper consideration to all applicants.
- 7) Working towards developing a workforce that in its diversity can provide an appropriate and professional education to the children.
- 8) Ensuring that assessment techniques and tests are free from any bias that might unlawfully discriminate.
- 9) Giving consideration to making reasonable adjustments at all stages of the recruitment process for applicants with a disability.

### Aims

Recruitment of the right people is critical to the Trusts success. This policy aims to ensure that, when vacancies arise, we recruit the best people available to fill those posts.

Mindful of this overall aim the Trust also aims to ensure that

- Our recruitment processes are streamlined to ensure that good candidates are not deterred or find alternative opportunities because of administrative delays;
- Recruitment costs are kept to a minimum consistent with our need to recruit the best people;
- The total cost of staffing does not exceed the proportion of overall budget determined annually by Trustees;



All vacancies will have appropriate job descriptions and person specifications. Applicants for posts will be short-listed and selected according to their ability to meet the essential/desirable requirements of the person specifications and core duties of the job descriptions.

The Trust is committed in all matters, and particularly in its role as an employer, to all the conditions laid down by the Equality Act 2010.

## Purpose

The purpose of the recruitment and selection policy is to establish the principle of fair and open competition within Zest Academy Trust and to ensure consistency and transparency in all aspects of the recruitment and selection process. All staff are required to follow the rules set out within this policy document.

Exceptionally there are times when owing to short-term operational needs, exceptions are made to the policy. This is due to the sometimes-unpredictable nature of recruitment need. All such cases should be approved by the CEO.

## Scope

This policy applies to the recruitment and selection of all Academy/Trust staff, volunteers' trainees and students.

All employees involved at any stage of the recruitment and selection of staff should be aware of and adhere to the contents of this policy and procedure.

Any external consultants, recruitment agencies or external experts who assist in the recruitment process must act in accordance with this policy and procedure. The appointing manager is responsible for providing such external parties with this policy.

The measures described within this policy are applied to any adult who works with children under 18 years of age.

## The Recruitment Process

### Analysis of post requirement

When a post becomes vacant, the Trust should consider the role and whether it is needed in its current form, whether amendments are needed to the Job Description, or whether a different role is



required. This will include the working hours of the post, aspects of the role and how they relate to the overall objectives of the Academy/Trust.

If it does differ, the requirements of the post will be reviewed, and the Job grading of the post considered.

### **Review/Production of job description and person specification**

The job description for the vacant post will be reviewed to ensure it reflects the requirements of the post. If there is no job description, one will be produced.

The job description will state:

- a) The main duties and responsibilities of the post
- b) The post holder's responsibility for promoting and safeguarding the welfare of children and young persons, including the extent of the contact the person will have with children and his/her degree of responsibility for them.

Any change of grading of current posts/creation of new posts should be appropriately considered.

Any amendments to teachers' job descriptions will be made in line with the conditions of service and the framework of professional standards for teachers as set out in the School Teachers' Pay and Conditions Document.

### **Job Description and Person Specification**

Each advertisement lays down the role, responsibilities and accountabilities for each position that is being advertised. The job description will include the following format;

- Place of work
- Title of the position
- Grade and Pay range
- General Professional Responsibilities
- Applicable contract terms
- Particular Responsibilities

The person specification will reflect the skills, aptitudes and knowledge required to undertake the tasks and responsibilities of the job description as well as experiences and competencies. Each person specification requirements will be defined as either;

- Essential
- Desirable

All personal qualities or circumstances will be directly relevant and essential to the job advertised and promote equality and avoid discrimination.



## Advertising

Adverts will be placed with the intention of maximising the relevant audience for the advertisement in the most cost effective medium. Online advertising will be used in preference to print advertising where it is deemed to not impact adversely on the likely audience for the advertisement.

As part of the Trusts commitment to equal opportunities in recruitment advertisements will not be confined unjustifiably to those areas or publications which would exclude or disproportionately reduce the numbers of applications from particular minority groups.

The advertisement will clearly include;

- Job Title
- Name and contact of the Trust and academy
- Salary and / or profile grade
- Hours per week (including INSET days if appropriate)
- Shortlisting date
- Details of the job
- Closing date
- Where application packs are available from
- Safeguarding and equality statement

## Applications Forms

Only Trust/Academy application forms will be accepted.

Each applicant will be required to sign the form (*which maybe completed online*) to state that to the best of their knowledge and belief the contents are true and accurate and that they accept that if they are appointed and it is subsequently found that they have been untruthful in their application, they will be subject to disciplinary procedures including dismissal.

