



Safer Recruitment Policy

William Fletcher Primary School

William Fletcher School is a Rights Respecting School. This policy reflects Articles 18 (parental responsibilities and state assistance), 28 (right to education) and 29 (goals of education).

This policy should be read in conjunction with the School Safeguarding Policy.

1. **The law gives to the Governing Body overall powers of recruitment of those employed solely to work in the school.** Governors may choose to delegate these to the Headteacher. The guidance to the Education Act 2002 states that the Headteacher should take the lead in making appointments outside the leadership group other than in “exceptional circumstances”. **However, Oxfordshire County Council believes that it is good practice always to involve Governors in the appointment of teachers.**
2. **Recruitment and appointment are amongst the most important aspects of every Headteacher or School Governor duties and it is crucial that they are carried out effectively and lawfully.**
3. **The School will ensure that it follows the regulation set out in The School Staffing (England) Regulations 2009. This requires Governing Bodies in maintained schools to ensure that at least one person on any appointment panel has undertaken Safer Recruitment Training. At William Fletcher School at least 2 members of the Senior leadership and 1 Governor have been trained in safer recruitment. The school will also follow guidance set out in Keeping Children Safe in Education: for school and college staff (July 2015).**
4. All job applicants should be dealt with consistently and fairly. All decisions should be based solely on the potential suitability of each candidate for the job, taking into account any reasonable adjustments which could be made for candidates with disabilities.
5. Recruitment should be systematic to reduce any margin of error and minimise subjectivity. Recruitment should also be seen as part of maintaining a good public relations image for the school and the County Council. So, when recruiting you need to consider:
 - The Law
 - Advice from the Local Authority
 - The Vacancy
 - The Job Description
 - The Selection Criteria
 - The Target Market
 - The Advertisement
 - Where to advertise
 - Recruitment Literature
 - Shortlisting
 - References
 - Work-related exercises
 - Interview preparation
 - The Interview Panel
 - Interviewing question time
 - The selection decision
 - What happens next

6. All successful candidates appointed to a post at William Fletcher Primary School are asked to read **Keeping Children Safe in Education: for school and college staff (part 1), July 2015**. This includes information about and expectations of the **Prevent Agenda**.

The Law

6. It is unlawful:

- a) To discriminate directly or indirectly on the grounds of sex, marriage, race, religion or sexual orientation in recruitment, selection or in the terms and conditions of employment.
 - b) To select candidates on the grounds of race or sex (except in the case of a Genuine Occupational Qualification (GOQ), see paragraph 10 below).
 - c) To discriminate against a disabled applicant for a reason which relates to the disability unless this treatment is justified;
 - d) To imply that applications from one sex, from married people, from disabled people or from certain groups will not be considered;
 - e) To publish an advertisement which indicates or might reasonably be understood as indicating an intention to discriminate;
 - f) To use recruitment methods which exclude, disadvantage or disproportionately reduce the numbers of applicants with disabilities or applicants of a particular sex, racial or religious group or of a particular sexual orientation and which cannot be justified. In addition the County Council's Comprehensive Equality Policy, which applies to employees in schools, stresses that discrimination in employment practices should be eliminated by disregarding assumptions or preferences which are not strictly job-related, whether in selection for appointment, promotion or transfer.
7. The following are examples of factors which the Council has agreed should not be taken into account in employment decisions (except in cases where the nature of the work makes this essential and legislation permits): disability, sex, marital or parental status, age (except in relation to retirement), race, colour, nationality, ethnic or national origin, religious belief, sexual orientation, membership of or activity in a trade union or other organisation, and spent offences. The list is not exhaustive.
 8. **Liability for discrimination in recruitment falls to Governing Bodies.** However, liability can also fall on the individual as well as on the school. You are advised, therefore, to follow the County Council's Comprehensive Equality Policy, the Codes of Practice published by the Equal Opportunities Commission and the Commission for Racial Equality and the Department for Education and Skill's Code of Practice on the Disability Discrimination Act.
 9. "Positive Action" is allowed where few or no members of one sex or a particular racial group have been doing particular work in the preceding twelve months, (i.e. under-representation). Positive Action includes targeted training and encouragement but excludes giving preference in appointment. For example, advertisements could be placed in specialist press. Positive Action to encourage disabled applicants is also acceptable.

Genuine Occupational Qualification (GOQ)

10. In certain very limited circumstances, discrimination is allowed where a person's race, religion, sex or sexual orientation is a genuine occupational qualification or requirement for the job. This is expected to apply only very rarely. Advice is available from the Children, Young People and Families Directorate HR section.

Role of the County Council

11. The Council

- Is the employer of all staff and can advise on the numbers to employ and their job duties. They will appoint the Governing Body's chosen candidate as long as the staff qualifications requirements are met
- Can recommend particular individuals for consideration
- Will undertake DBS checks on request
- Will be responsible for issuing contracts of employment on terms and conditions set by the County Council if the school subscribes to the appropriate Oxfordshire HR and Finance Package.
- Can refuse to appoint only if the person selected fails the requirements of the Education (Teachers) Regulations which cover health, criminal convictions and qualifications.

12. The Director for Children, Young People and Families

- Is entitled to be present or represented at all stages of the selection of teaching staff;
- Can give advice to the Governing Body;
- Must be notified of all teaching posts;
- Is entitled to make representations to the Governing Body if he disagrees with the grade and remuneration being proposed for support staff.

Note:

The Governing Body must consider any advice given by the County Council although, in most cases, the Governing Body will be responsible for the selection decision. Governing Bodies have the power to determine the job descriptions, pay and grading of support staff only within the framework of grades used by the County Council in accordance with its Job Evaluation Scheme. If the Director makes any representations about the grade and remuneration of support staff, the Governing Body must consider these representations and respond in writing.

The Vacancy

13. When a vacancy occurs it is good practice to consider whether the school needs to fill the post in its existing form or whether any changes need to be made.
14. The Governing Body is required by law to send a copy of the specification of the vacancy to the County Council before advertisement. In practice sending the advertisement to the Directorate for Children, Young People and Families for placement in the press will be taken as fulfilling this requirement.

The Job Description

15. Once the vacancy is identified you should prepare a written outline of the main job requirements, i.e. "the job description". Take into consideration:
 - What are the job's objectives?
 - What are the main duties and responsibilities?
 - Do the priorities need to be reassessed?
16. This document forms the basis of the selection process and the selection criteria and selection techniques used, including interviewing, should relate to the needs of the job identified in the job description.

Selection Criteria

The selection criteria link the needs of the job to the attributes required of the post holder. This will ensure fairness and a systematic approach to selection. It will help you to choose the most suitable candidate for the job.

17. In order to prepare the selection criteria you need to decide what attributes the candidate needs to carry out the job. You need to consider:

- What skills are needed?
 - What knowledge is needed?
 - What qualities are needed?
 - Which attributes are essential and which are desirable to carry out the job?
18. Essential attributes are those the post holder must have in order to carry out the job effectively. Desirable attributes are those which it would be advantageous for the post holder to have and which would enhance job performance.
19. Do not set unnecessarily high standards for qualifications, experience or skills. Do not make assumptions that only a man or woman or only a person without a disability could do the job. Ensure that each attribute relates to the needs of the job and compare the importance of each attribute with the requirements of the job.
20. The selection criteria should not be changed once the selection process has started.

The Advertisement

21. To ensure the widest choice of applicant, vacancies should be advertised internally and externally. **The law requires that for posts of Headteacher and Deputy Headteacher, advertisements be placed nationally except when the posts result from a reorganisation.**
22. Your advertisement should be clear, concise and accurate. It should reflect the requirements of the job, highlighting the essential elements of the job description and selection criteria. Keep your advert short, sharp and attractive. Extensive details should be sent in the further particulars.
23. Aim the advertisement at your target market (i.e. all relevant groups of prospective applicants). Be as wide and as open as possible. Do not discriminate on the grounds of sex, race, disability, religion or sexual orientation.
24. The quality of your advertisement will reflect the quality of the job and the image of your school. An effective advertisement should include:
- Name of the School
 - Job title
 - Location of the job
 - Salary and benefits
 - Hours of work (unless standard)
 - Key job responsibilities
 - Qualifications required
 - Experience required
 - Procedure for applying
 - Where to obtain an application form
 - A realistic closing date
 - Interview date (if known)
25. The advertisement must not include sexist language (e.g. he, she, his, her, male, female etc) or language which is discriminatory in any other way.

Recruitment Literature

26. It is advisable to send an information pack to all job applicants. This may include:
- General information about Oxfordshire County Council
 - General information on the County of Oxfordshire
 - General information about the school
 - Outline of the key job details (e.g. Job description)

- An organisation chart (if appropriate)
 - Conditions of Service
 - Application form
 - Outline of the selection process including any teaching required with clear instructions
 - Date for the interview
 - Details of the selection criteria
 - Whether the candidate will be informed if they are not to be interviewed
 - Details of the interview expenses payable
 - No Smoking Policy
27. If a candidate tells you that s/he has a disability and needs the job details in a different format (e.g. tape, computer disc, braille) you must comply if it is practicable for you to do so. If in doubt contact Oxfordshire County Council HR Section.