Applicants will also be reminded that, in order to satisfy the safer recruitment process and discrimination legislation, all sections of the application form must be completed in full.

## Application Packs

In order to maximise response recruitment packs will be made available on the Trust website or available by post for applicants upon request.



Applicants will be asked to complete an Equal Opportunities Monitoring Questionnaire as part of the application form. This will be detached from the application form prior to shortlisting and the anonymous details recorded by The Academy/Trust for monitoring purposes only.

### **Interview Panel**

The School Staffing Regulations (England) 2009 require governing bodies of maintained schools to ensure that at least one person on any appointment panel has undertaken safer recruitment training. The Academy/Trust upholds this requirement. Prior to the selection process beginning an interview panel of at least two people and ideally three will be identified. The same people will, where possible, conduct the whole recruitment and selection process.

Recruitment panels for senior roles will be determined by the Pay and HR Committee.

The interview panel will, where possible, include women and men.

### **Declaration of Interests**

Where recruiting officers have a family, personal or business relationship (current or past) with an applicant, they should not take part in recruitment until advice has been taken from HR, and the relationship has been reported to the Recruiting Manager, or the Recruiting Manager's line manager if the Recruiting Manager has declared a relationship.

Taking part in recruitment includes taking any part in the decision-making process, including shortlisting, or sitting on a recruitment panel. Where there is a family, personal or business relationship, the expectation is that the individual with the relationship will step away from recruitment activity, unless there are exceptional circumstances.

### **Short listing and selection**

The criteria for short listing and for selection will match those of the job and person specifications to ensure that the short listing and selection is carried out fairly and systematically.

Late applications will not generally be considered and once shortlisting has commenced.

Shortlisting will be made by reference to the essential, and if necessary, the desirable criteria detailed in the person specification.

The shortlisting panel will then where possible create a short list of candidates to be called for interview.



## Online searches - Shortlisted candidates only

The Trust is committed to ensuring that safeguarding is a top priority; therefore, in line with Part 3 of KCSIE, the school will carry out online searches on shortlisted candidates as part of their due diligence. Online searches solely aim to help identify any incidents or issues that have happened, and are publicly available online, which the Academy may want to explore with the applicant at interview.

Online searches will be carried out by an individual who is independent of the recruitment process to minimise the risk of bias or discrimination and to ensure that only relevant information is considered. The person responsible for carrying out online searches will have due regard to Part three of KCSIE.

Online searches will be conducted on shortlisted candidates only, and only where the Academy considers this appropriate. The Trust/Academy will be mindful of any potential risks of online searches, e.g. unlawful discrimination or invasion of privacy, and will be clear on the reasons that online searches are being conducted. Online searches will only examine data that is publicly available.

Online searches will be carried out by an individual who is independent of the recruitment process to minimise the risk of bias or discrimination and to ensure that only relevant information is considered. The person responsible for carrying out online searches will have due regard to Part three of KCSIE.

The online search process may include searching for the candidate by name via search engines and social media, such as:

- Google
- Facebook
- Twitter
- Instagram
- TikTok
- YouTube

When carrying out searches of shortlisted candidates' online presence, the Academy will look out for indicators of concern, such as:

- Inappropriate behaviour, jokes or language.
- Discriminatory comments.
- Inappropriate images.
- Drug or alcohol misuse.
- Anything that suggests the candidate may not be suitable to work with children.



Any concerns will be addressed during the interview process. The Trust will ensure that candidates are given an opportunity to discuss any concerns raised by the online search.

## References

The purpose of seeking references is to obtain objective and factual information to support the interview panel's decisions. References will always be sought and obtained directly from the referee, not via the candidate themselves. Open references for example addressed 'To whom it may concern' will not be relied upon.

Regardless of the type of post being applied for, references from the previous two employers covering at least the previous three years' employment history will be taken up on. This also applies to internal candidates. The references may be obtained before interviews take place on all short-listed candidates so that any issues of concern they raise can be explored further with the referee, if appropriate, and taken up with the candidate at interview. In exceptional circumstances it might not be possible to obtain references prior to interview, either because of delay on the part of the referee, or because a candidate strongly objects to their current employer being approached at that stage, but that will be the aim in all cases.

References will not request details about the candidate's sickness record or disability, in order to ensure that they comply with The Equality Act 2010. Further information regarding the candidate's medical suitability will be sought from Occupational Health after the interview and for the successful candidate only.

On receipt, all references will be checked to ensure all the questions have been answered satisfactorily. The referee will be contacted to provide further clarification as appropriate, for example if answers are vague.

Any information about past disciplinary actions or allegations will be considered carefully when assessing the candidate's suitability for the post.

If a referee fails to provide a reference the candidate will be contacted to provide an alternative referee. If a candidate for a teaching post is not currently employed as a teacher, a check will be carried out with the school, college or local authority at which they were most recently employed, to confirm details of their employment and their reasons for leaving.

## Interviews

The appropriate assessment methods may include one or more of the following:

- Structured interview(s); formal and informal;

Activities they will need to take part in, for example unseen presentation or in-tray exercise



- Presentations or “teaching” simulations;
- Practical assessments (e.g. to assess technical capability).
- Pupil Panel

In interview panel will also explore any unexplained gaps in employment history with candidates.

### **Decision making, Feedback and offers of employment**

When assessing candidates with disabilities, the panel will consider their suitability on the basis that any reasonable adjustments that may be required have been made. Similarly, if special equipment is required the candidate’s suitability will be evaluated on the basis that the equipment is in place.

Each member of the interview panel will take notes on each applicant during the interview, will score each candidate at the end of each interview privately and record reasons for the conclusions drawn from the assessment before the overall scores are agreed collectively.

If additional selection methods are used, these will be fed into the decision-making process at the end, and the candidate who best meets the selection criteria is chosen. The scoring and notes will be retained in line with the record keeping process. The Trust retains all interview notes for at least 6 months from the date of the interviews.

The interview panel will agree feedback for each candidate and record whether or not each candidate is suitable for appointment, even if not the first-choice candidate.

Offers of employment will not routinely be made at interview.

All candidates, successful or otherwise will be notified of the outcome of the interview as soon as possible. All candidates will be offered feedback on their performance during the selection process and an explanation of the decision, if requested.

However, the interview panel will wait until the successful candidate has accepted the offer before informing unsuccessful candidates, unless they are clearly unsuitable for the post.

The initial job offer to the successful candidate will normally be made verbally and followed up in writing stipulating that appointment is subject to satisfactory employment checks of:

- a) References
- b) Medical fitness for successful candidate only
- c) Qualifications
- d) An enhanced DBS check & barred list check where necessary
- e) Necessary overseas checks
- f) Verification the candidate has not been prohibited from teaching or carrying out teaching work or management work as required
- g) Proof of identity and eligibility to work in the UK



- h) Membership of any appropriate professional body
- i) Disqualification under the Childcare Act 2006 for eligible staff see section

Candidates will be requested to produce original documents and a copy of these will be taken and kept on the successful candidate's personal file with the exception of the DBS check. In accordance with the Keeping Children Safe in Education guidance to evidence a person's right to work in the UK, a copy of the DBS Group 1 document(s) will be kept on the successful candidate's personnel file annotated to certify that the document is a copy of the original and will be dated and signed by a duly authorised officer.

## Records of Interviews

The Academy/Trust will normally maintain a central record for the complete recruitment process for 6 months in the case of unsuccessful applicants. The following will be recorded:

- a) assessment and selection criteria used (person specification);
- b) application of assessment and selection criteria (e.g. application form);
- c) interview and other selection method notes (e.g. question proformas, test results);
- d) reasons for decisions made;
- e) any additional information such as copies of documents provided.

All recruitment paperwork relating to the successful candidate will be retained and placed on his/her personal file.

## Eligibility to work in the UK

Under the Immigration, Asylum and Nationality Act 2006 it is a criminal offence to employ someone without entitlement or permission to work in the UK. Section 15 of the Act requires all employers in the UK to make basic document checks on **every** person before they start work to help ensure that they do not employ illegal workers. Employers are also required to recheck documents at least every 12 months if the employee has time-limited leave to enter or remain in the UK. Employers incur a fine of up to £10,000 if they employ an illegal employee. A new offence of knowingly employing an illegal worker can incur an unlimited fine and/or up to two years' imprisonment.

To ensure that recruitment practices are not discriminatory, **all** successful applicants, regardless of their colour, race, nationality, or ethnic or national origin, will be asked to produce original documents as evidence of their right to work in the UK.

## Overseas Trained Teachers (OTTS)

OTTs are allowed to work as unqualified teachers for a maximum of four years without the need to gain qualified teacher status (QTS).



The Trust will have due regard to the Guidance from the DfE on Overseas Trained Teachers when considering OTT s.

## Safeguarding of Appointments

The Trust undertakes to comply fully with the Safer Recruitment practices as determined by the Department for Education and other government bodies. These are in place so that robust efforts are made to prevent unsuitable or unqualified persons from working with children. These will include: confirmation of Identity processes, including dates of birth and National Insurance registration

- Proof of original certificates of Qualifications
- Two relevant references
- Proof of right to work in the UK

Disclosure and Barring Service (DBS) check – including enhanced checks where appropriate (see notes below).