The Application Form

28. **Schools are strongly advised to use the common application forms for teaching staff, non-teaching staff and support. This ensures consistency of information complies with the Equal Opportunities Statement and the Commission for Racial Equality's Code of Practice and enables information to be gathered on adjustments needed by disabled candidates. Any claims of unlawful discrimination arising from not using the application form will be answerable by Governors.**
29. The only exception is where disabled candidates cannot apply on a form, for reasons connected to their disabilities. In these cases, alternative methods of application must be considered.
30. The use of the application form also enables monitoring of recruitment patterns to take place. This is a duty placed upon the County Council by the Race Relations (Amendment) Act and schools are required to make it possible for the County Council to meet this duty.

Shortlisting

31. Monitoring slips must be removed from the application form before shortlisting takes place and should not be seen by the shortlisting or appointing panel. However, the school must set up a system for passing on to the selection panel the information on the back of the monitoring sheet about adjustments needed by disabled candidates.
32. Shortlisting should be carried out as soon as possible after the closing date. A minimum of two people should be involved.
33. Shortlisting criteria should be consistently applied to all candidates. However, if a candidate is known to have a disability, you must consider whether there is any reasonable adjustment, which would bring that candidate within the field of those to be shortlisted. If you need to interview the candidate in order to assess this, you should include him/her in the shortlist.
34. Do not make any assumptions. Avoid using the application form as a test for literacy if literacy is not a genuine requirement of the job. Do not alter the selection criteria after you have looked at the application forms.
35. Keep all reasons for rejecting or shortlisting candidates for six months in order to answer any referrals to Employment Tribunals.
36. Applicants not shortlisted should be informed as soon as possible after the closing date.

References

37. References should be obtained on all candidates before the interview (unless a candidate specifies otherwise). **It is important to seek a reference from the current or most recent employer.** It is good practice to read the references before interview so that candidates can be asked to explain

anything which is unclear. In any case, **all references should be considered before a final decision is made on an appointment.** In some cases this may mean delaying a firm offer until all references for the chosen candidate have been considered.

38. References must be sought in writing. If it is necessary to telephone a referee in order to ask for a reference urgently, ask for the reference to be confirmed in writing, using the same wording. Any reference received by e-mail should either be sent also in a hard copy, which is signed, or should be from a verifiable source. It is important to be confident that the reference is a genuine one, particularly where the post involves contact with children.
39. When writing to referees, enclose a job description, the selection criteria and the date of the interview. It is advisable to ask specific questions when requesting a reference - e.g. about the candidates' abilities, character and suitability for the job in the light of the selection criteria.
40. If you are asking for a character reference, you are essentially asking for opinions about the candidate. These opinions may inevitably be subjective and so their validity may be questionable.

Work-Related Exercises

41. Work-related exercises include, for example, the use of presentations, psychometric tests, in-tray exercises and report writing, group activities and the assessment of teaching skills.
42. Any exercise must be fair, reasonable and consistent to all candidates and related to the needs of the job. If psychometric tests are used, they must be measured by certified assessors against set standards. Any exercise may need to be adjusted to take account of specific disabled candidates unless the nature and form of the exercise is relevant to the job. The candidate must be told if a particular exercise forms part of the Selection Process.
43. Where informal visits or sessions are used, avoid including these as part of the selection process. They are not standardised, are not objective and impressions gained are wholly subjective and unreliable. In law candidates have redress if they feel informal events have been used unlawfully against them.
44. It is good practice to ask head teacher and teaching candidates to prepare a lesson on a predetermined topic with clear learning objectives and ask them to teach a class which will be observed and judged as part of the selection process.
45. Candidates for Headteacher and deputy Headteacher posts may be set further exercises in consultation with OCC advice

Interview Preparation

46. Candidates should be given at least three days' notice for interview (unless a pre-determined date is given in the job advertisement or further particulars).
47. Candidates should be asked to bring relevant certificates with them (if appropriate). Candidates should be asked to bring with them the information needed for application for a Criminal Records Bureau disclosure. They should also be asked to bring with them evidence of their identity, including photographic evidence, and their eligibility for seeking employment, in accordance with the Asylum and Immigration Act.
48. If any of the candidates need special arrangements to be made because of a disability, these arrangements must be made if it is practicable to do so.
49. It is advisable that the invitation to interview should include
 - An Expenses Claim Form
 - Oxfordshire County Council's Equal Opportunities Policy Statement
 - A map
 - Composition of the interview panel
 - Time and duration of the interview

- A request for confirmation of attendance (if requested/required)
 - A request for details of any special arrangements which may be needed
 - A list of Hotels or B & Bs if the candidate is travelling a long distance for the interview (if appropriate)
50. Ensure appropriate hospitality before the interview. The candidate will make a judgment on first impressions.
51. Remember to plan a timetable for interview leaving sufficient time for note-taking and preparation. This will also ensure the candidates are not kept waiting.