- Teachers will be checked against the DFE Teacher Check Service
- Disqualification under childcare act 2006

As an organisation using the Disclosure and Barring Service (DBS) Disclosure service to assess applicants' suitability for positions of trust, the Trust complies fully with the DBS Code of Practice. We undertake not to discriminate unfairly against any subject of a disclosure on the basis of a conviction or other information revealed.

The Academy /Trust actively promote equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records.

All posts require Disclosure and Barring clearance and an application for this will be requested in the event of the individual being offered the position.

We encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process. We request that this information is sent under separate, confidential cover, to a designated person within the Trust and we guarantee that this information will only be seen by those who need to see it as part of the recruitment process, (see employment of ex-offender's policy).

## The Data Protection

In order to comply with the General Data Protection Regulations 2018, all personal data obtained in the course of the recruitment process (applications, references, interview notes, test scores, etc.)



with the exception of data, which is transferred to the appointee's personal file, will be kept in a secure place.

## Appointments

### Pre-employment checks

An offer of appointment to the successful candidate will be conditional upon:

- The receipt of at least two references which are acceptable to the Trust/Academy (if those have not already been received);
- Verification of the candidate's identity (original documentation will be seen and a copy taken);
- Where appropriate, a satisfactory Enhanced DBS Check (before working unsupervised with children) including barred list checks;
- overseas criminal records check where applicable;
- Pre-employment health screening that is targeted, necessary and relevant to the job which has been offered.
- Verification of qualifications (original documents will be seen and a copy retained);
- Satisfactory completion of the probationary period;
- verification of the right to work in the UK (original documents will be seen and a copy retained – section 13)
- Declaration by the employee that they are not disqualified under the Childcare Act 2006;
- Teaching Regulation Agency Checks:
- verification of professional status where required e.g. TRA registration, QTS status (unless properly exempted), National Professional Qualification for Headship (NPQH);
- For qualified teachers applying for support staff posts, a check against the Teaching Regulations Agency (TRA) registration list to establish whether the applicant has been deregistered from the teaching profession.
- a check that a person taking up a management position is not subject to a section 128 direction made by the Secretary of State.
- Letter of professional standing from the overseas professional regulating authority where relevant.

## Disqualification under the Childcare Act 2006

Staff are covered by this legislation if they are employed and/or provide early years childcare (this covers the age range from birth until 1 September following a child's fifth birthday i.e. up to and including reception age) or later years childcare (this covers children above reception age but who

have not attained the age of 8) in nursery, primary or secondary school settings, or if they are directly concerned with the management of such childcare. This includes:



- a) Early years provision - staff who provide any care for a child up to and including reception age. This includes education in nursery and reception classes and/or any supervised activity (such as breakfast clubs, lunchtime supervision and after school care provided by the school) both during and outside of school hours for children in the early years age range; **and**
- b) Later years provision (for children under 8) - staff who are employed to work in childcare provided by the school outside of school hours for children who are above reception age but who have not attained the age of 8.

This does not include education or supervised activity for children above reception age during school hours (including extended school hours for co-curricular learning activities, such as the school's choir or sports teams) but it does include before school settings, such as breakfast clubs, and after school provision.

Further information can be found in the DfE Statutory Guidance on Disqualification under the Childcare Act 2006 updated 31 August 2018.

<https://www.gov.uk/government/publications/disqualification-under-the-childcareact2006/disqualification-under-the-childcare-act-2006>

## Criminal Record Check

Due to the nature of the work, The Academy/Trust applies for criminal record certificates from the Disclosure and Barring Service ("DBS") in respect of all prospective staff members and volunteers.

The type of check that may be requested from the DBS will depend on the nature of the position. If the individual is applying for a position that may provide them with an opportunity to engage in regulated activity with children, then an Enhanced Check with Barred List will be required. This check will contain details of all convictions, adult cautions, reprimands or warnings (except those which are "protected" as defined in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013 and amended in 2020) held on the Police National Computer.

The Enhanced Check with Barred List will also reveal whether the individual is barred from working with children by virtue of their inclusion on the lists of those considered unsuitable to work with children.

An Enhanced Check may also contain non-conviction information from local police records and/or protected information (as defined above) which the police consider may be relevant to the work the individual will be undertaking.

Applicants with recent periods of overseas residence and those with little or no previous UK residence may also be asked to apply for the equivalent of a Disclosure if one is available in the relevant jurisdiction(s).

Should DBS clearance be delayed and employment commence before it is received, the Academy/Trust may agree to the individual commencing work but before doing so shall obtain a barred list check (where required), undertake a Risk Assessment on the prospective member of staff



concerned and make arrangements as appropriate for the member of staff to be paired with or supervised by another member staff who has received DBS clearance.

### **Volunteers, Agencies and Agency Staff**

The Academy/Trust expects supply/temporary worker agencies/contractors that are used by The Academy/Trust register with the Enhanced DBS Disclosure on their own account and follow this policy or their own comparable policy. Proof of registration will be required before the Academy/Trust will commission services from any such organisation.

The agency must provide evidence of the checks carried out on their central record.

The agency must also ensure that the supply staff member is aware that they have to bring in their DBS Certificate, proof of qualifications (e.g. QTS Certificate) and identification documents (proving their name, date of birth and address) on the first day of their supply work for the Academy/Trust.

The Academy/Trust reserves the right to terminate the contract with the agency and send home an agency staff member without notice should these terms of safe recruitment practice be breached by the agency or the member of agency staff. In this instance, The Academy/Trust will not be liable for any charges connected to the booking.

All Volunteers who have direct contact with children on a regular basis will be required to have a DBS check. The headteacher will apply a risk assessment to assess the need for an enhanced DBS check on an individual basis.

### **Rehabilitation of Offenders Disclosure**

The Academy/Trust will not unfairly discriminate against any applicant for employment on the basis of conviction or other details revealed. The Academy/Trust makes appointment decisions on the basis of merit and ability. If an applicant has a criminal record this will not automatically debar him/her from employment with the Academy/trust. Instead, each case will be decided on its merits in accordance with the objective assessment criteria.

In view of the fact that all positions within the Academy/Trust will amount to "regulated positions", all applicants for employment must declare all previous convictions and adult cautions (except those which are "protected" as defined in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013 and amended in 2020). A failure to disclose a previous conviction or adult caution may lead to an application being rejected or, if the failure is discovered after employment has started, may lead to summary dismissal on the grounds of gross misconduct. A failure to disclose a previous conviction may also amount to a criminal offence.

Under the relevant legislation, it is unlawful for the Academy/Trust to employ anyone who is included on the lists, maintained by the DfE and the Department of Health, of individuals who are considered unsuitable to work with children. In addition, it will also be unlawful for the Academy/Trust to employ



anyone who is the subject of a disqualifying order made on being convicted or charged with the following offences against children: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence.

It is a criminal offence for any person who is disqualified from working with children to attempt to apply for a position within the Academy/Trust.

If:

- the Academy/Trust receives an application from a disqualified person;
- Is provided with false information in, or in support of an applicant's application; or
- The Academy/Trust has serious concerns about an applicant's suitability to work with children

it will report the matter to the Police, DBS and/or the DfE.

## Probationary Period

All external appointments will be subject to satisfactory completion of a probationary period of 6 months. In certain cases, internal appointments maybe subject to a probationary period of 6 months. The probation period is a duration in which the performance and behaviour of the new employee is monitored by his or her manager in order to check their potential as well as their suitability to the job. The probation period policy clearly states that the employee should meet the set standard performance, should follow the code of conduct of the organisation and behave in an acceptable manner. The probation period is also considered as an extension of the selection process. The probation process begins with appointment and later stages include job allocation, completion of probation period and review of performance. If the employee meets the expectation of organisation in terms of performance, then confirmation of a letter will be provided to the employee.

The Academy/Trust reserves the right to extend the probation period where it has been determined the employee is not yet meeting the required performance.

## Volunteers and other staff

Recruitment of volunteers will be in line with this policy and all appropriate recruitment checks should be made on volunteers as would be done for substantive, fixed term and temporary staff.

## Induction

The Line Manager will make appropriate induction arrangements for all newly appointed staff.

In accordance with the *Keeping Children Safe in Education* statutory guidance, new staff will, as part of induction, be given a copy of 'Part one' of that guidance. Where these policies are used, the



school will also provide a copy of (or provide access to) the *Child Protection Policy*, the *Code of Conduct* and the *Guidance for Safer Working Practice for Adults who work with Children and Young People in Education Settings*, with the expectation being that these are read fully and thoroughly.

New staff will also be made aware of systems within the school which support safeguarding, including the role of the designated safeguarding lead. A record will be made and kept on the personal file of these documents having been provided and/or signposted as part of the induction.

Where applicable, Head Teachers/Principal will follow the statutory induction programme for Early Career Teachers.

### **Monitoring**

This policy will be reviewed on a biennial basis.