The Interview Panel

52. Information for the Panel should include:
- A list of candidates
 - Copies of application forms
 - Copies of the job description
 - Copies of the Selection Criteria
 - A copy of the Information Pack
 - Copies of references
53. The Interview Panel should ideally consist of no more than four people. The use of small Panels is encouraged so that the process is not too daunting for the candidates. Where possible there should be a balance of sexes on the interview panel.
54. Everyone involved in the shortlisting should normally attend the interview. Only those involved in the selection process should be included in the final decision-making process. **However, in the case of Heads, the final decision to offer an appointment must be made by the full Governing Body.**
55. The aims of the interview are to determine each candidate's suitability for the job, to ensure the candidate has a clear picture of the organisation and to maintain the image of your school and of Oxfordshire County Council as a good employer

Interviewing Question Time

56. The interview should be flexible within a prearranged structure. The Panel should decide how the interview should be structured, including the role of each interviewer and individual areas of questioning
57. During the interview:
- Encourage the candidate to feel at ease
 - Explain the interview panel's objectives
 - Use open questions (What? How? Why? When? Where?)
 - Follow up leads with probing questions
 - Ensure all questions are directly relevant to the job description and the Selection Criteria
 - Avoid closed questions (unless needing to check points)
 - Avoid leading questions
 - Avoid discriminatory questions (i.e. contrary to the law such as the Sex Discrimination Act or Race Relations Act)
 - Encourage the candidate to illustrate their answers with examples of their own experience
 - Do not make assumptions
 - Listen attentively
 - Remain objective throughout. Eliminate subjectivity as far as possible
58. If the candidate has a disability, you can ask questions which will enable you to find out what adjustments would be necessary to make it possible for the candidate to do the job.

59. End the interview by asking if the candidate has any questions they wish to ask. Inform the candidate of what happens next.
60. Make notes to form the basis of a written assessment of each candidate. These notes should be retained and could be used to respond to any subsequent challenge.
- 61. Remember that everything said at interview can form part of a contract and may be legally binding.**

The Selection Decision

62. Consider only those factors which are relevant to the job as detailed in the Job Description and Selection Criteria.
63. If any of the candidates are disabled, consider their suitability for the job once any reasonable adjustments have been made. **Reasonable adjustments** may include:

- Adjustments to premises
- Allocating some duties to others
- Altering working hours or place of work
- Training
- Buying or modifying equipment
- Providing a reader, interpreter or supervisor
- Transferring the person to an existing vacancy

(It may be possible for the individual to get financial help from the Employment Service in order to fund equipment and other support)

64. Justification for failure to make adjustments could include:
 - Ineffectiveness of the adjustment in preventing the disadvantage
 - Impracticability, including length of time it would take to make the adjustment
 - Financial and other costs
 - Employer's financial and other resources
65. Prompt and accurate written records matching candidates to the Selection Criteria are essential. (see paragraphs 68 & 70 below)

What Happens Next?

66. The successful candidate should be offered the job subject (where appropriate) to:
 - Health screening
 - Disclosure and barring service(DBS) and Prohibition
67. Unsuccessful candidates should be informed **within five working days** and offered feedback on their application.
68. **All original application forms, references, interview notes/assessments must be kept for twelve months after the end of the recruitment process in case they are needed as evidence in any legal challenge. They will also be needed for debriefing unsuccessful candidates.**
69. **The appointment form and a copy of the application form of the successful candidate should be sent to the County Council as notification so that the appropriate checks can be carried out and so that the contract of employment can be issued if your school subscribes to the appropriate OSJP package.**
70. **All monitoring slips should be sent to the County Council with that of the successful applicant on top, in order to comply with the Race Relations (Amendment) Act).**
71. **Successful staff will be added to the school's Single Central Register**

Useful contacts:

Commission for Racial Equality

St. Dunstan's House
201-211 Borough High Street
LONDON
SE1 1GZ

www.cre.gov.uk

Tel: 0207 939 0000

Fax: 0207 939 0001

Equal Opportunities Commission

Arndale House
Arndale Centre
MANCHESTER
M4 3EQ

www.eoc.org.uk

Tel: 0845 601 5901 (helpline)

Disability Rights Commission

Tel: 08457 622 633 (helpline)

www.drc-gb.org

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Frequency of review	3 years
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Reviewed by	Deborah Nind – Headteacher Trish Amesbury – Chair of Governors
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